7569. By Mr. ENGLEBRIGHT: Petition of Crawford Business Men's League of Chicago, protesting against chain stores; to the Committee on Interstate and Foreign Commerce.

7570. Also, petition of Siskiyou County (Calif.) Bar Association, indorsing the Curry bill, proposing to create a new Federal judicial district in the State of California; to the Committee on the Judiciary.

7571. By Mr. GARBER of Oklahoma: Petition of Oklahoma State Division of the Izaak Walton League of America, in full support and urging passage of Senate bills 2350 and 2351, by Senator THOMAS of Oklahoma, and House bills 6320 and 6321, by Hon. JED JOHNSON; to the Committee on Agriculture.

7572. Also, petition of Oklahoma Multigraphing Co., Oklahoma City, Okla., in opposition to House bill 11096 and in support of House bill 10344; to the Committee on the Post Office and Post Roads.

7573. Also, petition of Hollywood Technical Directors Institute, Hollywood, Calif., opposing further showing of the film All Quiet on the Western Front; to the Committee on Interstate and Foreign Commerce.

7574. Also, petition of Dorchester (Mass.) American Legion Post, urging Congress to not adjourn until constructive disabled legislation for immediate relief actually becomes law; to the Committee on World War Veterans' Legislation.

SENATE

MONDAY, *June 16, 1930*

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

Almighty Father, in whose tender keeping are the hearts of Thy children and from whom all thoughts of truth and peace proceed, kindle, we pray Thee, in all men the true love of peace, and guide with Thy pure wisdom those who take counsel for the nations of the earth, especially all who bear rule in our beloved land.

Let humility triumph over pride and ambition, charity over envy, hatred, and malice, purity and temperance over lust and excess, meekness over passion, that we, with all the brethren of the Son of man, may draw together as one comity of peoples and evermore dwell in the fellowship of Him who is the Prince of Peace, Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, June 9, 1930, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. William Tyler Page, its Clerk, announced that the House had agreed to the reports of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

The message also announced that the House had passed without amendment the following bills of the Senate:

S. 420. An act for the relief of Charles E. Byron, alias Charles E. Marble;

S. 1447. An act for the relief of Pasquale Iannacone;

S. 1469. An act to quitclaim certain lands in Santa Fe County, N. Mex.;

S. 2371. An act to provide for the appointment of two additional justices of the Supreme Court of the District of Columbia; and

S. 3939. An act to authorize the appointment of two additional justices of the Court of Appeals of the District of Columbia.

The message further announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 29. Concurrent resolution to print and bind the proceedings in Congress, together with the proceedings of the unveiling in Statuary Hall, of the statue of Gen. John Campbell Greenway, presented by the State of Arizona; and

S. Con. Res. 31. Concurrent resolution authorizing the printing as a Senate document of House bill No. 2667, the tariff bill, as enrolled and presented to the President for approval.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 969. An act for the relief of Edna B. Erskine;

S. 3784. An act for the relief of John Marks, alias John Bell; and

S. 3866. An act for the relief of Joseph N. Marin.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4189) to add certain lands to the Boise National Forest; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COLTON, Mr. SMITH of Idaho, and Mr. EVANS of Montana were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 12235) to provide for the creation of the Colonial National Monument in the State of Virginia, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COLTON, Mr. SMITH of Idaho, and Mr. EVANS of Montana were appointed managers on the part of the House at the conference.

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

H. R. 247. An act validating certain applications for, and entries of, public lands;

H. R. 456. An act for the relief of Hans Roehl;

H. R. 524. An act for the relief of the I. B. Krinsky Estate (Inc.) and the Fidelity & Deposit Co. of Maryland;

H. R. 531. An act for the relief of John Maika;

H. R. 574. An act for the relief of Moreau M. Casler;

H. R. 687. An act for the relief of John S. Conkright;

H. R. 1452. An act for the relief of Melissa Stone, widow of Francis Stone;

H. R. 1712. An act for the relief of the heirs of Jacob Gussin;

H. R. 1717. An act for the relief of F. G. Baum;

H. R. 1761. An act for the relief of John L. Friel;

H. R. 1882. An act for the relief of Harry Cinq-Mars;

H. R. 2120. An act for the relief of Malven A. Williams;

H. R. 2170. An act for the relief of Clyde Cornish;

H. R. 2173. An act for the relief of Thomas F. Nicholas;

H. R. 2464. An act for the relief of Paul A. Hodapp;

H. R. 2782. An act for the relief of Elizabeth B. Dayton;

H. R. 2831. An act for the relief of Jasper Johnson;

H. R. 2863. An act for the relief of Harvey O. Willis;

H. R. 3122. An act for the relief of William J. Frost;

H. R. 3231. An act for the relief of Walter P. Hagan;

H. R. 3238. An act for the relief of Martin E. Riley;

H. R. 3441. An act for the relief of Meta S. Wilkinson;

H. R. 3732. An act for the relief of Fernando Montilla;

H. R. 3950. An act for the relief of David A. Dehart;

H. R. 4159. An act for the relief of Harry P. Lewis;

H. R. 4176. An act to extend the benefits of the employees' compensation act of September 7, 1916, to Dr. Charles W. Reed, a former employee of the United States Bureau of Animal Industry, Department of Agriculture;

H. R. 4269. An act for the relief of William L. Wiles;

H. R. 4564. An act for the relief of E. J. Kerlee;

H. R. 4595. An act for the relief of Maurice J. O'Leary;

H. R. 4731. An act for the relief of Frederick Rasmussen;

H. R. 4760. An act for the relief of Guy Braddock Scott;

H. R. 4907. An act for the relief of Thomas Wallace;

H. R. 4946. An act for the relief of Ned Anderson;

H. R. 5292. An act to authorize the city of Napa, Calif., to purchase certain public lands for the protection of its water supply;

H. R. 5810. An act to pay the Westinghouse Electric & Manufacturing Co. the sum of $1,900.80, money paid as duty on merchandise imported under section 308 (5) of the tariff act;

H. R. 5872. An act for the relief of Ray Wilson;

H. R. 6243. An act for the relief of A. E. Bickley;

H. R. 6264. An act to authorize the Secretary of War to donate a bronze cannon to the town of Avon, Mass.;

H. R. 6268. An act for the relief of Thomas J. Parker;

H. R. 6416. An act for the relief of Myrtle M. Hitzing;

H. R. 6453. An act for the relief of Peder Anderson;

H. R. 6627. An act for the relief of A. C. Elmore;

H. R. 6665. An act for the relief of B. C. Glover;

H. R. 6825. An act to extend the measure of relief provided in the employees' compensation act of September 7, 1916, to Robert W. Vail;

H. R. 7013. An act for the relief of Howard Perry;

H. R. 7068. An act for the relief of Fred Schwarz, jr.;

H. R. 7664. An act to authorize payment of fees to M. L. Flow, United States commissioner, of Monroe, N. C., for services rendered after his commission expired and before a new commission was issued for reappointment;

H. R. 8117. An act for the relief of Robert Hofman;

H. R. 8127. An act for the relief of J. W. Nelson;

H. R. 8347. An act for the relief of the Palmer Fish Co.;

H. R. 8440. An act for the relief of Henry A. Levake, deceased;

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H. R. 8491. An act for the relief of Bryan Sparks and L. V. Hahn;

H. R. 9267. An act for the relief of John A. Fay;

H. R. 10365. An act for the relief of Tracy Lee Phillips;

H. R. 10387. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Denver, Colo., the ship's bell, plaque, war record, name plate, and silver service of the cruiser *Denver*, that is now or may be in his custody;

H. R. 11212. An act to authorize a pension to James C. Burke;

H. R. 11268. An act for the relief of Mary C. Bolling;

H. R. 11297. An act for the relief of Arthur Edward Blanchard;

H. R. 11477. An act for the relief of Clifford J. Turner; and

H. R. 11493. An act to reimburse Lieut. Col. Charles F. Sargent.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and they were signed by the Vice President:

H. R. 2667. An act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes;

H. R. 11679. An act to provide for acquiring and disposition of certain properties for use or formerly used by the Lighthouse Service; and

H. R. 12348. An act to provide for the partial payment of the expenses of foreign delegates to the eleventh annual convention of the Federation Interalliee Des Anciens Combattants, to be held in the District of Columbia in September, 1930.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Allen	Fess	La Follette	Shipstead
Ashurst	George	McCulloch	Shortridge
Barkley	Gillett	McKellar	Simmons
Bingham	Glass	McMaster	Smoot
Black	Glenn	McNary	Steiwer
Blaine	Goldsborough	Metcalf	Stephens
Borah	Greene	Norris	Sullivan
Bratton	Hale	Oddie	Swanson
Brock	Harris	Overman	Thomas, Idaho
Broussard	Harrison	Patterson	Thomas, Okla.
Capper	Hatfield	Phipps	Townsend
Caraway	Hawes	Pine	Trammell
Connally	Hayden	Pittman	Tydings
Copeland	Hebert	Ransdell	Vandenberg
Couzens	Howell	Reed	Walcott
Cutting	Johnson	Robinson, Ark.	Walsh, Mass.
Dale	Jones	Robinson, Ind.	Walsh, Mont.
Deneen	Kendrick	Robsion, Ky.	Watson
Dill	Keyes	Sheppard	

Mr. McMASTER. I wish to announce that my colleague the senior Senator from North Dakota [Mr. NORBECK] is absent on official business of the Senate in connection with the presentation of a statue of Leif Ericsson as a gift of the American people to the people of Iceland on the occasion of the celebration of the one thousandth anniversary of the Althing, the National Parliament of Iceland. I ask that this announcement may stand for the remainder of the session.

The VICE PRESIDENT. Seventy-five Senators have answered to their names. A quorum is present.

ORDER OF BUSINESS

The VICE PRESIDENT. The first order is the presentation of petitions and memorials.

Mr. BLACK. Mr. President, I desire to address the Senate for a few minutes.

The VICE PRESIDENT. That can only be done by unanimous consent. Is there objection? The Chair hears none. The Senator from Alabama is recognized.

MUSCLE SHOALS

Mr. BLACK. Mr. President, I desire to address the Senate for a few minutes with reference to the fact that Muscle Shoals is still undisposed of and to attempt, if I can, to show the reason why it is not disposed of, why it should be disposed of, and how it can be disposed of at this session of Congress.

I want to call attention first to one of the outstanding reasons why it is not disposed of, from a report just made by the Federal Trade Commission. The Southeastern Power & Light Co. is allied with the power companies securing the power from Muscle Shoals. In accordance with the report made to me in response to a letter addressed by me to the chief examiner of the Federal Trade Commission, the Southeastern Power & Light Co. made a dividend in the year 1927 of 3,102 per cent. If the Southeastern Power & Light Co. had been paid in advance a dividend of 8 per cent per year on its investment and had received this 3,102 per cent, it would have been paid its 8 per cent dividend on its investment for a period of 388 years. If it had been paid a 6 per cent dividend in advance on its investment in that year, it would have received payment in advance for 517 years.

With this preliminary reason given as to why Muscle Shoals has not been disposed of I desire now to tell the Senate very briefly the situation in which we find ourselves more than 10 years after the Muscle Shoals project was constructed.

The Senate passed a measure providing for straight Government operation of the power project and nitrate plant. The House passed a measure providing for a lease of the power project and the nitrate plant. In other words, the House has passed a straight leasing bill; the Senate has passed a straight Government operation bill.

The Senate conferees have agreed to divide the project and to permit the President to lease the nitrate plant for the manufacture of fertilizer. The Senate conferees agreed that this lease shall provide that every kilowatt of power may be used, if necessary, by the private lessee for the operation of the nitrate plant for the manufacture of fertilizer. That leaves as the only remaining question the disposition of the surplus power after the use of the necessary amount to manufacture fertilizer for the American farmer.

The Senate conferees insist that the Government shall continue to sell this power directly as it is doing now. Three of the five House conferees decline even to make this concession and insist that even after every kilowatt of the power is used for the manufacture of fertilizer which may be needed for that purpose, the surplus power shall go to private lessees. In other words, it would go to the power companies in the natural course of events.

That now is the sole question at issue between the conferees. The Senate has yielded and is ready to permit the House conferees to write such a fertilizer bill as they see fit, giving private business the opportunity to get every kilowatt of power that is needed for the manufacture of fertilizer for the benefit of the American farmer. The Senate conferees, however, take the position that if there should be surplus power the municipalities, counties, and States should have preference in the sale of the surplus power, which is exactly in line with the Federal water power act. That, stated briefly, is the only difference between the two Houses at this time on Muscle Shoals.

When President Hoover went into office it was widely stated throughout the country that Muscle Shoals would now be disposed of; that a business administration would guarantee a disposition of this project for the best interests of the American people. As a matter of fact, the President himself, in speaking in the South, at Elizabethton, Tenn., near this great project, made a statement which fits the proposition of the Senate conferees like a glove.

First, may I call the attention of the Senate, however, to what we shall lose if this question is not settled, and then let the country determine whether or not a business administration should remain silent while this loss continues.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from North Carolina?

Mr. BLACK. I yield.

Mr. SIMMONS. I do not know that I thoroughly understand the Senator from Alabama. Am I correct in understanding the Senator from Alabama to say that under the proposed compromise the Government will retain control of the nitrate plant?

Mr. BLACK. Under the compromise the Government will lease the nitrate plants to private enterprise for the manufacture of fertilizer, but the Government will keep its hand on the power switch for the surplus power and will sell it, as it is selling it to-day, with the exception that under the compromise plan the surplus would not first be sold to the Alabama Power Co. but would be sold first to the municipalities, States, and counties which desire it.

Now, may I call the attention of the Senate to the fact that in a letter from the Chief of Engineers dated October 3, 1929, I was informed that the total power generated at Muscle Shoals during the year 1928 was 1,776,199,000 kilowatt-hours. The Alabama Power Co., which was the only company that bought any of that power, purchased 216,859,000 kilowatt-hours at about 2 mills per kilowatt-hour, or a total of one-eighth of the power. That much power purchased by that company at 2 mills would equal $433,718, sales price. If all the power developed had been sold at that price the Government would have obtained $3,552,398; so there has been a total loss per year by reason of in-

excusable delay of more than $3,000,000, which over a period of 10 years would amount to more than $30,000,000. If this question is not settled now, we know what it will mean in the future; that each year we shall be losing more than $3,000,000 per year, for one reason only, namely, that the present Republican administration is not willing to permit that power to be sold unless every kilowatt of it shall be sold to private power companies. I do not say that the administration favors that, but I do say that if this proposition shall not be settled at this term of Congress the evidence will be conclusive to any fair-minded man that this administration is willing for the Government to lose more than $3,000,000 a year rather than sell any power to a single municipality in the South. I call attention to the fact that the administration has declined to sell any of this power to municipalities. They have begged for it; they have pleaded for it; but they can not get it.

I also call attention to the fact that we lost about $75,824 in maintaining the nitrate plants alone in 1928; in other words, there has been a loss of about $4,000,000 a year, at a time when the word economy is flung about in presidential messages and in statements, and, unless something shall be done at this session of Congress, nearly $4,000,000 per year will continue to be wasted.

Not only that, but if this question is not settled the country can not escape the conclusion, and the people will not escape the conclusion that the only reason any sane man can assign for delay is that, rather than sell any of this power to a municipality, it is thought better to permit the Government to lose $4,000,000 per year income.

May I add in addition that we are paying the Government of Chile each year a tax of about $12,830,000 on nitrates? Germany is not doing that, because the Germans are using their war-time nitrate plants; other European countries are not doing it; but the American farmer is doing it. Why? There is one reason and one reason only—that somebody is opposed to letting a single municipality in America buy any power from Muscle Shoals. There is no other reason.

The conferees have agreed to divide this project. The Senate conferees and two of the House conferees have yielded; they have agreed to draw a bill providing for the manufacture of fertilizer under lease by private enterprise for the benefit of the American farmer, but providing also that the people may have preserved to them the right to buy some of their own power, in collective groups, as municipalities, States, or counties, rather than be compelled to buy through private power companies. That is the sole issue; it can not be escaped. It is at the door of the present Republican administration.

In other words, are we willing to permit delay to continue rather than reach a settlement which will permit private business to manufacture fertilizer and, if there be any surplus power, give the municipalities the benefit of it?

I may state here that many experts claim that the farmers of the country would save $50,000,000 per year by the operation of the nitrate plants. Whether that is true or not I do not know and I can not say, but I do know that by the enactment of a proper law we can ascertain the fact, and we can relieve ourselves from servitude to Chile in the purchase of nitrates.

Now, Mr. President, may I call attention to the profit of another company? In the year 1927 the Electric Bond & Share Co. exchanged its holdings of the common stock in the Lehigh Power Securities Corporation share for share for common stock in the present National Power & Light Co., and received a cash dividend of $1 per share on 428,710 shares, which, in the form of Lehigh Power securities stock, had cost $19,562.50. This is a return on the original stock of these particular shares of 2,191 per cent. In other words, if they had received a 6 per cent dividend every year on the investment in advance it would have taken them between 300 and 400 years to make that much profit on their investment.

If this question is not settled at this term of Congress it is for one reason, and one reason only: It is because this administration does not want the slightest competition for companies that make from 2,100 per cent a year to 3,000 per cent a year on their investments.

The sole issue, mind you, Mr. President, is the surplus power. Shall it be sold directly to power companies by private lease or shall the Government first give municipalities, States, and counties a chance to buy. I ask Senators, whatever may be their position on Government operation, if a municipality wants to buy some of that power at Muscle Shoals and it is for sale by the Government, why should not that municipality have the right to purchase it. What earthly reason can any man advance against such purchase? Shall we fail to legislate because companies that are interested in making from two to three thousand per cent profit per year out of the pockets of the masses of the people of this country oppose legislation? If we do not legislate that, and that alone is the reason.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Montana?

Mr. BLACK. I yield.

Mr. WALSH of Montana. I should like to inquire of the chairman of the Senate conferees on this measure whether the situation has been accurately described by the Senator from Alabama, namely, that the sole question at issue is as to whether municipalities shall be given the preference in the matter of leasing power from the Government. I understand the Senator from Nebraska [Mr. NORRIS] is chairman of the conferees.

Mr. NORRIS. Mr. President, if the Senator from Alabama will yield——

Mr. BLACK. I yield to the Senator from Nebraska.

Mr. NORRIS. I am not chairman of the Senate conferees. However, I will state for the benefit of the Senator from Montana that, to be technical, that is not the sole question. The Senator from Alabama, I think, has fairly stated it, and at the conclusion of his remarks, speaking in behalf of the proposition made by the Senate conferees, I will add a few words to what he has said.

Mr. BLACK. Mr. President, the issue is this: The House passed a private operation measure for both projects; the Senate passed a Government operation measure for both projects; the Senate conferees have agreed to yield as to the nitrate plant for the manufacture of fertilizer. Therefore, it leaves only the surplus power to be considered. The question is, How shall that surplus power be sold? If it shall be sold, as provided by the House bill, it will inevitably go to the power companies; certainly municipalities would not be given a preference in the sale of that power directly from the Government. If it shall be sold as provided in the Senate bill, States, municipalities, and counties will be given a preference in the sale of the power directly from the Government.

Now, may I read what Mr. Hoover said when he was a candidate speaking in the South? I think I am safe in saying that thousands and thousands of votes in the South were brought to the President because of this speech, particularly when he followed it up with a statement which was accepted throughout the South as an indication that he favored preserving this great project for the benefit of the people. In his speech Mr. Hoover used these words:

> There are local instances where the Government must enter the business field as a by-product of some great major purpose, such as improvement in navigation, flood control, scientific research, or national defense, but they do not vitiate the general policy to which we should adhere.

That was the first general statement of the Republican presidential candidate.

When asked by newspaper men to interpret that statement Mr. Hoover said:

> You may say that means Muscle Shoals.

In a subsequent statement, in order that the people might be thoroughly satisfied about his position, he spoke as follows:

> There is no question of Government ownership about Muscle Shoals, as the Government already owns both the power and the nitrate plants. The major purposes which were advanced for its construction were navigation, scientific research, and national defense. The Republican administration has recommended that it be dedicated to agriculture for research purposes and development of fertilizers in addition to its national-defense reserve.

Bear in mind that the Senate conferees have taken the position that they are willing to have the plant dedicated by the Goverment for fertilizer purposes. That was in their joint resolution, but they have agreed to yield to the House, adhering only to the original dedication of the plant, and agreeing that the House may provide for a lease to private interests for the manufacture of fertilizer. That certainly fits this portion of the President's statement.

Further Mr. Hoover says:

> The Republican administration has recommended that it be dedicated to agriculture for research purposes and development of fertilizers in addition to its national-defense reserve. After these purposes are satisfied there is a by-product of surplus power. That by-product should be disposed of on such terms and conditions as will safeguard and protect all public interests. I entirely agree with these proposals.

There is a statement made by the President as a candidate down in the South, where he was seeking votes, and where he obtained more votes than any Republican presidential candidate had obtained since the days when Federal bayonets forced people to vote the Republican ticket. What did he say? "This by-product shall be disposed of for the interest of the people."

There is the issue. How can the people be best benefited? Must we believe that the President subscribes to the viewpoint—that the only possible way to dispose of this power in the public interest is to have it sold by the Government directly and exclusively to private interests? Or are we justified in believing, when the President made this statement, that, if it was for the benefit of the people that the municipalities of the South should purchase this power directly from the Government, they should be granted this privilege? Would any business be destroyed by permitting the Government to sell this power to municipalities, States, and counties as well as power companies?

The power companies have been purchasing only about one-eighth part of the power. We have been losing more than $3,000,000 per year. If this joint resolution should be enacted, we have every reason to believe that all this power would be sold; and, furthermore, we believe that in this period of general depression throughout this Nation it would result in turning over the wheels of industry, bringing about greater industrial progress, and thus help the acute unemployment situation.

Are we, the people of the South—are we, the people of the Nation—to be denied again by the Republican administration the operation of this project in order that power companies may continue to make from 2,000 to 3,000 per cent profit per year?

Mr. President, there can be no evasion of this issue. There can be no evasion by this administration.

A statement was published several days ago that the President had said he would not sign the Norris joint resolution in its original form. To whom that statement was made, I do not know. Evidently it was made to some one; and evidently, if it was made, it was made for the purpose of influencing legislation in these bodies. A statement later was given out that the President would not say whether he would or would not sign this compromise measure, but I noticed in the Washington Star of Saturday—the same newspaper that carried the statement that the President would not express himself on this subject—that the President would likely be compelled to attempt to bring about concessions on the part of the Senate and House conferees with reference to the lump-sum settlement for the District of Columbia. The story was to the effect that the President had indicated that he would not hesitate to take a hand if the conferees failed to agree finally.

I recall that there was no hesitancy on the part of the President about an expression on the flexible-tariff provision. I recall also that there was no hesitancy about an expression on the debenture plan. I recall that the statement has been published that the President would not sign the Norris joint resolution in its original form. Therefore, if precedent shall be followed—bearing in mind that for 10 years the party of which Mr. Hoover is the head must take the responsibility for keeping the Muscle Shoals nitrate plants idle and for continuing to make contributions to private power companies of millions of dollars a year—I say, Mr. President, that if this legislation is not passed at this session of Congress the responsibility lies at the doorstep of the present administration. It lies directly with the interests that prevent a reasonable and fair compromise on the part of the two branches of Congress.

Why, Mr. President, even on yesterday the President issued a statement about the tariff bill. What did he say? He said these matters were reached by compromise; that there were many things in the bill with which he did not agree—in substance, that is what he said—and yet they were compromised. Is Muscle Shoals the only piece of legislation on which a compromise can not be reached? Is it true that this great national asset, in which $150,000,000 of the people's money is invested, in which the stockholders of the American public are losing money day by day, week by week, and month by month—is it true that Muscle Shoals alone is the only legislation upon which a compromise can not be reached?

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from North Carolina?

Mr. BLACK. I yield to the Senator.

Mr. SIMMONS. I regret very much that necessity called me out of the Chamber, and I have not heard all of the Senator's speech. What protection has the farmer of this country against high prices if this nitrate plant is put in the hands of private capital?

Mr. BLACK. Mr. President, that would depend upon the way the measure was drawn. As originally drawn in the House, the measure provides, or ostensibly provides, for limitation of profit to 8 per cent.

Mr. SIMMONS. Is that in the compromise arrangement, or is it left blank, so that we are forced to lease to private capital without any protection to the farmer against extortionate prices on the part of the manufacturer of nitrate?

Mr. BLACK. As I understand it, Mr. President—the Senator from Nebraska [Mr. NORRIS], of course, will make a statement later—the proposition made by the Senate conferees was this: "Draw up a proper provision for the lease of the nitrate plant, properly protecting the farmer."

Mr. SIMMONS. Who is to determine whether or not the farmer is properly protected?

Mr. BLACK. That would be determined first by the conferees, and next by the Senate and the House.

Mr. SIMMONS. But there is nothing in the compromise arrangement, as I understand the Senator, that limits the profits that the lessee of the nitrate plant shall be permitted to charge the consumer of nitrogen.

Mr. BLACK. I shall endeavor to make that clear.

Mr. SIMMONS. Then I desire to ask the Senator just one more question.

Mr. BLACK. Before I answer this one?

Mr. SIMMONS No; I shall be glad to have the Senator answer that one first.

Mr. BLACK. The House drew a measure providing for the leasing of all the project, including the power and the nitrate plant. They provided there certain safeguards for the American farmer. Some of them are excellent. If they are not sufficient, of course they can be amended; and I have no doubt but that both the Senate and House conferees are desirous of doing that. They intend to provide for a limitation of 8 per cent profit. I have no question in my own mind but that the conferees of the House and Senate can arrange that so that there will be no danger of injury to the American farmer.

Mr. SIMMONS. Then the conferees have not yet reached an agreement, and the Senator is just discussing the prospective action of the conferees?

Mr. BLACK. The conferees have not reached an agreement. That is the reason why I am talking now. The House stands directly and positively and unequivocally, by three of its Members, for private operation or nothing of both nitrate plant and power.

Mr. SIMMONS. I understand that.

Mr. BLACK. The Senate conferees say, "We will yield to you on the private operation of the nitrate plant for the manufacture of fertilizer, but we do insist that the surplus power be sold in accordance with the provisions of the Senate joint resolution, which gives a preference to municipalities, States, and counties." I may say to the Senator that there is no trouble whatever in properly safeguarding the rights of the American farmer on the private lease of the fertilizer plant.

Mr. SIMMONS. From what the Senator had said, or the part of what he said that I heard, I thought the conferees had already reached a conclusion; but it seems I was mistaken about that.

Now, I want to ask the Senator another question. Is the Senator in favor of the so-called compromise?

Mr. BLACK. Unequivocally.

Mr. President, I am in favor of settling Muscle Shoals legislation, and the country demands the settlement of Muscle Shoals legislation. It is a national disgrace and a national crime that for 10 years the great power interests and the great fertilizer interests of this country have been successful, by one camouflage and one subterfuge or another, in preventing the enactment of legislation which would put this great project to work for the people.

There is the situation. Can we legislate? Can we dispose of Muscle Shoals? Can we settle it? Are these two bodies and is the present administration tied down in any earthly manner in such a way as to prevent the passage of a law which disposes of this project in the interest of the people and the signing of that law by the Chief Executive of this Nation? Who will stand on his feet to say that the municipalities of the South do not have as much right to buy the power generated by the Government with the people's money as power companies wringing out two to three thousand per cent profit per year from the hard-earned money of the American people?

The present administration has been in office now for more than a year. The statement in the message of the President to the Congress was not clear and definite as to the Executive's position. The statement at Elizabethton, Tenn., in my judgment was made to fit a measure exactly like the compromise measure. The Senate will recall that when this joint resolution was up in this body I offered an amendment providing for the private lease of the nitrate plant. I stated at that time, in answer to a question of the Senator from Wyoming [Mr. KENDRICK], that in my judgment the President had made a statement which showed that he would sign that joint resolution, and that, in my judgment, he would keep his word given to the people of the United States during his campaign. I believe it now. It is my belief that if that joint resolution shall

be signed, the President of the United States will do that which he indicated at Elizabethton, Tenn., he would do, and Muscle Shoals will be disposed of.

Then are we longer to wait? Are the vast power possibilities of the Tennessee River longer to be shackled for use by the private power companies?

Mr. McKELLAR. Mr. President——

Mr. BLACK. I yield to the Senator from Tennessee.

Mr. McKELLAR. The Senator will recall also that the President, after making that speech, talked to two distinguished Tennesseeans, one Mr. George Fort Milton, the editor and owner of the Chattanooga News, and Mr. Edward Meeman, who is the editor of the Knoxville Sentinel. He told those men, as has been published by them since, that he regarded Muscle Shoals as an exception to the general rule, and that it ought to be treated in a different way. Those gentlemen have stated in their papers that the President had indicated to them that he would sign this Muscle Shoals measure.

Mr. BLACK. I thank the Senator for directing my attention to that matter. Some time ago I placed in the RECORD an editorial written by Mr. George Fort Milton, in which he referred to his personal conversation with the President during the campaign, which confirms exactly the statement made by the Senator from Tennessee.

Before I sit down, may I read a statement of the profits made by other power companies during the year 1927, according to this letter from the Federal Trade Commission.

The smallest profit made was 27.42, received by the American Power & Light Co. The National Power & Light Co. made 63.14 per cent. The American Gas & Electric Co. made 56.22 per cent.

This is the issue raised for the public to consider. It is not only raised here; it will be raised at other places throughout this country. As the time comes when we are helpless, when the hands of the people are tied, when they must continue to pay extortionate prices for power, when they can not even purchase their own power without its going through the hands of private business, wringing unjust profits from the people, that will be the issue.

I say now, as I said when I began, if Muscle Shoals legislation is not passed at this session of Congress, if the Government continues to lose three to four million dollars a year by reason of the failure to sell power, if the farmers of this Nation continue to lose $50,000,000 a year by reason of the failure to manufacture fertilizer, the fault will lie with the present Republican administration and its leaders.

By one word they can settle this controversy. By one word the leader of that party can settle this controversy. Through the efforts of the leaders of the Republican Party in this body, and on the part of the Republican leaders in the House, this measure can be passed before to-morrow's sun shall set. A compromise can be reached, and the matter can be settled. Are the people helpless? Can no voice be heard except the siren tones of great aggregations of wealth claiming the right to make 3,000 per cent profit a year, or shall the still small voice of the people back at home now and then be heard? The future will tell, and if this measure, or some measure properly disposing of Muscle Shoals, does not pass within the next week, the responsibility will lie with the present adminstration and its leaders and its followers from bottom to top and from top to bottom.

The PRESIDING OFFICER (Mr. FESS in the chair). The presentation of petitions and memorials is in order.

Mr. NORRIS. Mr. President, if I may be permitted a few minutes, I would like to say just a few words about the Muscle Shoals matter as one of the conferees on the part of the Senate on the Muscle Shoals legislation.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Nebraska will proceed.

Mr. NORRIS. Mr. President, the Senator from Alabama has stated the situation in substance, and I think stated it correctly. However, in order that there may be no question as to just what was done by the Senate conferees, I desire to restate it in perhaps briefer form.

Senators will remember that we passed a joint resolution providing for the operation of the power plants and the nitrate plants at Muscle Shoals by a governmental corporation to be set up under the joint resolution. Senators and the country I think are familiar with that legislation. With one unimportant exception, it was word for word the same measure that we passed in the preceding Congress.

We provided for the operation of Muscle Shoals through the instrumentality of a governmental corporation, for the building by the Government of the Cove Creek Dam, and for turning it over, when it was completed, to this governmental corporation; for the operation of the nitrate plants, and experimentation in the cheapening of fertilizer and fertilizer ingredients, on a scale that was broader and larger than anything that had ever been undertaken in the history of the world, realizing that what the country needed, in fact, what the civilized world wanted, was cheaper fertilizer.

The joint resolution passed by the Senate went to the House. The House struck out all after the resolving clause and added an amendment which in effect provided for the leasing of all governmental properties, including the power properties and the nitrate properties, and the other property owned by the Government, to private corporations or individuals.

When the conferees met, we realized, as the President himself has said, that all legislation is the result of compromise. After we ascertained, as we did very shortly after we met with the House conferees, that the House conferees under no circumstances would yield, that they were insisting upon the House measure, then the Senate conferees made a compromise proposition to the House conferees. That proposition was that the nitrate plants should be leased under the terms of the House joint resolution, that the power properties should be administered under the Senate joint resolution, that the only limitation we would make upon the leasing of the nitrate property was that the lessee or lessees should be confined to the manufacture of fertilizer or fertilizer ingredients to be used in the production of fertilizer, and that the corporation set up in the Senate joint resolution should be bound to supply to the private lessees of the nitrate plants all the power they needed or wanted in the operation of those plants, at a price which should be as low as the price at which any power under like conditions was sold to any municipality, State, or corporation.

Mr. President, we think we made a fair compromise proposal. Briefly, let me call to the attention of the Senate, and I hope of the country, the issue which has been before us all these 10 years. Those who are opposed to the Government operating its own property down there and experimenting in the cheapening of fertilizer and fertilizer ingredients have always contended that the Government could not do that business as economically and as cheaply as private individuals could do it, and hence they wanted to lease those properties. It was always claimed, in the main, that the object they wanted to attain by leasing the properties was, first, to get cheap fertilizer for the American farmer.

Great propaganda was put on through the instrumentality of some alleged farm leaders who were working in the interest of the power companies to carry out a leasing proposition, and they always said, "If you will take the Government out of the matter we can manufacture fertilizer at Muscle Shoals which will cheapen the product to the American farmer and carry out the real intent of the original act."

That was their contention. This proposition which the Senate conferees have put up to the conferees on the part of the House meets that proposition. We think that if they want to compromise, if they want to do what our own President has said is always necessary in the enactment of legislation, we have gone more than half way. We have practically said to them, "If you have been telling the country the truth, if you are not bluffing, if there is no Power Trust colored man concealed in the woodpile, you will jump at our proposition. You have said that all we need is to let private people operate the nitrate plants and the farmer will immediately get cheap fertilizer. This proposition gives you the opportunity. If you are not in reality trying to get from the Government of the United States the power and care nothing about fertilizer, and were only using that as a subterfuge to get the farmers of the United States behind your proposition to lease all the property, if you are not deceiving the farmer or the country, then this proposition meets you 100 per cent. If you decline to receive it, it is an admission that for all these years you have been deceiving the American farmer, you have been trying to deceive Congress, with the statement that you are interested only in cheap fertilizer for the farmer."

Mr. SIMMONS. Mr. President, I am very much interested in what the Senator is saying. I am very anxious to safeguard the agricultural interests of the country in this matter of cheap nitrogen, because I know it is the basic constituent of fertilizer. I understood the Senator to say that the proposition was that the farmers were to receive the benefit of as low prices as obtained in privately managed nitrogen plants. Am I correct about that?

Mr. NORRIS. The claim has always been that the operation of the Muscle Shoals plant for the production of fertilizer would cheapen fertilizer. If we would take the Government's "dead hand," as it is always called, off the nitrogen plants, and lease them to private people, then the farmer would be in clover at once with cheap fertilizer. That has always been the claim.

Mr. SIMMONS. The point I am making is that the only limit upon the price which can be charged is the lowest price charged by other manufacturers of the product.

Mr. NORRIS. No; the limitation fixed in the House measure is that the lessee shall not make a profit of more than 8 per cent.

Mr. SIMMONS. Is that in the compromise?

Mr. NORRIS. It is in the House measure already.

Mr. SIMMONS. Would that remain in the report?

Mr. NORRIS. That is our proposition. We say, "You may have the nitrate properties leased according to your own resolution."

Mr. SIMMONS. But the profits——

Mr. NORRIS. The profits are limited in the resolution to 8 per cent.

Mr. SIMMONS. The profits shall not exceed 8 per cent?

Mr. NORRIS. That is correct. I do not want anybody to get the idea that in making the offer of compromise to the House conferees the Senate conferees indicated that they believed that the farmers would get cheaper fertilizer by our following the House measure than by following the Senate joint resolution. Not by any means. We make it as a compromise. We make it not because we want it, but because we feel we are compelled to accept it in order to get anything.

I contend and I think I can demonstrate that, considering fertilizer alone, the Senate resolution is a thousand per cent better than the House resolution. It is the greatest proposition for cheap fertilizer that has ever emanated from any legislative or executive body anywhere in the civilized world. We are all anxious to cheapen fertilizer. In our proposition we surrender the theory which we have always maintained and take theirs simply because it is a matter of coercion, a matter of compulsion. We can not get anything done unless we do that. We, in effect, say to them, "Have your own way about this thing for which you have been contending so long and let the people know whether you have been bluffing before or whether you were in dead earnest."

Mr. President, in what I am about to say I do not refer to Members of the House or Senate, but I am referring to the great contest that has been going on over the world waged on the one side by the Power Trust. Assuming that our opponents love the farmer like they said they did, assuming that they were honest, assuming that they believe they could do what they claim they can do, here is their opportunity, and they will get 8 per cent profit on it. Under our proposition we do not even compel them to take power from the Government operation. Some of them said, "You will force the lessee to take power from the Government. We believe the Government can not make as cheap electricity as private parties." I said, "My friends, you do not understand our proposition. That is just what we permit the lessee to do. All we do is to say you can take power from the Government corporation; it will sell it to you as cheap as it sells it to any municipality or individual, the same kind of power under the same conditions. If you would rather buy from the Alabama Power Co., there they are right there with their transmission lines at Muscle Shoals. Buy it of them. Buy it of the Tennessee Power Co. or any other power company if you want to do so. You do not have to buy of us. If the Government can not make electricity as cheap as the Alabama Power Co. and sell it lower than they can, then go ahead and patronize the Alabama Power Co. God bless you, go to it!" They are not to be tied up to anyone. The proposal gives to those who are in favor of private operation of the plants by lessees all that they have ever claimed. The only thing is that we say, "Confine your operations to fertilizer and ingredients to be used in the manufacture of fertilizer. You can have all the power at Muscle Shoals if you want to go into it that extensively."

In conclusion I desire to read and comment upon an editorial from the last issue of Labor, which bears somewhat upon the question which the Senator from Alabama [Mr. BLACK] discussed. The editorial is headed "Sample of Work of Financial 'Experts,'" and reads:

Here's another example, taken from the Federal Trade Commission records, of financial juggling by the power interests:

On May 31, 1921, the American Power & Light Co., the biggest holding concern in the Electric Bond & Share group, issued $3,500,000 of 20-year gold bonds, bearing 8 per cent interest.

Mark you, they issued $3,500,000 of bonds bearing 8 per cent interest due in 20 years. Keep that in mind.

These were sold to "insiders" at so low a rate that after commissions and all were paid, they brought in only $3,021,891.41, or a trifle over 86 cents on the dollar.

They were to run 20 years and were sold to insiders at 86 cents on the dollar, drawing 8 per cent interest.

On October 31, 1922—

A little over a year afterwards—

the American Power & Light Co. called these bonds at a premium.

That is the company which issued them.

The total bill for redemption—principal, interest, and premium—was $4,141,519.18. This means that the company had paid $1,119,537.77 for the use of $3,021,981.41—the sum which the sale of the bonds brought into the corporation treasury—for a period of 17 months.

The payment works out at 37.05 per cent for the entire term, or at the rate of 26.16 per cent per year.

One of the excuses made for holding and "management" companies is that they furnish their subsidiaries with expert financial and engineering advice. This is expert financial advice of the highest, or at least the most expensive, character. It takes an expert to pull that kind of "stunt" and keep out of jail.

The whole transaction was just another scheme for hiding profits. The company needed the cash for those bonds as much as a frog needs a hairbrush.

That is pretty well demonstrated by the fact that they were sold at a discount, bringing a little over 86 cents on the dollar, and were to run 20 years, but they were redeemed in less than two years at a premium.

But by issuing and then redeeming them, a lot of money could be transferred to the pockets of "insiders" without much chance of the public being any the wiser; while the cost is charged, one way or another, to "operating expenses," to be paid by that inevitable goat, the ultimate consumer.

That is only an illustration of what has been going on all these years, and what is being done now by the Power Trust. Every particle of the immense profit to which the Senator from Alabama called our attention and the amount of money involved in this crooked financial deal to which I have called attention must be paid by the people who consume the current. It is the same people who stand in the way of human progress, the same outfit that places its great body across the road which our Government must travel and says, "Unless you contribute to our unholy methods of robbing the American people, we will hold up Muscle Shoals for another term."

THE SPIRIT OF THE SOUTH

Mr. OVERMAN. Mr. President, I present and ask leave to have published in the RECORD an interesting article from the Boston Evening Transcript of June 7, 1930, entitled "The Spirit of the South," by S. A. Ashe, of Raleigh, N. C.

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

THE SPIRIT OF THE SOUTH

To the EDITOR OF THE TRANSCRIPT:

Please allow a southerner a word of comment on some utterances of your literary editor in your issue of May 24. Speaking of the spirit of the South, he says: "The defeat of the Southern Confederacy 65 years ago still rankles, and its spirit of nullification, of disunion, of secession, of slavery, still dominates them. As evidence of this spirit, I may cite an experience of my own, for I was recently called a bigot and accused of provincialism because in one of these talks I was unwilling to acclaim General Lee a patriot." "No man who was educated at the expense of his country and who thereafter fought to disrupt it could ever be a patriot."

It happens that I was in a position similar to that of General Lee. The people of Virginia doubtless paid for his education, the people of North Carolina for mine. And my conduct after the war was similar to General Lee's.

In July, 1865, I put in writing that we in North Carolina should try to make those who had been our negro slaves the best citizens of the State that we could. In those years I sought to promote a spirit fully accepting the results of our defeat—contentment, cheerfulness in our daily work, and happiness. Such it developed was likewise Lee's attitude. The President of the United States was a citizen of a State that, having withdrawn from the Union, was by force brought back into the Union. As far as I know or ever heard—there was a general acceptance throughout the South of the authority of the Federal Government. Where was there the slightest trouble?

The theory of the northern authorities was that the Southern States were always in the Union, and the Constitution was the supreme law. We in good faith accepted the result of the establishment by arms of that theory. I know of nothing to the contrary. The constitution of North Carolina now forbids secession.

If there has since been any manifestation of a spirit of disunion or secession, I am ignorant of it. The people of the Southern States being citizens of their States have a perfect right to manage their State concerns as far as the Constitution permits.

In General Lee's view, he did not fight against his country,

The States in 1781 formed a perpetual union; the articles to be unchangeable without the consent of every State. Changes were proposed in the articles. Eleven States withdrew from the perpetual union and ratified the proposed new Constitution. Virginia and New York in their ratifications declared that any State had a right to withdraw from the Union. Congress accepted their ratifications as being entirely right and established the new Government over the 11 States. Then, later, Rhode Island, declaring that any State had a right to withdraw, ratified the Constitution. Her ratification was accepted. There was no objection raised to the declaration that any State had a right to withdraw. Henry Cabot Lodge in his Life of Webster says: "It is safe to say that there was not a man in the country who did not regard that each and every State had a right to peaceably withdraw from the Union."

When General Lee was being educated at the expense of the Government he was taught that a State had a right to withdraw. So said his textbook, Rawle's View of the Constitution, Rawle being one of the most eminent jurists of Pennsylvania. Thus it was a part of Lee's education by the Government.

In January, 1861, the States began to secede, Congress did not object. But when President Lincoln was inaugurated in March he told Congress that the Union was formed in September, 1774, when the Colonists were British subjects and nearly two years before the Declaration of Independence, and that the States could not separate.

That was news to General Lee. If he looked into the Constitution he did not find anything about it. He found that the Constitution first and last talked about the States—that it established a Government by the States—and it did not forbid the withdrawal of a State.

Your literary editor talks about the country and the Nation—but General Lee did not find either word in the Constitution. Somebody is "unconstitutional."

Still it is nothing that anyone does not think Lee a patriot. That is nothing. What concerns me is that a learned gentleman misapprehends the spirit of the southern people.

It is to be desired that the people everywhere in the Union should consider all others equally patriotic with themselves, no matter how much they may differ in their political views, for our local interests, situation, and condition largely determine our views.

However, the reason your literary editor mentions for attributing an unlovely spirit to our southern people is so illogical that doubtless your intelligent readers will say "Non Sequitur."

For my own part, I am glad to know that the white people of the South are for the most part Anglo-Saxons of a high order of intelligence, virtue, and patriotism, fully knowing their duties to Government and society and seeking to perform them.

S. A. ASHE.

RALEIGH, N. C., *June 3.*

ORDER OF BUSINESS

The VICE PRESIDENT. The presentation of petitions and memorials is in order.

Mr. HARRISON. Mr. President, I ask unanimous consent to proceed for a few minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Senator from Mississippi is recognized.

THE TARIFF

Mr. HARRISON. Mr. President, for more than 17 months the Congress considered the tariff bill. Of course, it is known to the Senate and to the country that we began its discussion in the extra session of Congress called by the President for the purpose of revising the tariff in a limited way, to give agriculture some relief, and to give some relief to certain industries which were said to need it. We were never told just what was in the mind of the President and what he believed to be or understood to be a "limited revision" of the tariff.

In speech after speech made in the other House and upon the floor of the Senate we tried to extract from the President some information as to what he meant by "limited tariff revision." But throughout the very exhaustive discussion and the close contest never at any time, so far as the Senate has been informed, did the President take into his confidence anyone as to what his views were and what he meant by "limited tariff revision."

The chairman of the Finance Committee time after time said he had not discussed it with the President and that he himself did not know. The leader of the Republicans in this body disclaimed any knowledge as to the views of the President. Due to the failure of the Senate and the Congress to ascertain what his views were and what his policy was with reference to tariff revision, the Senate for weeks and weeks and months and months went ahead, not knowing what the President desired in the way of legislation.

There is not in the country a man who has kept in touch with current events but who believed that the President had not formulated an opinion, if we were to accept what leaders said and if we were to accept his silence; nor a man but who thought that after the bill had passed the Congress he would give it that degree of painstaking consideration which the subject demanded. Of course, some of us did not believe that the President would have the courage to veto the bill. Some of us believed that the President was tied with a strangle hold to the reactionary leadership of the Republican Party in this body and in the other House; that he was listening to the appeals and demands and instructions of certain big special interests in the country, and that whatever their demand or request was, he would grant it.

What has happened? Our prophecies have come true. What we have believed, at least those of us who knew the situation intimately, must now be known by the country. There never has been practiced, in the consideration of any measure of this magnitude, such deception and hypocrisy as has been practiced by Republican leadership from the time the bill was first considered in the committee and down through the long weary months of its consideration and passage though the House, then through the Senate, until this day when it is about to be signed at the White House by the leader of the Republican Party. Ah, even last week we knew that the framers of this measure were trying to devise a plan to pass the bill without the vote of the junior Senator from Pennsylvania [Mr. GRUNDY], because they knew that to stigmatize the measure with "Grundyism" would put them on the hustings this fall in a defensive attitude; but the junior Senator from Pennsylvania had pride; he would not be shunted aside as his party associates tried to shunt him. He knew that his hands, in part, and, indeed, in large part, had framed the tariff measure, and he was going to continue to brand it with his mark. So, even though the Republican majority and he knew that they were going to be able to pass the bill by two votes, they very much desired that the Senator from Pennsylvania should vote with us on this side of the Chamber against the bill, not because he was against it, for he was whole-heartedly for it, but merely because the proponents of the measure thought it would be good politics for him to do so. He was not willing, however, to go through with the plan, and so he voted for the bill. Therefore, those Republicans who supported it will have a very hard time next fall defending this "Grundyized" bill. They will not be able to caponize it of "Grundyism."

Hypocrisy is inseparably connected with the passage of the measure. Its friends knew the President was going to sign it. Before the report from the House of Representatives came over announcing the passage of the bill there had been printed, at the instance of the chairman of the Finance Committee, at the Government Printing Office, a document which is called "The Tariff Act of 1930." Do Senators recall, in all their legislative experience, a tariff bill having been printed at Government expense and published and distributed as "the tariff act" of the year in which it was passed before the bill had even reached the hands of the President and before he had signed it? But the Republican majority knew what they were about; they knew the President was going to sign the bill; they knew that all the spurious, deceptive, and hypocritical statements which had been printed and distributed throughout the country were but a sham and pretense. The very act of printing the "Tariff Act of 1930" in advance should unfold that fact to the country.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from North Carolina?

Mr. HARRISON. I yield.

Mr. SIMMONS. Will the Senator from Mississippi not in the course of his remarks advise us of the effect of the statement by the President on the slump in the price of stocks on the New York Stock Exchange? I have heard about that.

Mr. HARRISON. I am going to come to that in a moment. What I have stated, however, has not been the only instance of deception. It was stated by the proponents of the measure that the President was going to give long, deliberate, and painstaking consideration to the bill before deciding whether or not to sign it. From the White House there have been given to the press during the last two weeks various statements to the effect that the President was not taking any sides on tariff legislation; that it was not assured that the President was going to sign the bill; indeed, it was stated that the President had not made up his mind on that subject but that he would reach his conclusion after studying the measure, following its passage by Congress.

However, what do we find? Before the conference report had been voted on in the House of Representatives there had been prepared a statement by the President of the United States relative to the matter; and on yesterday, on the Sabbath, before

the bill had reached the President, that statement was distributed. The President's full statement was broadcast in the morning newspapers, which was carried in the daily press of the morning, and which will also be carried in the afternoon press and in the weekly press. It even kept my friend the distinguished leader of the Republicans off some of the front pages of the newspapers after his labored effort of last Friday. That, however, is a good thing for the Senator from Indiana; it is a good thing also for the Republican Party that it did not get into the press more than it did.

Yet, despite the statement of the President published this morning, and which was prepared before the conference report had passed the House of Representatives, those who gave out messages from the White House were constantly stating, "It is not assured that the President is going to sign the bill; he may disapprove it; he is going to give painstaking consideration to it after it shall have been passed by Congress."

Do the proponents of this measure think they are going to fool the American people by such practices as that? How can the American people have confidence in a party which, from its head in the White House down to its leadership in this body, including the chairman of the Senate Finance Committee, and all of its followers, practices hypocrisy upon them?

I do not know that I should pay any attention to this mere statement of the President if it were not for the fact that he has all the advantage in the world, because of his exalted position, of getting the ear of the country and having this stuff smeared over the newspapers, so that the unsuspecting who read it may be fooled by it. I do not suppose any document sent out with the approval of a President of the United States ever contained more misleading statements and more alleged facts that do not exist than that statement of the President of the United States. Throughout runs the suggestion that it will help agriculture, that agriculture will be benefited by it, and also the suggestion that whatever inequalities the bill may contain the President will adjust through the Tariff Commission.

Here is just a sample of the deception in it:

> The increases in tariff are largely directed to the interests of the farmer. Of the increases, it is stated by the Tariff Commission that 93.73 per cent are upon products of agricultural origin measured in value, as distinguished from 6.25 per cent upon commodities of strictly nonagricultural origin.

The average person reading that statement would say, "My goodness, what a wonderful bill! It will help agriculture to the extent of nearly 94 per cent, while it will help industry only about 6 per cent." That, of course, "rings the bell," and yet when that statement is analyzed it shows hypocrisy in its every line.

What does that include? It includes every product other than metals and minerals. If you can visualize every other product and thing, Mr. President, except metals and minerals, that 93 per cent includes them all; it includes the suit of clothes on my friend's back; the tie, the shirt, the shoes, the leather, the socks, and everything else he wears. No; the ring upon his finger is not included, and the gold in his teeth is not included, but everything made from cotton is included in that 93 per cent of benefit to agriculture; everything in the woolen schedule is included, because wool is claimed as an agricultural product and is put in that category. So woolen socks and woolen blankets and woolen shirts and clothing and hats are included.

Likewise sugar, that great agricultural product in which only a very small percentage of the farmers of this country are interested, is included. Ah, because the duty on sugar is increased from $1.76 a hundred pounds to $2 a hundred pounds, agricultural interests all over the country are going to get the benefit therefrom. Was there ever such hypocrisy? Rayon is likewise included. As I have said, steel is not; metals are not; but all commodities into which an agricultural product enters even in the slightest degree come within the category of 93 per cent. Shoes come within it because they are made from hides; leather is likewise included; and the farmers of the country are told by Mr. Hoover with all the dignity that should characterize the acts and statements of the President of the United States that agriculture will be helped tremendously, to the extent of 93 per cent, because leather, among other things, is going to get the benefit of a tariff and so likewise are shoes.

Mr. SIMMONS. Mr. President, let me inquire of the Senator who said that?

Mr. HARRISON. Mr. Herbert Hoover said it in his statement issued on yesterday, on the Sabbath.

Mr. SIMMONS. Does the Senator suppose that the President when he made that statement knew the facts?

Mr. HARRISON. I do not know; I do not know who wrote the statement; I know that the President had it issued, and it comes out as the statement of President Hoover. It may be that he got his facts from the distinguished Senator from Utah or from Mr. Brossard, chairman of the Tariff Commission; I do not know; but I say any such statement as that is a deception upon the American people.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Utah?

Mr. HARRISON. I yield.

Mr. SMOOT. The President did not get the figures from me, I will say to the Senator, but I have not the least doubt that they are correct.

Mr. HARRISON. The Senator is just a blind follower of the President; that is all.

Mr. SMOOT. Wait a moment. Does not the Senator know that cotton on which a duty of 7 cents a pound is levied goes into the clothing of the people, and is not that duty a benefit to the farmers of Mississippi?

Mr. HARRISON. Oh, it will help a few.

Mr. SMOOT. That is one item which may be mentioned, and the same thing can be said as to others.

Mr. HARRISON. The Senator asked me a question, but he does not want to give me an opportunity to answer it.

Mr. SMOOT. I will give the Senator all the opportunity he desires, and I hope he will also give me an opportunity.

Mr. HARRISON. Of course, the small percentage of cotton farmers who will receive the benefit of the 7 cents duty on long-staple cotton will be helped to that extent; but a compensatory duty is placed upon everything manufactured from that cotton, just as it is on wool and other products. I suppose that lumber also would be included in the 93 per cent suggested by the President.

Mr. SMOOT. The Senator has stated, I think, the contention of the President, and I have no doubt, I repeat, that the figures the President has given are correct, no matter what the Senator from Mississippi may say.

Mr. HARRISON. I say that the President's statement is misleading.

Mr. SMOOT. I do not think it is misleading; he has stated the facts just as they are.

Mr. HARRISON. The Senator may take that view of it, because the Senator himself has made many misleading statements; he believes in fooling the people and the President has fallen into the error of trying to fool somebody in this instance. I say that when the President of the United States says that the tariff bill to the extent of 93 per cent benefits agriculture, it is an attempt to make the farmer believe that he is going to get 93 per cent of all the increases afforded by the bill, and the statement is misleading.

Mr. SMOOT. The statement made by the President is, I think, absolutely correct.

Mr. HARRISON. All right; let us pass to something else.

Mr. SMOOT. If the Senator wants to place any other construction upon what the President has said, the Senator, of course, is at liberty to do so.

Mr. HARRISON. The Senator himself, in the tables he presented, showed only a small percentage of increases for agriculture in the agricultural schedule.

Mr. SMOOT. Oh, no.

Mr. HARRISON. And he stated the facts as to the increases in the metal schedule and also as to the cotton and other schedules. Did the Senator ever make a statement that agriculture is going to be benefited by the passage of the tariff bill to the extent of 93 per cent of all the increases?

Mr. SMOOT. I did not make that statement, and I do not make it now; but I do say that carrying the rates placed on agricultural products through to the finished products, and taking into consideration what the consumers will have to pay, the statement of the President no doubt is correct. I have not figured it out in detail, but my opinion offhand would be that that statement is correct.

Mr. HARRISON. All right; then the Senator agrees with the President.

Mr. SIMMONS. Mr. President, do I understand the Senator from Utah to say that if this bill raises the value of a hide on a cow from $1 to $1.50, and it raises the price of shoes from $12 to $15, that is a benefit to agriculture, and that in estimating the benefits to agriculture we should include the advanced price on shoes and on leather?

Mr. SMOOT. Mr. President, that is not what the statement says. The statement says that the rate of duty upon hides—I do not say that it specifically mentions hides, but the principle is the same—whatever duty there is upon hides, of course, will be transferred to the cost of shoes, and whatever that cost may be is taken into consideration as a benefit to the stock raiser, because he gets the duty upon his hides, and there is the original

increase of cost of the shoe when manufactured and sold in this country.

Mr. SIMMONS. I follow and understand the very illogical reasoning of the Senator.

Mr. SMOOT. I have heard the Senator a great many times on this floor rant and rave and throw his hands about and exclaim that this duty that is imposed all had to be paid by the ultimate consumer.

Mr. HARRISON. Mr. President, I do not want to be diverted by the Senator from Utah.

Mr. SIMMONS. Who does pay these things, if the ultimate consumer does not?

Mr. SMOOT. The Senator was just saying that he did not, and therefore it should not be counted in the percentage stated by the President.

Mr. SIMMONS. I have not said the ultimate consumer did not have to pay. Everybody knows that the advance in prices in the last analysis is dumped upon the ultimate consumer.

Mr. SMOOT. Figuring upon that basis, then, the amount that the price would be advanced on account of the duty upon hides, whatever that is and whatever the farmer gets, is an advantage to him and figures in the percentage of the President in his statement.

Mr. HARRISON. When the Senator is up for reelection next time, he can go to his constituents in Utah and tell them how much benefit they get from this duty that has been placed upon shoes and upon leather.

Mr. SMOOT. I am perfectly willing to go before the people on that issue.

Mr. HARRISON. I know the Senator thinks he can do anything and get away with it. I do not understand how he has gotten away with it so long.

Mr. SMOOT. My position is entirely different from that of the Senator from Mississippi, because the Senator can say anything and get by. I have to confine myself to the truth.

Mr. HARRISON. Then let us see another item here, and how misleading the statement is which goes out:

> The proportion of imports which will be free of duty under the new law is estimated at from 61 to 63 per cent.

Then he gives a table of the percentages under the McKinley law, the Wilson law, the Dingley law, the Payne-Aldrich law, and the Fordney-McCumber law.

Why, of course, the percentage of things coming in free under the present bill is quite large; but the Senator is enough of an economist to know that the reason of the increase in the number of free articles coming into this country now over what it used to be is because we are producing so much more through mass production, and we need so much more raw material.

For instance, take rubber. That is included in the 61 or 63 per cent of importations that come in free. In 1921 there was $76,000,000 worth of rubber imported into the United States free. In 1926 there was more than $500,000,000 worth of rubber coming into this country free. Of course, the increase of the free product was quite large. Take the case of coffee. We import at times more than $200,000,000 worth of it. We import into this country a tremendous amount of tin and tea, and the importation of silk has run as high as $400,000,000 in one year. These are importations of raw material. We need it. The automobile industry, which has grown in this country by leaps and bounds, is to-day one of major importance. Thirty years ago we did not have much of an automobile industry, if any. I have forgotten just when we did begin to manufacture automobiles; but during the past 20 years, under mass production, we have been turning out automobiles by leaps and bounds. The increase is tremendous, and as we increase the production of automobiles naturally the importation of rubber used in them is going to show tremendous increases also; and yet the President in this statement says, "Why, from 61 to 63 per cent of the importations into this country come in free now."

Yes; and included in that percentage are the tremendous importations, as I say, of coffee, tremendous importations of tea, tremendous importations of tin and of rubber and of silk and of spices, and innumerable other things that we must have in this country which are not produced here and which we must have come in here if we are going to produce anything to keep labor going and sell our products abroad; and yet the President in his statement gives as one of the great arguments why this is not a bad bill, but is a very meritorious measure, the fact that 61 to 63 per cent of our importations come into this country free!

The average man out in the street does not analyze the statement; but that is the argument that is made to show why this is a very good bill.

Senators talk about the increases on agricultural products. The President said first in his statement that he called the Congress in extraordinary session for a limited revision of the tariff, and yet in the same statement he speaks of what we did as a "general revision." He says that the American people will not want another general revision of the tariff; they would rather trust the Tariff Commission to handle these things item by item; and then he calls the attention of the Senate to the fact that out of the total of about 3,300 items that were touched in the consideration of this bill there were 235 reductions and 890 increases.

That is a pretty big proportion of increase when we think of the interest of the American consumer and the greatly increased cost to him by virtue of these increased levies of taxes. You say that he wanted a limited revision, and yet you handed him in this bill a measure that carries 890 increases and only about 25 per cent that number of decreases. It is in the decreases that the chairman of the committee put in his work, on things like belladonna and a whole lot of items that are not produced in this country and are imported into this country, things that we have to have. I believe one exception in that respect was aluminum. Of course we reduced the duty on aluminum a good deal in the Senate when the work of the coalition was going along smoothly; but when the bill got into conference, and the tender and nurturing hands of my friend from Utah, working in consonance with the Senator from Indiana [Mr. WATSON] and the House conferees, got through with the aluminum item, they had shifted the duty up again; and when you finished with it, Brother Andy Mellon did not get much reduction on his aluminum. Yet that is one of the two hundred and some odd matters that were reduced in this bill.

When the conference report came in I analyzed it, and showed that these increases were substantial; that they were on things that went upon the breakfast table and upon the backs of the American people to increase their cost, and were a burden upon the American people throughout, while the little decreases did not hurt anybody and did not help anybody very much.

Ah, you know that in the case of the agricultural items, while on a very few things the increased tax might help the farmers, on items such as flaxseed, and so forth, where it is operative, in the main, nine times out of ten, the duties are ineffective and inoperative; and the reason why we stood for them here was because we were handing you in the same bill the debenture, which would have made every one of these increases operative and effective. When you got into the conference, and removed the real, effective weapon that might give to the farmers relief, and threw out the debenture, you gladdened the heart of the President but you hit the farmers of this country right between the eyes; and when you destroyed that provision you took away from the farmers in the main the relief which the farmers of the country have appealed for and which they thought they might obtain.

So much for that.

The President talks about the flexible provision. That is the joker. Why, he even called upon the spirit of Roosevelt and other great leaders of the Republican Party in support of his assertion that this flexible provision is a great Republican doctrine. He says:

> These provisions meet the repeated demands of statesmen and industrial and agricultural leaders over the past 25 years. It complies in full degree with the proposals made 20 years ago by President Roosevelt. It now covers proposals which I urged in 1922.

That is the flexible provision of the tariff. That was Mr. Hoover speaking to the country on this legislative monstrosity; and here is Mr. Hoover speaking in the last campaign in Boston. I repeat it so that some eye may scan it to show the double dealing that the American people are getting in this matter, and the weak argument that is put forth in defense of the approval of this tariff bill.

> But the American people—

Says Mr. Hoover as a campaign orator, seeking votes with my good friend who now presides over this chamber—

> will never consent to delegating authority over the tariff to any commission, whether nonpartisan or bipartisan. Our people have a right to express themselves at the ballot upon so vital a question as this. There is only one commission to which delegation of that authority can be made. That is the great commission of their own choosing, the Congress of the United States and the President. It is the only commission which can be held responsible to the electorate.

And yet one of the main reasons assigned for signing this bill, which the President says has inaccuracies and inequalities in it, is that provision, which he says is such a wise one. I do not know when he was speaking from conviction—whether when he was speaking here, offering his apology for signing this tariff bill, or when he was speaking as a candidate for votes in the last campaign.

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

Mr. HARRISON. He speaks both ways on that proposition. Is not that a fact, may I ask the Senator from Ohio?

Mr. FESS. No.

Mr. HARRISON. Oh, it is not?

Mr. FESS. Will the Senator yield?

Mr. HARRISON Yes; I yield.

Mr. FESS. The Senator is very well aware of the statement of Governor Smith——

Mr. HARRISON. Oh, I am talking about President Hoover. Governor Smith has not any responsibility in this matter.

If Governor Smith had been President of the United States, in the first place, I do not believe we would have such disorder in our economic conditions to-day in this country. He would have spoken his thoughts when this bill came up for consideration by the Congress, and he would not now be attaching his name to such a legislative monstrosity.

Mr. FESS. Mr. President, will the Senator permit me to finish my question?

Mr. HARRISON. I yield. It has done me good to get that out of my system.

Mr. FESS. I think it has. Governor Smith, as a candidate, took the position that there should be larger power given to the Tariff Commission, referring to delegating the power to the Tariff Commission. The present President would not take that view. He said he was opposed to delegating to any commission a power Congress has. He did recommend that a commission bipartisan in character be created, with power to recommend, and limited not to take an article from the free list and put it on the dutiable list, as Governor Smith did, or from the dutiable list and put it on the free list. The President's present attitude is not inconsistent with that statement at all.

Mr. HARRISON. I dare say the Senator from Ohio is the only man in the whole United States who does not think the President is inconsistent compared with the position he took in his previous statement.

Mr. FESS. I think not.

Mr. HARRISON. The Senator is just a curiosity, that is all. If the Senator has answered my question, very well.

Mr. FESS. I have answered it.

Mr. HARRISON. So what the President was saying as Candidate Hoover was that he was not in favor of creating a commission which would have the authority to take a thing from the free list and put it on the dutiable list, or that he would not delegate the authority of taking a thing from the dutiable list and putting it on the free list.

Mr. FESS. I mentioned that as only one instance.

Mr. HARRISON. That is one instance. That was the main thing, the Senator said.

Mr. FESS. One example.

Mr. HARRISON. Yes. The provision now engrafted in the tariff legislation would be much better if it did give the commission power, as was recommended in the Senate amendment, for which the Democrats and the progressive Republicans voted, upon ascertainment of the differences in the costs of production here and abroad, to recommend to the Congress taking the article from the free list and putting it on the dutiable list, or taking it from the dutiable list and putting it upon the free list.

Mr. FESS. I do not agree with the Senator.

Mr. HARRISON. The Senator does not agree. I think it would have been better, but the Senator has made quite plain what the position of the President of the United States is. He was once against this delegation of power; he is now for the delegation of power. When he was against it, he was not President of the United States, but he was seeking the presidential office. Now he is President, and he craves the power very much. A good many Presidents are that way; they thirst for power. The more you give them the stronger is their demand for more of it.

One of the most serious indictments that has been heard against this bill is couched in the President's language in one part of the statement. I have sometimes wondered at the distinguished Senator from Utah [Mr. SMOOT], who as a Republilican I love and admire, and I think that when he gets off some of these questions he is ordinarily correct, but he stays on these questions too much.

The other day the distinguished senior Senator from Pennsylvania [Mr. REED], one of the men who worked with the Senator from Utah in fashioning this legislation, spoke here, and when he did, of course the galleries were jammed and packed, because they had heard that the distinguished Senator from Pennsylvania was going to take the country into his confidence and tell them how he stood on this matter. Immediately when he spoke the rivers began to run in their ordinary and natural channels, the old sun began to shine again, and the old moon ceased to wink as he had when he heard that the Senator from Pennsylvania did not know how he stood on the bill. But, oh, how he apologized for it. It was unpopular in the country, he knew. He would not have voted for it after it had passed the House, no, because the industrial rates were too high, he said. He would not have voted for it in the Senate when the coalition had amended it, the agricultural rates were then too high. But now, after three weeks of the most painstaking study he had given to any subject, one which had bothered him by night and through the day, he had come to the conclusion, when the arch conspirators in conference had finished their handiwork, that the conference report was a better bill, when, if he had studied it with that impartiality which the Senator from a State other than Pennsylvania could have shown, he would have known that if the industrial rates were so high when the bill passed the House that he could not vote for it, certainly he could not vote for it when it came out of conference, because what happened in conference was that the Senate conferees had accepted the House high industrial rates; and if he was going to vote against it because the agricultural rates were too high after it passed the Senate he certainly would have voted against it after it was reported from the conference, because the House conferees had accepted all the Senate agricultural increases. But no, it was a better bill after it came out of conference and, finally, he was going to vote for it.

If the statement of the President is examined, it will be found that it runs pretty well along with the expression of the distinguished senior Senator from Pennsylvania the other day. The President is apologetic in this statement, just as much as he possibly could be and be a Republican President. He says:

> With it the country should be freed from further general revision for many years to come.

Is not that an implication that this is a general revision, a bill which carriers more than 900 increases, with only two hundred and some odd decreases? Is not that a general revision? He said further:

> Congressional revisions are not only disturbing to business—

If there is anybody in the world who ought to know and appreciate that, it is the President of the United States. Disturbing to business! Who was it who brought this disturbance upon the American people and upon American industry? Was it not he, more than 15 months ago? Did he not add to the uncertainty by refusing to tell the Senate what his program was? Did he tell us how he stood on any of the schedules? The President said further:

> but with all their necessary collateral surroundings in lobbies, logrolling, and the activities of group interests are disturbing to public confidence.

Could the President have in mind anyone else than the distinguished junior Senator from Pennsylvania [Mr. GRUNDY] when he talks about lobbyists around the Capitol, the logrolling here in the adoption of certain rates? That is an indictment of the manner and the way in which the bill was considered and passed. The President said that it should be condemned.

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

Mr. HARRISON. I yield.

Mr. SMOOT. The Senator knows there were lobbyists for free trade, that there were lobbyists for protection, that there were lobbyists for and against nearly every item in the tariff bill. He referred to lobbyists of every name and nature, and of every kind.

Mr. HARRISON. And they all had a key and knew how to get into the Senator's office.

Mr. SMOOT. No; it is not the Senator's office; it is every Senator's office. I have been helping to frame tariff bills since the tariff act of 1909, and I never saw as many lobbyists during the consideration of a tariff bill as during the consideration of this one.

Mr. HARRISON. I think that is true; I never saw as many of them.

Mr. SMOOT. I never saw so many of the importers as appeared here during the consideration of this bill. I do not know how much money they have spent, but I think untold thousands and tens of thousands and perhaps hundreds of thousands of dollars.

Mr. HARRISON. Yes. The President does not want another general revision of the tariff, so the flexible provision is given to him. Now, he says:

> They can be ended only by the completion of this bill.

These hard times is what he is talking about when he speaks of economic disturbances.

> Meritorious demands for further protection to agriculture and labor which have developed since the tariff of 1922 would not end if this bill failed of enactment. Agitation for legislative tariff revision would necessarily continue before the country.

That was the argument of the Senator from Pennsylvania the other day following his conference with the President of the United States. He must vote for it even though it is unpopular. Even though he would not have voted for it after it passed the House and even though he would not have voted for it after it passed the Senate, he must vote for it now in order to speed up business a little bit and stop this agitation for any tariff revision in the future.

Oh, he says, the flexible provision will expedite things. That is another misleading statement. There is no difference of any importance whatever between the flexible tariff provision written into the measure now before the President, and which he says he is going to sign, and that in the present law except this, that the Tariff Commission makes no recommendation under the present law. The President could raise a rate 40 per cent, even though the Tariff Commission should find the difference in the costs of production here and abroad to be 50 per cent. He has the discretion to do what he wants to within the 50 per cent increase or the 50 per cent reduction, but under this bill he must either take it or leave it on the findings of the Tariff Commission within the 50 per cent; that is all. There is nothing here which justifies the statement or offers any hope to the American people that these changes can be effected quickly and speedily. During the life of the Tariff Commission, now about eight years, they have considered very few cases and they have given practically no relief. Yet the President cites in justification the increases which have been made by them. He holds out no hope for any decrease in the eight hundred and some odd increases which you wrote into the bill or for the other tariff duties, high in instances, 3,300 in number, I believe. So you can not fool the American people by saying that there is any great difference between this Tariff Commission and the procedure under it and the old one.

I know it has been rumored here for some time that the President was to say to the American people, "Give me the flexible tariff provision, and I will go on and make these changes where the facts justify them." That is the hope you are beginning to hold out now to the would-be contributors to the Republican party in the coming campaign. That is to soften the anger which is so widespread in this country against you for some of the actions you have taken in the formulation of these rates, or in the failure to give these contributors some of the things they desired.

Oh, he says that a tariff commission which must make its reports to Congress would be under the domination of legislative influence. That is one of the things he opposed. He is against legislative influence. Yet he wants the executive influence. Of the two, the latter is worse than the former, and it will be exercised in carrying out certain changes in the present law through the flexible tariff provision.

We have seen it at work already. We had written into the conference report a provision for a bipartisan commission, conconsisting of three Democrats and three Republicans, to be appointed. The President was to name a chairman one year of one party faith, and the next year he was to name one of different party faith. They would alternate, so that a man would not occupy a domineering position. But with no point of order being raised against it, with not a word being said against it on the floor of the Senate, when the conferees went back to change the 60-day provision, they wrote in a provision making it possible for the President now to keep one man as chairman of the commission for six or more years. He can be a Republican, or he can be some lukewarm Democrat, if the President desires, just so he carries out the President's views in reference to this matter. You have more executive influence welded now in tariff matters than you would have if you had left the Senate amendment as to flexibility stand, so that the commission could impartially determine the differences in the costs of production here and abroad, and let the Congress consider it item by item free from all the log-rolling tactics which the President in his statement condemns.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The CHIEF CLERK. A bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. HARRISON. Ah, but it was said, "We want business to continue. It has been halted too long. It is awaiting the passage of the tariff bill. Oh, what good times will come again! How the machinery of our economic institutions will begin to run more smoothly than during the past 15 months. When the President signs the bill what a tocsin call will it be to business in the country to revive and start up again." It was said, "Stocks will clamber skyward and that the good old times will return."

Of course, Mr. Hoover has had a very difficult time during this year of general business depression and economic unrest. Stocks have gone down. They have gone down gradually and they have gone down precipitately until they would reach a low level. Then somebody would say, "They can not possibly go lower," and then they would take another tailspin into a slump and go still lower. That is the situation we have to-day in the United States. That is the reason why the business people have no confidence in the executive branch of this Government.

Mr. ROBINSON of Arkansas. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. HARRISON. I yield.

Mr. ROBINSON of Arkansas. In the connection in which the Senator has been proceeding, the press statement is that stocks declined immediately following the agreement to the conference report.

Mr. HARRISON. Yes; I have here a statement to that effect from the Daily News of Washington.

Mr. SMOOT. But they are up again to-day.

Mr. HARRISON. The Senator from Utah smilingly says, "They are up again to-day." That is what the Republican leaders have been predicting. The Senator from Utah has preached it so often that he believes it. But let me read from a press dispatch. This is from the International News Service, dated New York, June 16, 12.20 p. m.:

> Stocks, bonds, and commodities turned downward to-day on the renewal of the selling wave which has been in progress for nearly a month. The stock market derived little or no comfort from the President's statement over the tariff bill, and in the absence of support of any kind the best grade of speculative stocks dipped steadily lower, breaking through the old levels and recording the lowest prices since the break in November.

Mr. ROBINSON of Arkansas. Mr. President, in view of that news, I would like for the Senator from Utah to explain why he made the declaration just a moment ago that stocks are up to-day.

Mr. HARRISON. Oh, I would not press the question. It might be embarrassing to the Senator from Utah.

Mr. SMOOT. No; not in the least.

Mr. ROBINSON of Arkansas. Of course the Senator from Mississippi knows that I would not for anything in the world embarrass the Senator from Utah.

Mr. HARRISON. Oh, no. However, I would rather for the question not to be pressed.

Mr. SMOOT. The Senator need not worry about it embarrassing me.

Mr. HARRISON. I think when the Senator said "They are up again to-day" he was mistaken.

Mr. SMOOT. There was a report made to me about 10 minutes ago that the stock market had begun to rise. I do not know. I have not been outside of the Chamber to ascertain. That was the report made to me about 10 minutes ago.

Mr. HARRISON. Perhaps that was White House information and they gave the wrong information.

Mr. SMOOT. No; it was not White House information.

Mr. HARRISON. Here is what the United Press states:

> United States Steel broke to 159⅝, lowest since December. Tickers running 23 minutes behind at 12.40. Sales at rate of nearly 6,000,000 shares for full session. Slight rally shortly after noon—

That is what the Senator from Utah probably heard—

> fails to last and prices immediately tumble again.
>
> New lows made in wheat, cotton, rubber, etc. Utilities also heavy losers. Van Sweringen rail groups at new low; Westinghouse, General Electric also heavy losers. Markets elsewhere also under pressure.
>
> Several hundred stocks made new low for year or longer and more than $2,000,000,000 in valuations were swept away in heavy liquidation.
>
> Prices broke 3 to 16 points in the active issues.

That tells the story.

Mr. President, the Democrats back in 1909, when the Payne-Aldrich tariff bill was before the Congress, told President Taft that he ought not to sign the bill. He suffered the consequences. We have now warned President Hoover. He would not take our advice. He will suffer like consequences at the first opportunity given to the American people to express themselves upon the matter.

Mr. FESS. Mr. President, I hold in my hand a copy of the statement of the President. I think it ought to be printed following the address of the Senator from Mississippi. I ask unanimous consent that it may be printed in full.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The statement is as follows:

JUNE 15, 1930.

Statement by the President:

I shall approve the tariff bill. This legislation has now been under almost continuous consideration by Congress for nearly 15 months. It was undertaken as the result of pledges given by the Republican Party at Kansas City. Its declarations embraced these obligations:

"The Republican Party believes that the home markets built up under the protective policy belongs to the American farmer, and it pledges its support of legislation which will give this market to him to the full extent of his ability to supply it. * * *

"There are certain industries which can not now successfully compete with foreign producers because of lower foreign wages and a lower cost of living abroad, and we pledge the next Republican Congress to an examination and where necessary a revision of these schedules to the end that the American labor in these industries may again command the home market, may maintain its standard of living, and may count upon steady employment in its accustomed field."

Platform promises must not be empty gestures. In my message of April 16, 1929, to the special session of the Congress I accordingly recommended an increase in agricultural protection; a limited revision of other schedules to take care of the economic changes necessitating increases or decreases since the enactment of the 1922 law, and I further recommended a reorganization both of the Tariff Commission and of the method of executing the flexible provisions.

A statistical estimate of the bill by the Tariff Commission shows that the average duties collected under the 1922 law were about 13.8 per cent of the value of all imports, both free and dutiable, while if the new law had been applied it would have increased this percentage to about 16 per cent.

This compares with the average level of the tariff under the McKinley law of 23 per cent, the Wilson law of 20.9 per cent, the Dingley law of 25.8 per cent, the Payne-Aldrich law of 19.3 per cent, the Fordney-McCumber law of 13.83 per cent.

Under the Underwood law of 1913 the amounts were disturbed by war conditions varying 6 per cent to 14.8 per cent.

The proportion of imports which will be free of duty under the new law is estimated at from 61 to 63 per cent. This compares with averages under the McKinley law of 52.4 per cent, the Wilson law of 49.4 per cent, the Dingley law of 45.2 per cent, the Payne-Aldrich law of 52.5 per cent, the Fordney-McCumber law of 63.8 per cent.

Under the Underwood law of 1913 disturbed conditions varied the free list from 60 per cent to 73 per cent, averaging 66.3 per cent.

The increases in tariff are largely directed to the interest of the farmer. Of the increases, it is stated by the Tariff Commission that 93.73 per cent are upon products of agricultural origin measured in value, as distinguished from 6.25 per cent upon commodities of strictly nonagricultural origin. The average rate upon agricultural raw materials shows an increase from 38.10 per cent to 48.92 per cent in contrast to dutiable articles of strictly other than agricultural origin, which show an average increase of from 31.02 per cent to 34.31 per cent. Compensatory duties have necessarily been given on products manufactured from agricultural raw materials and protective rates added to these in some instances.

The extent of rate revision as indicated by the Tariff Commission is that in value of the total imports the duties upon approximately 22.5 per cent have been increased, and 77.5 per cent were untouched or decreased. By number of the dutiable items mentioned in the bill, out of the total of about 3,300 there were about 890 increased, 235 decreased, and 2,170 untouched. The number of items increased was therefore 27 per cent of all dutiable items, and compares with 83 per cent of the number of items which were increased in the 1922 revision.

This tariff law is like all other tariff legislation, whether framed primarily upon a protective or a revenue basis. It contains many compromises between sectional interests and between different industries. No tariff bill has ever been enacted or ever will be enacted under the present system, that will be perfect. A large portion of the items are always adjusted with good judgment, but it is bound to contain some inequalities and inequitable compromises. There are items upon which duties will prove too high and others upon which duties will prove to be too low.

Certainly no President, with his other duties, can pretend to make that exhaustive determination of the complex facts which surround each of those 3,300 items, and which has required the attention of hundreds of men in Congress for nearly a year and a third. That responsibility must rest upon the Congress in a legislative rate revision.

On the administrative side I have insisted, however, that there should be created a new basis for the flexible tariff and it has been incorporated in this law. Thereby the means are established for objective and judicial review of these rates upon principles laid down by the Congress, free from pressures inherent in legislative action. Thus the outstanding step of this tariff legislation has been the reorganization of the largely inoperative flexible provision of 1922 into a form which should render it possible to secure prompt and scientific adjustment of serious inequities and inequalities which may prove to have been incorporated in the bill.

This new provision has even a larger importance. If a perfect tariff bill were enacted to-day, the increased rapidity of economic change and the constant shifting of our relations to industries abroad, will create a continuous stream of items which would work hardship upon some segment of the American people except for the provision of this relief. Without a workable flexible provision we would require even more frequent congressional tariff revision than during the past. With it the country should be freed from further general revision for many years to come. Congressional revisions are not only disturbing to business but with all their necessary collateral surroundings in lobbies, logrolling, and the activities of group interests, are disturbing to public confidence.

Under the old flexible provisions the task of adjustment was imposed directly upon the President, and the limitations in the law which circumscribed it were such that action was long delayed and it was largely inoperative, although important benefits were brought to the dairying, flax, glass, and other industries through it.

The new flexible provision established the responsibility for revisions upon a reorganized Tariff Commission, composed of members equally of both parties as a definite rate-making body acting through semijudicial methods of open hearings and investigation by which items can be taken up one by one upon direction or upon application of aggrieved parties. Recommendations are to be made to the President, he being given authority to promulgate or veto the conclusions of the commission. Such revision can be accomplished without disturbance to business, as they concern but one item at a time, and the principles laid down assure a protective basis.

The principle of a protective tariff for the benefit of labor, industry, and the farmer is established in the bill by the requirement that the commission shall adjust the rates so as to cover the differences in cost of production at home and abroad, and it is authorized to increase or decrease the duties by 50 per cent to effect this end. The means and methods of ascertaining such differences by the commission are provided in such fashion as should expedite prompt and effective action if grievances develop.

When the flexible principle was first written into law in 1922, by tradition and force of habit the old conception of legislative revision was so firmly fixed that the innovation was bound to be used with caution and in a restricted field, even had it not been largely inoperative for other reasons. Now, however, and particularly after the record of the last 15 months, there is a growing and widespread realization that in this highly complicated and intricately organized and rapidly shifting modern economic world the time has come when a more scientific and businesslike method of tariff revision must be devised. Toward this the new flexible provision takes a long step.

These provisions meet the repeated demands of statesmen and industrial and agricultural leaders over the past 25 years. It complies in full degree with the proposals made 20 years ago by President Roosevelt. It now covers proposals which I urged in 1922.

If, however, by any chance the flexible provisions now made should prove insufficient for effective action, I shall ask for further authority for the commission, for I believe that public opinion will give wholehearted support to the carrying out of such a program on a generous scale, to the end that we may develop a protective system free from the vices which have characterized every tariff revision in the past.

The complaints from some foreign countries that these duties have been placed unduly high can be remedied, if justified, by proper application to the Tariff Commission.

It is urged that the uncertainties in the business world which have been added to by the long-extended debate of the measure should be ended. They can be ended only by completion of this bill. Meritorious demands for further protection to agriculture and labor which have developed since the tariff of 1922 would not end if this bill fails of enactment. Agitation for legislative tariff revision would necessarily continue before the country. Nothing would contribute to retard business recovery more than this continued agitation.

As I have said, I do not assume the rate structure in this or any other tariff bill is perfect, but I am convinced that the disposal of the whole question is urgent. I believe that the flexible provisions can within reasonable time remedy inequalities; that this provision is a progressive advance and gives great hope of taking the tariff away from politics, lobbying, and logrolling; that the bill gives protection to agriculture for the market of its products and to several industries in need of such protection for the wage of their labor; that with returning normal conditions our foreign trade will continue to expand.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to have read at the desk an editorial appearing in to-day's Washington Daily News.

The VICE PRESIDENT. Is there objection? The Chair hears none and the clerk will read.

The Chief Clerk read as follows:

[From the Washington Daily News, Monday, June 16, 1930]

HOOVER'S TARIFF DECISION

President Hoover announced to-day that he would approve the tariff bill.

By signing this general tariff revision, with its 20 per cent rate increase, he will violate his own and his party's election pledges.

He will disregard an unprecedented public protest by the Nation's leading economists, newspapers, merchants, farm organizations, manufacturers, exporters, bankers, and consumers' representatives.

He will disregard the retaliation acts and threats of 33 foreign nations which have already brought our foreign trade to the lowest seasonal level in 10 years.

Hoover's excuse for his dangerous course is that the flexible provision will permit correction of the evil rates. That excuse was expected and has been exposed in hundreds of speeches, articles, and editorials. It has been shown that the new provision is virtually the same as the discredited and ineffective flexible provision of the present law. The new provision, by limiting the President's power to acceptance or veto of recommended changes in rates by the Tariff Commission, indeed takes away from the President his present power of fixing rates regardless of the commission. In that sense the new provision is less adaptable to Hoover's argument than is the existing law.

The answer to Hoover's claims for the flexible provision has been given by no less a Republican and protectionist authority than Senator REED of Pennsylvania, who helped to write the bill: "It is said it will take the tariff out of politics by these provisions. In my judgment, we are putting the tariff deeper into politics by these new flexible provisions than it has ever been before, and we will see it when appointments begin to come along for membership on the Tariff Commission."

A good example of what REED fears is the misleading Tariff Commission statement on the alleged benefit of agricultural rate increases which the President repeats in his announcement to-day. Those figures evade the fact that our farm products are chiefly export instead of import commodities and are thus not protected by this tariff. They also evade the point that the Grundy bill widens the gap between the protection the farmer receives for what he sells and virtually everything he must buy.

So with the figures in the Hoover statement attempting to fix the Grundy rate average at 16 per cent, which apparently is arrived at by the unusual method of lumping dutiable and free commodities. Is it possible that the President does not know that the Tariff Commission has fixed the average dutiable rate of this bill at more than 40 per cent, and that this figure was accepted and used by all the advocates of the bill in the congressional debates? Is it possible that the President does not know that this is an increase of 20 per cent over the existing law, according to the Tariff Commission's own figures?

The arguments used by the President to-day are disproved by the arguments which Hoover, as Secretary of Commerce, and Hoover, as presidential candidate, used to show the absolute dependence of American prosperity upon foreign outlets for our mass-production surplus—foreign markets now jeopardized by foreign tariff reprisals.

No one can explain away the disastrous effects of this suicidal legislation on American prosperity.

Here are the facts as recorded on just one day:

On the day the bill passed Wall Street responded with a market drop which dragged several standard stocks even lower than in the November crash.

On the day the bill passed there was a general fall in commodity prices, bringing some to new low levels for the year.

On the day the bill passed all grain prices fell to new low levels for the season—wheat went to the lowest price in a year, oats the lowest in eight years, rye the lowest in 30 years.

On the day the bill passed the price of cotton declined to the lowest level in more than three years.

On the day the bill passed the steel industry reported a further decline in operations to 69 per cent of capacity.

On the day the bill passed European dispatches reported that the copper interests of Great Britain, Belgium, and Germany had agreed to retaliate by withdrawing large orders in the United States for copper and nonferrous metals, whereupon the American Copper Exporters' Association frantically cut prices.

On the day the bill passed the Mexican Government officially announced it would erect retaliatory duties, which follows similar retaliation against us by Canada and others.

On the day the bill passed the United States Department of Commerce announced that American exports dropped in May to the lowest point in the last six years.

The President in signing this bill is exercising his constitutional right. We believe he is making a mistake. The President believes otherwise. He believes there is a magic in the new flexible provision, a magic we have been unable to find. We hope, however, that it is there. And we hope that he may be able to use it in such fashion as to hasten the return of that prosperity which in recent years we had come to look upon as the normal state of affairs in America.

CLAIMS ALLOWED BY GENERAL ACCOUNTING OFFICE (S. DOC. NO. 170)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, schedules of claims allowed by the General Accounting Office, amounting to $86,050, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENTS BY DISTRICT COURTS UNDER THE PUBLIC VESSELS ACT (S. DOC. NO. 173)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, records of judgments rendered against the Government by United States district courts, under the public vessels act, amounting to $45,828.06, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

PAYMENT OF DAMAGES OCCASIONED BY COLLISION WITH NAVAL VESSELS (S. DOC. NO. 168)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting an estimate of appropriation submitted by the Navy Department, to pay claims for damages by collision with naval vessels, amounting to $295.30, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENTS RENDERED BY COURT OF CLAIMS (S. DOC. NO. 172)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, a list of judgments rendered by the Court of Claims, submitted by the Attorney General through the Secretary of the Treasury and requiring an appropriation for their payment, in the total amount of $926,768.27, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CLAIMS FOR DAMAGES TO PRIVATELY OWNED PROPERTY (S. DOC. NO. 171)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting estimates of appropriations submitted by the several executive departments to pay claims for damages for privately owned property, in the sum of $5,661.29, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CLAIM ALLOWED BY THE GENERAL ACCOUNTING OFFICE UNDER CERTIFICATES OF SETTLEMENT (S. DOC. NO. 169)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, schedules covering certain claims allowed by the General Accounting Office as shown by certificates of settlement transmitted to the Treasury Department for payment, amounting to $10,470.26, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution unanimously adopted by the National Society, Daughters of the Revolution, at its Boston, Mass., convention, May 19–23, 1930, opposing the practice of adding a yellow fringe to the American flag in addition to the three colors, red, white, and blue, which was referred to the Committee on the Library.

He also laid before the Senate a resolution of Calder Post, No. 31, Veterans of Foreign Wars, Department of Pennsylvania, of Harrisburg, Pa., favoring the passage of legislation making the Star-Spangled Banner the national anthem, which was referred to the Committee on the Library.

He also laid before the Senate a resolution unanimously adopted by the Columbia Heights Business Men's Association, of Washington, D. C., commending the Senate conferees on the District of Columbia appropriation bill for maintaining their demand for a compromise figure on the bill and urging them to continue their insistence for a larger Federal contribution to the District of Columbia than $9,000,000, which was ordered to lie on the table.

He also laid before the Senate a resolution adopted by Lincoln Post, No. 13 (Alliance of American Veterans of Polish Extraction), at Cleveland, Ohio, protesting against the enactment of the so-called Hawley-Smoot tariff bill, which was ordered to lie on the table.

He also laid before the Senate resolutions adopted by the twelfth annual meeting in New York City of the American Society of Mammalogists, favoring the appropriation of funds for the early erection of a suitable building in the National Zoological Park, of Washington, D. C., for the study and exhibition of small mammals, which were referred to the Committee on Public Buildings and Grounds.

Mr. WALCOTT presented a telegram in the nature of a petition from the chairman of the committee on international co-

operation of the Darien (Conn.) League of Women Voters, praying for the ratification of the treaty for the limitation and reduction of naval armament, signed at London on April 22, 1930, which was referred to the Committee on Foreign Relations.

He also presented a communication in the nature of a petition from the Bristol (Conn.) Chamber of Commerce, praying for the passage of House bill 10826, providing for the renewal of passports, which was referred to the Committee on Foreign Relations.

He also presented petitions and papers in the nature of petitions from the Leagues of Women Voters of Colchester, New Haven, Meriden, and Fairfield, all in the State of Connecticut, praying for the passage of the so-called Jones bill, being the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes, which were ordered to lie on the table.

REPORTS OF COMMITTEES

Mr. STEIWER, from the Committee on the Judiciary, to which was referred the bill (S. 3064) to make permanent the additional office of district judge created for the eastern district of Illinois by the act of September 14, 1922, reported it without amendment, and submitted a report (No. 917) thereon.

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (H. R. 3430) for the relief of Anthony Marcum, reported it with an amendment and submitted a report (No. 918) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 1306. An act for the relief of Charles W. Byers (Rept. No. 919);

H. R. 2876. An act for the relief of J. C. Peixotto (Rept. No. 920); and

H. R. 8836. An act for the relief of the French Co. of Marine and Commerce (Rept. No. 922).

Mr. McKELLAR, from the Committee on the Library, to which was referred the bill (H. R. 7924) for the erection of tablets or markers and the commemoration of Camp Blount and the Old Stone Bridge, Lincoln County, Tenn., reported it without amendment and submitted a report (No. 921) thereon.

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 2801) authorizing and directing the Secretary of Agriculture to investigate all phases of taxation in relation to agriculture, reported it without amendment.

Mr. KEYES, from the Committee on Immigration, to which was referred the bill (H. R. 5627) relating to the naturalization of certain aliens, reported it with an amendment and submitted a report (No. 923) thereon.

He also, from the same committee, to which was referred the bill (H. R. 9803) to amend the fourth proviso to section 24 of the immigration act of 1917, as amended, reported it with amendments and submitted a report (No. 924) thereon.

He also (for Mr. GOULD), from the same committee, to which was referred the bill (H. R. 10668) to authorize issuance of certificates of repatriation to certain veterans of the World War, reported it without amendment.

Mr. ODDIE, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 11784) to provide for the addition of certain lands to the Rocky Mountain National Park, in the State of Colorado, reported it without amendment and submitted a report (No. 925) thereon.

Mr. ROBSION of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (S. 3615) to amend section 8 of the 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, reported it with amendments and submitted a report (No. 926) thereon.

He also, from the same committee, to which was referred the bill (S. 4554) to amend the red light law of the District of Columbia, reported it without amendment and submitted a report (No. 927) thereon.

Mr. FESS, from the Committee on the Library, to which were referred the following joint resolutions, reported them each without amendment:

S. J. Res. 177. Joint resolution to provide for the erection of a monument to William Howard Taft at Manila, P. I.; and

H. J. Res. 300. Joint resolution to permit the Pennsylvania Gift Fountain Association to erect a fountain in the District of Columbia.

CONSOLIDATION OF RAILROAD PROPERTIES

Mr. DENEEN, from the Committee to Audit and Control the Contingent expenses of the Senate, to which was referred Senate Resolution 290, submitted by Mr. COUZENS on the 11th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That for the purpose of obtaining information as a basis for legislation, the Committee on Interstate Commerce, or any duly authorized subcommittee thereof, is hereby authorized and directed to make a study of and to investigate the matter of consolidation and unification of railroad properties and the effect of such consolidations and unifications upon the public interest.

The committee shall report to the Senate the results of its studies and investigations, including such recommendations for legislation as it deems advisable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act at such times and places during the sessions and recesses of the Senate, to employ such experts and such clerical and other assistants, to require by subpœna or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to have such printing and binding done, and to make such expenditures as it deems necessary. Every person who, having been summoned as a witness by authority of said committee, or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the investigation herein authorized, shall be liable to the penalties provided by section 102 of the Revised Statutes of the United States. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee or subcommittee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

REPORTS OF NOMINATIONS

As in executive session,

Mr. DILL, from the Committee on the Judiciary, reported the nomination of Charles E. Allen, of Washington, to be United States marshal, western district of Washington, which was placed on the Executive Calendar.

Mr. HEBERT, from the Committee on the Judiciary, reported the following nominations, which were placed on the Executive Calendar:

Jesse C. Adkins, of the District of Columbia, to be an associate justice of the Supreme Court of the District of Columbia; and

Jacob H. Fulmer, of Nevada, to be United States marshal, district of Nevada.

Mr. McNARY, from the Committee on Agriculture and Forestry, reported the nominations of Alexander Legge, of Illinois, and Charles C. Teague, of California, to be members of the Federal Farm Board, which were placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

BILLS INTRODUCED

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

By Mr. DENEEN:

A bill (S. 4709) granting a pension to Bridget Fitzgerald; to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 4710) for the relief of Ethel Glover; to the Committee on Claims.

By Mr. PINE:

A bill (S. 4711) relating to the joint ownership of patents and applications for patents, and the distribution of proceeds arising thereunder; to the Committee on Patents.

By Mr. THOMAS of Oklahoma:

A bill (S. 4712) for the relief of Beryl Elliott; and

A bill (S. 4713) for the relief of A. W. Holland; to the Committee on Claims.

By Mr. COPELAND:

A bill (S. 4714) referring the claim of International Arms & Fuze Co. (Inc.), to the Court of Claims; to the Committee on Claims.

By Mr. KENDRICK:

A bill (S. 4715) for the relief of John T. Doyle; and

A bill (S. 4716) for the relief of Mrs. Thomas Doyle; to the Committee on Indian Affairs.

By Mr. ROBSION of Kentucky:

A bill (S. 4717) authorizing the President of the United States to appoint Sergt. Samuel Woodfill as a captain in the United States Army and then place him on the retired list; to the Committee on Military Affairs.

By Mr. ROBINSON of Indiana:

A bill (S. 4718) for the relief of Louis Bender; and

A bill (S. 4719) authorizing the payment of compensation to Laura Roush for the death of her husband, William C. Roush; to the Committee on Claims.

By Mr. JOHNSON:

A bill (S. 4720) granting an increase of pension to Walter L. Harmon; and

A bill (S. 4721) granting a pension to Frank Hitchman; to the Committee on Pensions.

AMENDMENTS TO RIVER AND HARBOR BILL

Mr. SHIPSTEAD and Mr. COPELAND each submitted an amendment intended to be proposed by them, respectively, to House bill 11781, the river and harbor authorization bill, which were ordered to lie on the table and to be printed.

PREVENTION OF FRAUD IN PATENT-OFFICE PRACTICE

Mr. COPELAND submitted an amendment intended to be proposed by him to the bill (H. R. 699) to prevent fraud, deception, or improper practice in connection with business before the United States Patent Office, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT TO SECOND DEFICIENCY APPROPRIATION BILL

Mr. COPELAND submitted an amendment intended to be proposed by him to House bill 12902, the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place in the bill insert the following:

"HOTEL AT WEST POINT

"For compensation as provided by the act of March 30, 1920 (41 Stat. L. 548), for all buildings, appurtenances, and equipment located and situated on all that tract of land on the United States military reservation at West Point, N. Y., lying between the southern boundary line of said reservation and a line 600 feet north of, and parallel to, said southern boundary line and east of the main road leading through said reservation, the sum of $1,702,276.86, payable to the duly appointed trustee in bankruptcy of the corporation owning the lease and property described herein."

YEA-AND-NAY VOTES ON THE TARIFF BILL

Mr. SMOOT submitted the following resolution (S. Res. 294), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Finance be, and is hereby, authorized to expend not to exceed $1,000, to be paid from the contingent fund of the Senate, for the preparation of the yea-and-nay votes in the Senate, with suitable index, on H. R. 2667, the tariff bill, and amendments thereto, and Senate Resolution 52, by Mr. MCMASTER, Senate Resolution 91, by Mr. BORAH, Senate Resolution 108, by Mr. SIMMONS, and Senate Resolution 270, by Mr. SMOOT; and that said compilation be printed as a Senate document, and that 1,000 additional copies be printed for the use of the Senate document room.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated below:

H. R. 247. An act validating certain applications for, and entries of, public lands;

H. R. 5292. An act to authorize the city of Napa, Calif., to purchase certain public land for the protection of its water supply; and

H. R. 11477. An act for the relief of Clifford J. Turner; to the Committee on Public Lands and Surveys.

H. R. 456. An act for the relief of Hans Roehl;

H. R. 524. An act for the relief of the I. B. Krinsky Estate (Inc) and the Fidelity & Deposit Co. of Maryland;

H. R. 531. An act for the relief of John Maika;

H. R. 574. An act for the relief of Moreau M. Casler;

H. R. 1712. An act for the relief of the heirs of Jacob Gussin;

H. R. 1717. An act for the relief of F. G. Baum;

H. R. 1761. An act for the relief of John L. Friel;

H. R. 2170. An act for the relief of Clyde Cornish;

H. R. 2464. An act for the relief of Paul A. Hodapp;

H. R. 2782. An act for the relief of Elizabeth B. Dayton;

H. R. 3238. An act for the relief of Martin E. Riley;

H. R. 3441. An act for the relief of Meta S. Wilkinson;

H. R. 3732. An act for the relief of Fernando Montilla;

H. R. 4176. An act to extend the benefits of the employees' compensation act of September 7, 1916, to Dr. Charles W. Reed, a former employee of the United States Bureau of Animal Industry, Department of Agriculture;

H. R. 4564. An act for the relief of E. J. Kerlee;

H. R. 5810. An act to pay the Westinghouse Electric & Manufacturing Co. the sum of $1,900.80, money paid as duty on merchandise imported under section 308 (5) of the tariff act;

H. R. 5872. An act for the relief of Ray Wilson;

H. R. 6243. An act for the relief of A. E. Bickley;

H. R. 6268. An act for the relief of Thomas J. Parker;

H. R. 6416. An act for the relief of Myrtle M. Hitzing;

H. R. 6627. An act for the relief of A. C. Elmore;

H. R. 6665. An act for the relief of B. C. Glover;

H. R. 6825. An act to extend the measure of relief provided in the employees' compensation act of September 7, 1916, to Robert W. Vail;

H. R. 7013. An act for the relief of Howard Perry;

H. R. 7068. An act for the relief of Fred Schwarz, jr.;

H. R. 7664. An act to authorize payment of fees to M. L. Flow, United States commissioner, of Monroe, N. C., for services rendered after his commission expired and before a new commission was issued for reappointment;

H. R. 8127. An act for the relief of J. W. Nelson;

H. R. 8347. An act for the relief of the Palmer Fish Co.;

H. R. 8491. An act for the relief of Bryan Sparks and L. V. Hahn; and

H. R. 11493. An act to reimburse Lieut. Col. Charles F. Sargent; to the Committee on Claims.

H. R. 687. An act for the relief of John S. Conkright;

H. R. 1452. An act for the relief of Melissa Stone, widow of Francis Stone;

H. R. 1882. An act for the relief of Harry Cinq-Mars;

H. R. 2120. An act for the relief of Malven A. Williams;

H. R. 2173. An act for the relief of Thomas F. Nicholas;

H. R. 2831. An act for the relief of Jasper Johnson;

H. R. 2863. An act for the relief of Harvey O. Willis;

H. R. 3122. An act for the relief of William J. Frost;

H. R. 3231. An act for the relief of Walter P. Hagan;

H. R. 4269. An act for the relief of William L. Wiles;

H. R. 4595. An act for the relief of Maurice J. O'Leary;

H. R. 4946. An act for the relief of Ned Anderson;

H. R. 6264. An act to authorize the Secretary of War to donate a bronze cannon to the town of Avon, Mass.;

H. R. 8440. An act for the relief of Henry A. Levake, deceased;

H. R. 9267. An act for the relief of John A. Fay; and

H. R. 11268. An act for the relief of Mary C. Bolling; to the Committee on Military Affairs.

H. R. 3950. An act for the relief of David A. Dehart;

H. R. 4159. An act for the relief of Harry P. Lewis;

H. R. 4731. An act for the relief of Frederick Rasmussen;

H. R. 4760. An act for the relief of Guy Braddock Scott;

H. R. 4907. An act for the relief of Thomas Wallace;

H. R. 6453. An act for the relief of Peder Anderson;

H. R. 8117. An act for the relief of Robert Hofman;

H. R. 10365. An act for the relief of Tracy Lee Phillips;

H. R. 10387. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Denver, Colo., the ship's bell, plaque, war record, name plate, and silver service of the cruiser *Denver*, that is now or may be in his custody;

H. R. 11212. An act to authorize a pension to James C. Burke; and

H. R. 11297. An act for the relief of Arthur Edward Blanchard; to the Committee on Naval Affairs.

LONDON NAVAL TREATY

Mr. ROBINSON of Indiana. Mr. President, I hold in my hand an article published this morning in the Washington Post, quoting a statement made by the Senator from Nevada [Mr. ODDIE], defending the right of officers of the United States Navy to discuss the London naval treaty; and also an editorial which appeared in the same newspaper this morning entitled "Captains Courageous," both of which I ask unanimous consent to have inserted in the RECORD.

The VICE PRESIDENT. Is there objection?

Mr. REED. Pending action on that request, I desire to ask has Secretary Stimson's speech also been published in the RECORD?

Mr. ROBINSON of Indiana. I am perfectly willing that it should be published. I have no objection to that.

Mr. JOHNSON. Secretary Stimson's speech has been once put into the RECORD, but I am perfectly willing that the Senator may put it in again, if he wishes to do so.

Mr. REED. I was merely curious to know if Secretary Stimson's speech had also been printed in the RECORD.

Mr. JOHNSON. It has also been put into the RECORD, and without objection.

Mr. REED. If Secretary Stimson's speech has been put into the RECORD, I have no objection to the insertion in the RECORD of articles referred to by the Senator from Indiana.

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

[From the Washington Post, June 16, 1930]

PACT FOES IN NAVY DEFENDED BY ODDIE—SENATOR BRANDS ATTACKS ON PERSONNEL AS UNJUST AND DISPIRITING—BLOW TO MORALE SEEN

By Albert W. Fox

A new feature in the naval treaty controversy developed yesterday when Senator TASKER L. ODDIE, second ranking Republican member of

the Naval Affairs Committee, issued a statement defending officers of the United States Navy against attempts "to belittle and break their spirit," because of their opposition to the pact.

Mr. ODDIE points out that these officers are not permitted to answer attacks in the public press. No reference is made to any specific criticism of the Navy, nor to the radio speech of Mr. Stimson last Thursday, wherein the Secretary referred to the narrow view of fighting men whom he described as "blindfolded" to the problems of peace.

The feud between the Navy Department and the State Department has become gradually more pronounced since the London treaty was submitted to the Senate Committee on Foreign Relations. The American delegation at first took the position that the Navy was practically unanimous in support of the provisions in the pact. When naval authorities testified before the committee against these provisions and it developed that the service was almost a unit in its opposition, the criticism against the Navy began and has since continued.

In his statement issued yesterday Senator ODDIE said:

"Because of the recent unjust attacks on the personnel, qualifications, and ability of the officers of our Navy, I feel that the public interest demands some information and comment thereon.

"The Senate Naval Affairs Committee, of which I am a member, intrusted by the Senate with our national defense legislation, in the prosecution of its duty called many of the high commanding officers of the Navy before it and questioned them specifically regarding the various phases of our national defense and the effect the proposed London treaty in its present form might have on it.

"As the hearings will show, they answered all questions ably and frankly, and the opinion of the overwhelming majority of these officers was that our country, under the terms of the proposed London treaty, would materially weaken its national defense by forfeiting its inherent right to maintain independently its own naval policy.

"Under the provisions of the proposed treaty the United States would be compelled to build certain types of ships not well adapted to our national defense, while it would be prohibited from building enough of other types which it needs. These limitations destroy the naval parities which we should have.

"It should be remembered that in the Washington treaty of 1922 our country surrendered its right to fortify certain of its naval bases in the western Pacific in order to establish the original parity. Under the proposed treaty the position of the United States in this respect has been materially weakened.

"The physical, mental, and moral standards of the officers of our Army and Navy are of the highest. No body of men in the world are as carefully selected as they and no men receive finer and more thorough training. Their lives are at the service of our country at all times, and they of all men are most anxious for the establishment of conditions for the preservation of honorable, permanent peace. They know that the surest way to preserve peace is by maintaining an adequate national defense, and they are the most competent authorities in the world on that subject. Support for the treaty should not be sought by attempts to belittle and break the spirit and morale of these splendid men. It should be remembered that they are not permitted to answer attacks in the public press."

[From the Washington Post, Monday, June 16, 1930]

CAPTAINS COURAGEOUS

Senator ODDIE well expresses public opinion when he enters a remonstrance against the criticism that has been leveled at naval officers by Secretary Stimson and others because of their testimony in regard to the naval treaty. The public remarks made by the head of the State Department in disparagement of naval officers were most injudicious, and richly deserve a rebuke from the President and a protest from the Secretary of the Navy. It is well known that naval officers are unable to reply to such attacks. The Secretary of the Navy is in a position to defend the personnel of the Navy, and in the circumstances he should do so.

The harmonious workings of the executive departments are not promoted by such outbursts as that of Secretary Stimson. His position requires him to be careful of his utterances. He has no authority over the Navy or its officers, and they have not earned a rebuff at his hands by intruding into political or diplomatic affairs. Their testimony was required of them. The questions they were called upon to answer dealt with technical naval questions as bearing upon the national defense. They told the truth as they saw it, and the opinions they expressed were convincing, because of the high character and special qualifications of the witnesses.

When Secretary Stimson appeared before the Senate committee he found occasion to praise many of the officers who were later criticized by him. He sought to fortify the naval treaty by stating that the American naval advisers and technical assistants were unanimously in favor of it, although several of them, including Admiral Jones, were known to be opposed to it as enfeebling the national defense. Each naval officer, when called, analyzed the treaty from a naval viewpoint, and all but two or three of them revealed that Mr. Stimson was mistaken when he assured the committee that they unanimously supported the treaty. Mr. Stimson found nothing to criticize in the attitude of the naval officers until they repudiated his statement that they unanimously favored the treaty.

The Senate and the public have been impressed by the fact that so many naval officers of high rank and broad experience are skeptical as to the benefits of the naval treaty. The disappointing results of former conferences reinforce the views of these officers. They have not presumed to discuss political considerations, but on the other hand they have not shirked their obligation to tell the truth concerning matters with which they are especially familiar.

If the treaty should be ratified it will be because the Senate and the people are convinced that the temporary cessation of naval rivalry is accomplished by the treaty, and that this is a contribution to world tranquillity and peace which warrants taking the risk involved in disregarding the warnings of conscientious naval authorities. This decision, if made, will not be a disparagement of the vision, information, or patriotism of naval officers, but will be rather an adventure in the political field, in the hope that fair weather will prevail during the excursion. If foul weather should appear the country will run back to its captains quickly enough.

PAY AND ALLOWANCES OF PERSONNEL OF ARMY, NAVY, ETC.

Mr. REED. Out of order, I wish to submit a very brief report from the joint committee of the two Houses of Congress that was appointed in accordance with Public Resolution No. 36, approved February 3, 1930, to investigate the question of pay in the Army and Navy, the Marine Corps, the Coast and Geodetic Survey, the Coast Guard, and the Public Health Service.

By order of that joint committee, I report to the Senate a joint resolution providing, in substance, that during the coming long adjournment a board selected by the President from officers of all the services affected shall continue the study of this subject and shall report their recommendations to the joint committee when Congress shall meet in the fall. I now report the joint resolution and submit a report (No. 928) thereon. The joint resolution carries no appropriation and obligates the Government in no way to any change in the pay scale or in the promotion system, but merely provides for a study of those systems by a board of officers coming from all the services in question. It seemed to the joint commitee that in this way we would get the fairest picture and the most impartial picture of the situation regarding promotion and pay in the respective services. I ask unanimous consent for the present consideration of the joint resolution.

The VICE PRESIDENT. The joint resolution will be read.

The joint resolution (S. J. Res. 192) providing for the preparation and presentation of drafts of legislation affecting the pay and promotion of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Public Health Service, and Coast and Geodetic Survey, was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the President appoint commissioned officers of the Army, Navy, Marine Corps, Coast Guard, Public Health Service, and Coast and Geodetic Survey as members of a board which shall be required to evolve plans of (1) equalizing as nearly as may be consistent and practicable the systems of promotion obtaining in such services so as to provide for the regular and uniform advancement of all physically and professionally qualified commissioned personnel therein to the grades now authorized by law in and under such services, and (2) a modified pay schedule, including pertinent matters, applicable to all personnel of each of such services predicated upon the equalization principle and taking cognizance in the respect of commissioned personnel of the promotion plan of such board.

SEC. 2. The board appointed pursuant to section 1 hereof shall present with its report a draft of a legislative bill embracing both of the plans indicated in section 1 hereof. Such draft, accompanied by complete explanatory statements and cost estimates, shall be transmitted with such comments and recommendations as the heads of the executive departments concerned may desire to add, to the Comptroller General of the United States on or before November 1, 1930, and such official shall transmit the same with his comments and recommendations to the Speaker of the House of Representatives on or before November 15, 1930.

SEC. 3. All of the data presented in response to this resolution shall be referred to the joint committee appointed pursuant to Public Resolution No. 36, approved February 3, 1930, which shall report recommendations by bill or otherwise to the Senate and House of Representatives relative to the promotion and the readjustment of the pay and allowances of the commissioned and enlisted personnel of the several services mentioned in the title of this joint resolution.

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

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed.

CITIZENSHIP AND NATURALIZATION OF MARRIED WOMEN

Mr. JONES. Mr. President, a few days ago we had under consideration when the calendar was called House bill 10960, to amend the law relative to citizenship and naturalization of married women, and for other purposes. Quite a good many amendments were reported to that bill by the Senate committee, and the bill was passed over. I wrote a letter to the Secretary of Labor asking his views with reference to the proposed legislation. It appears that he was not before the committee, and the committee did not have his views in regard to the bill. I have received a letter from the Acting Secretary of Labor pointing out his objections to the different provisions of the bill as it is proposed to amend it. I understand the committee this morning practically agreed upon the elimination of quite a number of its amendments; but I think, under the circumstances that it would be well to have this letter from the Acting Secretary of Labor printed in the RECORD. So I ask unanimous consent that that may be done.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, June 12, 1930.

Hon. WESLEY L. JONES,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am in receipt of yours of the 5th instant to the Secretary of Labor, in which you refer to possible conflicting views among department officials relative to the bill H. R. 10960, as amended in the Senate Committee on Immigration, and request that the Secretary indicate such provisions of the bill as are approved by the department. As passed by the House, the bill for the most part was concerned with amendments to the naturalization law, although it did propose to amend one provision of the immigration act of 1924. As amended in the Senate committee, the proposed measure relates partly to naturalization, quite largely to immigration, and also to salaries, promotions, and other matters.

As suggested by you, I shall comment with respect to each of the various provisions of the bill section by section.

Section 1: This section provides for the repeal of that part of section 3 of the so-called Cable Act of September 22, 1922, under which a presumption of loss of citizenship arises in the case of a woman citizen of the United States who marries an alien and during the continuance of the marital status resides continuously for two years in the foreign State of which her husband is a subject, or for five years continuously outside the United States. Under the existing law such presumption of loss of citizenship "may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the United States, under such rules and regulations as the Department of State may prescribe." (Sec. 2, act of March 2, 1907, relating to expatriation, etc.)

The department is not disposed to object to the repeal of the provision under consideration, but it is believed that Congress is entitled to know that such repeal would undoubtedly result in materially increasing the number of nonquota immigrants who may be admitted to the United States.

Broadly speaking, there are two general classes of cases in which in which presumptive loss of citizenship occurs under the provision it is proposed to repeal. Probably the least numerous of these two classes includes American-born women who have spent practically their entire lives in this country, but who have married aliens and resided abroad for a sufficient length of time to raise the presumption of expatriation. The department has experienced little or no difficulty in cases of this kind so far as the immigration laws are concerned.

Difficulties have arisen, however, in the seemingly far more numerous class of cases of children who were born in the United States of immigrant parents who took them to their home countries usually at an early age. It would be almost impossible even to estimate the number of such children, who are, of course, native-born citizens of the United States, who have grown to womanhood in foreign countries. If they married aliens prior to September 22, 1922, they lost American citizenship, but marriage since that date has resulted only in a presumptive loss of such citizenship after continued residence abroad under the provision of law it is proposed to repeal.

It may be pointed out that provisions of the naturalization law, such as the section under consideration, have a very direct bearing on immigration under the quota system, for the reason that the husbands and minor children of United States citizens are exempt from quota requirements. For example, in recent months a good many cases have arisen in which American-born women of the class last referred to have petitioned for the issuance of nonquota immigration visas to an alien husband and children through American consulates, as provided in section 9 of the immigration act of 1924. If such a woman is in fact a citizen, her husband and minor children are clearly entitled to a nonquota status. However, so many petitions of this nature have been received that the department has adopted the policy of declining to authorize the issuance of nonquota visas to such husbands and children until the woman concerned has definitely overcome the presumption of loss of citizenship by returning to the United States and filing a petition after establishing a permanent residence here.

Section 1 of the bill further provides that "such repeal shall not restore citizenship lost under section 3 before such repeal." It is not clear to the department whether this provision relates only to women who have formally renounced their citizenship and those who have lost citizenship through marriage to an alien ineligible to citizenship, as provided in that section, or whether it also includes those women against whom the presumption of such laws has arisen since the passage of the Cable Act of 1922.

Section 2 (pp. 1, 2, and 3 of the bill): This section proposes to amend section 4 of the act of September 22, 1922, which now provides that a woman who before the passage of that act lost her United States citizenship by reason of marriage to an alien may be naturalized in the United States after a 1-year period of residence following permanent admission and without necessity for making the usual declaration of intention. On page 2 and page 3, lines 1 to 10, it is proposed to eliminate the element of time and also that of admission for permanent residence, so that in effect such a woman might enter the United States for a temporary visit, have her citizenship restored without delay, and immediately resume residence in a foreign country as a United States citizen. Moreover, her minor children who might accompany her to the United States temporarily would also become citizens. The husband of such a woman and also minor children who did not accompany her to the United States would, of course, be eligible to a nonquota status under the immigration law.

It is not understood why subdivision (b) of section 2 (lines 11 to 14, p. 3), as passed by the House of Representatives is necessary, but obviously it would do no harm.

Paragraph (c), lines 15 to 24, page 3, affords another example of proposed naturalization legislation which would materially affect the operation of existing immigration law. At present an alien is not eligible to naturalization unless lawfully admitted to the country for permanent residence. A good many cases arise in which alien women gain admission to the country as temporary visitors and marry American citizens under circumstances which show that such was the real purposes for which they came. Marriages of this nature do not relieve such women from the necessity of departing from the country and reentering as immigrants, if they desire to remain here permanently or become naturalized. Under this amendment such a woman could come ostensibly as a visitor and acquire citizenship without being permanently admitted. It is certain that if the law so permitted it would lead to practically unlimited abuse.

Section 3 (pp. 3 and 4 of the bill): This section proposes to amend section 4 (f) of the quota immigration act of 1924, as amended, which now accords a nonquota status to a woman who lost American citizenship through marriage to an alien and who at the time of her application for an immigration visa is unmarried.

Under the proposed amendment (sec. 3, p. 3, line 25, and p. 4, lines 1 to 6) a nonquota status would be accorded without reference to the marital status and would also extend to her unmarried minor children if accompanying or following to join her.

The department approves adding unmarried minor children to the existing provision of law, but is in doubt as to the wisdom of according a nonquota status to such a woman while she is still married.

Sec. 4 (p. 4 of the bill): This section is a Senate committee amendment which extends the provisions of the registration act of March 2, 1929, to aliens who entered the United States prior to July 1, 1924, and concerning whose admission no record can be found.

Under the present law an alien who entered the country prior to June 3, 1921 (when the temporary quota limit law of that year became effective), has resided in the United States continuously since such entry, is a person of good moral character, and not subject to deportation may be accorded the status of a legal resident as of the established date of entry.

The proposed amendment would extend this privilege to all aliens of this class who entered prior to July 1, 1924, when the present quota limit law became effective. The department has strongly opposed legislation intended to move the date forward as proposed in this amendment. It is true that there are some deserving cases in which entry followed June 3, 1921, but in which entry for permanent residence was not recorded. However, in a great majority of cases that would benefit from the proposed amendment the aliens concerned deliberately gained illegal entry chiefly because they could not enter lawfully because of quota restrictions. From the experience of the department it is definitely of the opinion that complete forgiveness or amnesty ought not to be extended to such deliberate violators of the law.

Section 5 (p. 5 of the bill): There is no objection to this provision.

Section 6 (p. 5, line 6, of the bill): This is another Senate amendment, and contains two proposed amendments to the naturalization act of June 29, 1906. The first concerns the status of Government officials. It may be explained that the general immigration law is not applicable to "accredited officials of foreign governments, nor to their suites, families, or guests," while the quota immigration act of 1924 classes as nonimmigrants "a government official, his family, attendants, servants, and

employees." Under a well-established practice such persons are not considered to have been permanently admitted to the United States as required for immigration and naturalization purposes. Therefore, the department feels that the proposed amendment is unnecessary.

The proposed second amendment provides that an affiant or witness who appears in behalf of a petitioner for citizenship shall have been a citizen during all of the 5-year period immediately preceding the filing of such petition. Under existing law a citizen of the United States may appear as such witness regardless of the duration of his citizenship. The department approves this part of the amendment.

Section 7 (pp. 5 and 6 of the bill): The department is not in favor of the Senate committee amendment proposed in section 7, page 5, line 22. Under existing law service on a vessel of foreign registry breaks the continuity of residence in the case of an applicant for citizenship. The amendment would extend the privilege of naturalization to an applicant who leaves the United States as a member of the crew of "an American-owned" vessel of foreign registry. It is not believed that there is any valid reason for modifying the present law in this respect, and besides it would bring into naturalization proceedings the question of determining real ownership, which is particularly difficult where the ownership of vessels is concerned.

Sections 8, 9, and 10 (pp. 6 and 7 of the bill): The department approves the proposed Senate committee amendments contained in these sections.

Section 11 (pp. 7, 8, and 9 of the bill): The Senate committee amendments proposed in section 11, page 7, line 20, of the bill are in three parts, which shall be commented upon separately.

The department heartily approves of that part of subdivision (a) which provides that no alien shall be admitted to citizenship unless he is able to speak, read, and write the English language understandingly. This will promote the uniformity required by the Constitution, and will do away with the diversity of standards which the present law permits.

The department is also heartily in favor of a provision which will require a knowledge of United States history and institutions of government. It is important that we have some kind of a standard. The department is not concerned with the yardstick used in establishing this standard, but it should be one that is measurable and readily enforced. The present law contains no such provision and whatever standard we have is dependent upon the individual judge. Obviously this situation should be corrected if we are to have uniformity and a better standard of citizenship.

The department also approves the provisions of subdivision (b) of such section, but recommends striking out the words "the declaration of intention upon which" in lines 13 and 14, page 8 of the bill, and also the words "is based" in line 15. As thus amended the exemption from the education requirements under consideration would be limited to aliens who had petitioned for citizenship prior to the enactment of the law, but would not apply to those who had merely declared their intention to become citizens.

The department is strongly opposed to the provisions of subdivision (c) of section 11, which would authorize the Commissioner of Naturalization to promote instruction in the English language and training in citizenship responsibilities of applicants for naturalization and to cooperate with State and Federal educational and other agencies and organizations to that end. It is felt that such activities are properly a function of the Bureau of Education so far as Federal activity is concerned, and that the Department of Labor can have no legitimate place in promoting education for naturalization purposes.

Paragraphs 3 and 4 of said section 11 are not approved because unnecessary. They would be substantial reenactments of existing law.

Sections 12, 13, and 14 (pp. 9 and 10 of the bill): There is no objection to the Senate committee provisions contained in these sections. With respect to section 14, however, it may be pointed out that under existing law the husband of an American citizen is entitled to a nonquota status only if the marriage occurred prior to June 1, 1928, such husbands by marriage occurring on or after that date being entitled only to a preferential status in the issuance of quota immigration visas. Under the proposed amendment there would be no discrimination between husbands and wives of American citizens.

Sections 15 and 16 (pp. 10, 11, and 12 of the bill): The Senate committee amendments embodied in sections 15 and 16 relate to the promotion of officers and examiners of the naturalization field service and section 16 to salaries of clerks in the Immigration Service and Naturalization Service. While the department favors adequate salaries and systematic promotion for its officers and employees, it does not recommend the special legislation carried by these two sections, since it is believed the status of all field employees will be satisfactorily adjusted at an early date in accordance with the preliminary class of specifications for positions in the field service which has resulted from the survey of the Personnel Classification Board, acting under direction of Congress.

Section 18 (p. 12 of the bill): Finally the provision of the Senate committee amendment contained in section 18 is disapproved. The expenditures herein enumerated cover machinery and supplies to be used in the bureau at Washington and such expenditures are properly payable from the contingent fund of the department.

Trusting that the foregoing comment may serve to clear up any misunderstanding that may have arisen relative to the department's attitude concerning provisions of the bill under consideration, I am,

Sincerely yours,

ROBE CARL WHITE, *Acting Secretary.*

P. S.—As suggested by you, I am sending a copy of this letter to Senator REED and Senator MCNARY.—R. C. W.

LIST OF COMMISSIONS APPOINTED BY PRESIDENTS

Mr. WATSON. Mr. President, I have a statement of the commissions appointed by the Presidents, from President Roosevelt to the present. For the benefit of the Library as well as for the benefit of the general public I ask that it may be made a public document.

Mr. LA FOLLETTE. What commissions are included?

Mr. WATSON. All the commissions from President Roosevelt to the present time.

The VICE PRESIDENT. Without objection, the request will be granted.

RELIEF OF JOHN MARKS, ALIAS JOHN BELL

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 3784) for the relief of John Marks, alias John Bell, which was, on page 1, line 5, after the word "service," to insert "as of March 22, 1864."

Mr. DENEEN. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

COLONIAL NATIONAL MONUMENT, VIRGINIA

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 12235) to provide for the creation of the colonial national monument in the State of Virginia, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ODDIE. I move that the Senate insist on its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. ODDIE, Mr. DALE, and Mr. WALSH of Montana conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 730) 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; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HAUGEN, Mr. PURNELL, and Mr. ASWELL were appointed managers on the part of the House at the conference.

ADULTERATED OR MISBRANDED FOODS, DRUGS, ETC.

The PRESIDING OFFICER (Mr. COUZENS in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 730) 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, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MCNARY. I move that the Senate insist on its amendment, agree to the conference asked by the House on the disagreeing votes of the two Houses thereon, 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. TOWNSEND, and Mr. RANSDELL conferees on the part of the Senate.

THE STATE OF ARKANSAS

Mr. CARAWAY. Mr. President, I ask unanimous consent to have published in the RECORD an address on the State of Arkansas delivered by one of the most eloquent and lovable former governors my State ever had—Hon. Charles Hillman Brough.

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

ARKANSAS—THE COMMONWEALTH OF OPPORTUNITY AND ACHIEVEMENT

(An address by former Gov. Charles Hillman Brough, delivered over KMOX, St. Louis, Mo., and KVOO, Tulsa, Okla.)

Arkansas, whose history dates from De Soto's exploration in 1541, was admitted as a separate Territory in 1819, joined the sisterhood of

American States in 1836, seceded and joined the Confederacy in 1861, and is the very center of the Mid South, embracing the States of Missouri, Mississippi, Louisiana, Oklahoma, and Tennessee, and a part of the States of Kansas, Illinois, Kentucky, Alabama, and Texas.

Because of the abundance of its natural resources, this Mid South justifies the claim that it is nature's empire, offering "opportunities more powerful than conquerors and prophets." The scenery of Arkansas is entrancingly beautiful. The Ozarks in the northwestern section of the State, with their majestic mountains, sparkling springs, placid rivers, myriad grotesque caves, and salubrious and invigorating climate, affords the tourists, as well as the native people, spring, summer, and fall seasons that are ideal.

The average number of rainy days in Arkansas is only 84; the average snowfall only 5.1 inches; the average annual rainfall, 47.93 inches. These facts, taken in connection with the variety of fertile soils, make Arkansas one of the most desirable agricultural sections of America. The growing season in Arkansas permits two and three different crops on the same land in the same year.

Small wonder is it that Arkansas ranks third in the production of cotton, second in its yield of rice, first in its acreage yield of rice, sixth in the annual value of its fruit crop in the Nation. The largest single peach orchard in the world is located at Highland, Ark., in the southwestern section of the State, embracing nearly 15,000 acres and over a million trees. Two counties in Arkansas—Benton and Washington—have more apple trees within their borders than any other counties in the Nation, and the largest watermelons shipped in America are grown around Hope. This season over 400 carloads of watermelons were shipped from Hope, netting the Hempstead County growers $112,000. On August 8th, on the occasion of the fourth annual watermelon festival at Hope, a melon weighing 152 pounds was exhibited. "The Master Farmer Teacher," Fred Smith, of Dardanelle; the "Star Farmer of America," Croydon Patton, of Wooster; the "National Canning Champion of America," Mary White, of Ferndale; and the "Champion Cotton Raiser of the World," Arthur Beall, of Wilson, Ark., are all native Arkansans.

In timber, Arkansas, with approximately 58,000,000,000 board feet, ranks sixth in the Nation—first, in its cut of ash, cottonwood, red gum, and hickory; third, in its cut of oak; and fifth, in its cut of yellow pine. Arkansas's yellow pine and red gum, because of their superior quality, net a premium in the world's market.

Arkansas is rapidly forging to the front as a dairy State, its dairy products in 1928 being valued at $22,000,000, exclusive of the milk and butter used by those living on farms. We have 17 cheese factories, 34 condenseries, and several milk-distributing points in Arkansas. In 1929 Arkansas ranked second to Georgia among the southern Commonwealths in the value of its dairy products.

Over 60 of our 75 counties are tick free, and the quarantine will be lifted on 8 more by December 1. Last year over 900 pure-bred registered bulls and 750 registered heifers were placed on Arkansas farms, and the dairy movement in our Commonwealth is as yet in its infancy. J. C. Penny and C. M. Conway, of Texarkana, are spending approximately $2,500,000 in 1930 for the expansion of dairying in Arkansas as a part of their program for the 16 Southern and Southwestern States.

Of the 68 useful minerals known to American geologists, Arkansas produces all save one—borax. We produce 92 per cent of the bauxite (out of which aluminum is manufactured) in the United States; and 67 per cent of the bauxite of the world.

We rank fourth as an oil and gas producing State, and have all the fuels used by American manufacturers. Last year Arkansas produced approximately 35,000,000 barrels of oil in the El Dorado, Smackover, Rainbow, and Stephens fields, and new wells are being continually drilled.

The Mazard Prairie, south of Fort Smith, and Ouachita, Marion, Crawford, and Johnson Counties, have illimitable supplies of natural gas and approximately 350 miles of National Gas trunk lines serving Arkansas's cities and industries. Indications point to substantial oil and gas developments this fall in Faulkner, Conway, Van Buren, Pope, Cleburne, Searcy, and Yell Counties, on the basis of reliable reports made by M. J. Munn, the leading oil geologist of the Southwest (and an honor graduate of the Arkansas University), who says that the Cosden and Waite Phillips Cos. have already leased thousands of acres in these counties and have drilled a number of wells, whose sands indicate oil in paying quantities. Mr. Munn has leased over 200,000 acres for himself and is confident that the new field will rival the El Dorado, Smackover, and Rainbow fields in southern Arkansas.

We have great deposits of marble, granite, limestone, and sandstone for building purposes; sand and gravel for concrete, and every conceivable variety of clay out of which common brick and our famous potteries are made. The Niloak, Camack, and Ozark are the best-known pottery types of Arkansas.

Our State has 5,240 miles of railroad, including such great trunk lines as the Missouri Pacific, Rock Island, Frisco, the Cotton Belt, and Kansas City Southern. Within the past 12 years we have made more substantial highway progress than any other Southern or Southwestern State, having approximately 9,000 miles of primary and secondary highways in our State system, of which about 3,800 miles have been constructed in addition to nearly 900 bridges. All except 1,100 miles is partially improved.

This highway program, under the terms of the Martineau road act, is not a burden to our landowners, but is paid for by the users of the roads out of the motor and gas taxes. Long-time note issues of approximately $72,000,000, protected by an adequate sinking fund, insure the success of the State highway system.

Arkansas has more miles of navigable waterways than any other State in the Union, her waters flowing to the Gulf, to the fastest-growing ports of the United States. Shipments can be made to Arkansas from both the Pittsburgh and Birmingham steel districts. Helena's great inland port, linking the Mississippi with our railroads, makes it possible for our State to compete for national and world trade. Within the next decade the Arkansas River from Tulsa, Okla., to its mouth in Arkansas will unquestionably be made navigable.

The finest potential superpower system in the United States is the great Couch-Arkansas Light & Power Co., which is one of the three units promoted and financed by Harvey C. Couch, an outstanding Arkansas citizen. This system comprises also the Mississippi Light & Power Co. and the Louisiana Light & Power Co. Approximately $50,000,000 have already been spent in its development in such great central generating plants as Sterlington, La., Lake Catherine and Lake Hamilton in Arkansas, and it is yet in its infancy.

Arkansas banking: The 68 national banks of Arkansas and more than 350 State and private banks are pursuing progressive policies in the encouragement of dairying, cooperative marketing, and industrial development, and yet are operated along safe and conservative lines. The greatest banker and insurance magnate of our State is A. B. Banks, who controls approximately 55 banks, including the American Southern, recently interlocked with the exchange and 54 other banks. Mr. Banks also controls the Home Insurance Co., whose different departments operate in 18 States of the Union, with approximately forty-six millions of insurance in effect.

Educationally Arkansas has made tremendous strides since 1917. Our public schools are supported by an 18-mill maximum school tax; our State university, with nearly 1,800 students enrolled last year, in addition to 3,000 more doing extension work in 148 cities and towns of Arkansas, is supported by a 1-mill tax on all property of the State, and receives nearly $300,000 annually from the Federal Government for agricultural and extension work. The number of our school districts has been reduced in less than a decade from 5,300 to 2,800. Over $7,000,000 has been spent on our school buildings, and our public schools receive approximately $17,500,000 annually. President John C. Futrall, of the University of Arkansas, ranks as one of the ablest educational executives in the Nation. Our two State teachers' colleges at Conway and Arkadelphia, and our five agricultural colleges at Jonesborough, Russellville, Magnolia, Monticello, and Beebe have substantial enrollments and splendid faculties. Our great denominational institutions—Ouachita, Hendrix-Henderson, Arkansas College, Little Rock College, the College of the Ozarks, Harding College, Jonesboro College, the Missionary Baptist Colleges of Sheridan, Galloway, and Central, and also the John E. Brown Colleges at Siloam Springs and Sulphur Springs—in most instances have substantial endowments and are all rendering high-grade educational service. The newest of Arkansas's colleges—Crescent College, of Eureka Springs—located in the very heart of the playground of the central part of the United States, "In the land of a million smiles," housed in a wonderful hostelry—the Crescent Hotel, worth approximately $600,000—bids fair to rank as one of the most select and best appointed junior colleges for young women in the Southwest. Every member of its faculty, including its able president, Dr. Asa Q. Burns, has either a master's or doctor's degree, and its board of trustees includes such able financiers as Hon. A. G. Ingalls, mayor of Eureka Springs and retiring district governor of district 15, Rotary International; W. T. Patterson, president of the Bankers Guaranty Life Co., widely interested in banks in northwest Arkansas; and Mr. Lloyd Patterson, vice president of the Bankers Guaranty Life Co., of Dallas, Tex.

Religiously and morally Arkansas measures up to the very highest standards. There are nearly 600,000 members of Protestant, Catholic, and Jewish churches in the State. Over a million of the 1,970,000 people of our State are fairly regular attendants of Sunday schools. We are the first State in the Union to grant women the right of suffrage in the primary election, and the moral power of womanhood has asserted itself very vigorously in such movements as temperance, the care of crippled children, effective tuberculosis work, and the proper provision for defectives, dependents, and delinquents of our social civilization. Our ministers, statesmen, lawyers, physicians, engineers, and other professional men and women are worthy of the best tradition of the South. Senator JOSEPH T. ROBINSON, the minority leader of the Senate and the only southerner in 67 years to be nominated by either of the major political parties for the Vice President of the United States, represents the type of statesmen produced by a State that has given to the Nation an Augustus H. Garland, Albert Pike, Clifton R. Breckenridge, James K. Jones, James H. Berry, U. M. Rose, James P. Clarke, Hugh A. Dinsmore, Thomas C. McRae, Stephen Brundidge, Sam Peel, B. B. Battle,

W. E. Henningway, John M. Moore, Edgar A. McCulloch, Carroll D. Wood, Joseph M. Hill, John E. Martineau, Jesse C. Hart, J. V. Walker, Thomas R. Gunter, W. J. Holloway, Minor Wallace, Henderson M. Jacoway, THADDEUS H. CARAWAY, W. M. Kavanaugh, J. N. Heiskell, Jeff Davis, and other illustrious statesmen, lawyers, and editors.

In journalism Arkansas has furnished the great papers with such widely known and brilliant editors as C. P. J. Mooney, J. N. and Fred Heiskell, W. T. Sitlington, Erwin Funk, Meyer Solmson, editor of the Evening Telegraph, New York, James Mitchell, Elmer E. Clarke, John S. Parks, president Southern Publishers' Association, William Meek, once editor of the Philadelphia Inquirer; and Arkansas has given to the Nation its most widely quoted paragraph writer, Charles T. Davis, of the Arkansas Gazette. Joe Nichols, formerly editor of the Denver (Colo.) Post, is also a noted editorial product of Arkansas.

In literature, Arkansas has produced such gifted writers as Hon. Fred W. Allsopp, the scholarly author of at least seven attractive volumes, of which Albert Pike is a distinct contribution to American biography and the literature of Masonic lore, who is just completing two entrancingly interesting volumes entitled "Legends and Myths of Arkansas," and "Arkansas Folk Lore and Miscellaneous Arkansiana," in which, after nearly two years of arduous labor and research, he has collaborated with some 50 outstanding writers in the compilation and editing of nearly 300 charming myths, legends, and anecdotes about Arkansas, which will make these two volumes unique in the field of American literature; John Gould Fletcher, recognized as the world's leading imagist poet, Albert Pike, Fay Hempstead, William E. Woodruff, Opie Read, Bernie Babcock, George B. Rose, W. R. Lighton, Dallas T. Herndon, Josie Frazee-Capplemann, Myra McAlmont Vaughan, Rosa Zangnoni Marinoni, Charles J. Finger, J. N. Heiskell, Dr. D. A. Rinehart, Roy Reid, Eugene Smith, jr., Katherine Anthony (author of Catherine the Great and Queen Elizabeth), Mrs. Florence B. Cotnam and Mrs. Malcomb Gannaway (editors of the Home Maker), Anna Cleaver, Margaret Letzig, J. Breckenridge Ellis, Fletcher Chenault, Mrs. Vaughan Root, Walter Ebel, E. B. Robinson, Arthur Sommers Roche, Roark Bradford, J. Madison Shaw, William Johnson, M. C. Blackman, Mrs. Edward Bevins, Mrs. W. T. Lake, Mrs. Frank H. Dodge, Mrs. Hallea H. Stout, Walter F. McJunkins, George Rule, Earle Chambers, Thomas A. Wright, Dick Brugman, John Ginnochio, Fred Heiskell, William R. Leighton, Charles T. Davis, Charles Morrow Wilson, Leo Bott, Dr. Phillip Cone Fletcher, William McComb, Dr. John Hugh Reynolds, Dr. David Y. Thomas, Rev. Jerry Wallace, J. Wainwright Evans, Mrs. Lexa Bell Elza, John I. Bond, J. P. Womack, Mrs. J. R. Wilson, Mrs. W. E. Massey, Constance Bonslagle, Dr. W. Lynn Hurie, Dr. M. L. Gillespie, Rev. W. M. Ragland, Dr. Asa Q. Burns, R. R. Thompson, Dr. Claude D. Johnson, Dorothy Hamilton, George E. Hastings, Anna Bassett, Tom Shiras, W. P. Whaley, Henry Faust, Emory Holloway, J. Brookes Moore, George Stockard, Gertrude Stockard, Inez N. Free, Dorothy C. Johnson, Rev. Roy Rutherford, Dr. Elmer Chapler, Rabbi Ira E. Sanders, Mrs. S. S. Semmes, Mrs. T. J. Williams, Clara B. Eno, William Johnson, Graham Burnham, W. H. (Coin) Harvey, Dr. S. C. Dellinger, Dr. W. P. Witsell, Bishop John B. Morris, Dr. A. C. Millar, Dr. James Thomas, Mrs. Sue B. Layton, Eleanore Resley, Mrs. Emmett Morris, Mrs. R. B. McLaughlin, Mrs. Annie House, Rufus J. Nelson, Dr. Charles E. Dicken, Farran Newberry, Charles Minor Pipkin, Octave Thanet, Helen Pettigrew, John H. Rogers, Sharpe Dunaway, M. E. Dunaway, Clio Harper, A. W. Parke, Armitage Harper, W. D. Self, Harry Williams, Tom Morgan, Claude M. Hirst, Dr. Hay Watson Smith, Dr. James A. Anderson, Dr. Hardy L. Winburn, Dr. John L. Hunter, Dr. Calvin B. Waller, Una Roberts Lawrence, Henderson M. Jacoway, Robert E. Wait, Arthur M. Harding, Virgil L. Jones, Dan T. Gray, C. T. Goodsen, T. S. Staples, Kirkley F. Mather, George Moreland, R. D. Highfill, Zella Hargrove Gaither, Virgil C. Pettie, Richard M. Mann, Mrs. Sue Shaver, Herb Lewis, Zella Cross Peel, Dr. E. P. Alldredge, Bishop James R. Winchester, Mrs. T. J. Vaughan, J. A. Dickey, Antonio Marinoin, L. Passerelli, John H. Hinemon, J. J. Doyne, A. B. Hill, Lessie Stringfellow Read, Dr. J. M. Williams, Senator R. J. Wilson, James J., H. T., and Galloway Harrison, Charles Evans, Curtis B. Hurley, Mrs. Ruby Livingston, Julia Houston Railey, Minnie U. Fuller, Frances Hanger, Hamp Williams, Agnes Watson, Eleanor Risley, and other talented writers. Arkansas deservedly takes high rank among American Commonwealths in its production of chaste, interesting, and beautiful literature.

Arkansas has given to metropolitan grand opera such artists as Mary Lewis and Mary McCormick; to music such composers as Laurence Powell, Henry Dougty Tovey, Lillian Hughes, Alma Colgan, Joseph Rosenberg, Hazel Yates McMillan, Mrs. J. W. Barnett; to art, C. Harry Allis, Fanny Dunnaway Hogan, James C. Brown, and Henry Stitt.

There are 34 daily newspapers in Arkansas and 285 papers of all kinds in addition to several creditably edited magazines, such as the Homemaker, Arkansas Agriculturists, Arkansas Farmer, Arkansas Engineer, South Arkansas, Arkansas Countryman, Dixie and Dairying, the Hi-Y News, the Arkansas Traveller, Razorback, Normal Echo, Hendrix Bulldog, the Ouachitonian, the Ozark Life, the Mountaineer, the Little Rock Tiger, the Fort Smith Grizzly, the Pine Cone of Pine Bluff, the latter having officially been accorded the honor of being one of the two best high-school publications in the Nation.

Recently Arkansas has had cause to be genuinely proud of the success of its business men by the election of Charles S. McCain as chairman of the board of the largest bank in the world. Mr. McCain was born just 45 years ago in Pine Bluff. It is reported that he receives an annual salary of $100,000, is chairman of the board of the combined Chase National, Equitable, and National Park Banks, New York, the largest bank in the world, with resources aggregating nearly $3,000,000,000. He is one of the many successful business men Arkansas has given to the Nation. John G. Lonsdale, recently elected president of the American Bankers' Association; Julius H. Barnes, president of the United States Chamber of Commerce, who was born in Little Rock; Fred W. Allso, the business manager of the Arkansas Gazette, whose generous and unassuming philanthropy has recently been recognized by the naming of a park in his honor by the city council; Lynn Hemingway; Guy C. Phillips; Ed. Mays; Sam Mitchell; Stone Madden, of your own city of St. Louis; Sam Reyburn; George W. Donaghey; Carl Gray; Justin Mathews; Hugh D. Hart; Charles E. Purifoy; Harvey C. Couch; A. D. Banks; J. J. H. Harrison; M. L. Bell; Robert E. Lee Wilson, the largest cotton planter in the world; W. C. Ribenack, an outstanding banker and lumber magnate; Charles M. Conway, the president of the Southwest Dairy Co.; Albert G. Ingalls; Claude A. Fuller; W. T. Patterson and Loyd Patterson, of Eureka Springs; Ed Pyeatt; Fred Middleton; Van B. Simms; James Harmond; Nick Peay; James Dibbrell; Dr. Charles W. Webb; Hamilton Moses; Selius Perry; Carroll Walker; Roland Irvine; E. J. Black; Burke Mann; Ross McCain; M. J. Munn; Ira G. Hedrick; Morton Garden; the Buchanans and Templetons of Texarkana; C. M. Lawson and Jay Fullbright, of Fayetteville; Echols, Kelly, Seamon, and Makdiman, of Fort Smith; S. G. Smith and Joe Frauenthal, of Conway; Doctor Simmons; J. D. Carnahan, of Pine Bluff; and the Kahns, Storthizs, and the E. G. Thompson estate, of Little Rock, are outstanding types. There are at present 30 millionaires in Arkansas, whereas a quarter of a century ago there were none.

In legitimate sports and athletics, Arkansas has a most commendable record. Mrs. Louise McPhetridge Thaden, formerly of Bentonville, Ark., won the woman's transcontinental air derby, flying from Santa Monica, Calif., to Cleveland, Ohio, in the record-breaking time of 20 hours 19 minutes 4 seconds, winning the first prize from 16 ladybird flyers. Maj. J. Carroll Cone, who served with distinction for many years as our State auditor, is ranked third in the men's air derby. Other notable Arkansas flyers are Charles Minor Taylor, Ben Rowland, and Russell Lambert. Freddie Hamm, formerly of Lonoke, Ark., holds the world's broad-jump record, and Dean Pullen, of Ouachita College, and Douglas Graydon, of Little Rock, broke the intercollegiate pole-vault record of the world.

Arkansas has given to baseball such outstanding players as Travis Jackson, Aaron Ward, Charles Schmidt, Bill Dickey, Trevenow, Bing Miller, Fred Leach, Roy W. Wood, Dolly Jacobson, Hugh Critz, Rube Robinson, Charles Weaver, and William Meriwether; to football such gridiron stars as Wear Schoonover, Glen Rose, Shirley Wood, Robert F. Hyatt, Douglas Wycoff, Ivan Williams, Carey Self, Wright Salter, the Toland boys, Hardy Winburn, Abraham, Stephen Creekmore, Frip Hill, Robert Newton; to basketball, Wear Schoonover, Glen Rose, the Pickell brothers, of Fayetteville, the Carpenter boys, of Batesville. Senator C. C. Calvert and his accomplished wife, of Fort Smith, rank among the best trap shots in the Nation. Billy Bridewell, three times champion of Arkansas, this year reached the quarter finals in the southern golf tournament. The Dunnaway boys, of Conway, and Wear Schoonover, of Pocahontas, rank not only as great football players but as among the best tennis experts of the South.

Maj. Shirley Wood, son of Judge Carroll D. Wood, in 1928 won the coveted honor of being the officer who commanded the best drilled regiment in the United States Army. Herman Davis, of Manila Ark., was ranked by Gen. J. J. Pershing, as fourth among the outstanding American heroes in the World War. Arkansas contributed over 72,000 of its heroic sons, and our Commonwealth lost nearly 3,000. Arkansas is genuinely proud that an adopted son, Maj. O. L. Bodenhamer, was elected commander in chief of the American Legion, the greatest patriotic organization in the world, with over 11,000 posts and 800,000 members.

Arkansas has 137 chambers of commerce, with such outstanding secretaries as D. Hodson Lewis, of Little Rock; Ed J. Novak, of Fort Smith; Scott D. Hamilton, of Hot Springs; Charles E. Taylor, of Pine Bluff; E. C. Horner, of Helena; W. S. Campbell, of Fayetteville; P. G. Anderson, of El Dorado; Homer Pigg, of Hope; and others who richly merit mention because of their outstanding efficiency and who have mobilized magnificent industrial movements for Arkansas. Miss Carolyn Steen, of the Conway Chamber of Commerce, is the very competent secretary of this state-wide organization. South Arkansas has an organization of its own under the direction of Luther Ellison, of Camden, which, in the last five years, has brought approximately $20,000,000 worth of industries to the counties south of the Arkansas River. William J. Hamilton, of Fayetteville, is the field secretary of the Ozark Playground Association, embracing the 16 counties of south Missouri and northwest Arkansas, frequented in 1929 by 750,000 tourists who spend on an average of $30 each. The tourist crop of Arkansas is

easily worth four times as much as its fruit crop, and those who honor our State by spending part of their summer vacations in it obtain value received from the wonderful panoramic view of our majestic mountains, lovely valleys, placid streams, wondrous caves, and home cooking such as mother used to give us.

Arkansas extends the Nation an invitation to enjoy its entrancing beauties, the tapestry in stone and frozen music of Diamond Cave, its marvelous health resorts, of which Hot Springs, Eureka Springs, and Heber Springs have a nation-wide reputation, to sojourn in our rugged scenic State parks (Petit Jean, Mount Nebo, LaBelle Point, Arkansas Post), to tour through our great forest reserves, the Ozarks and the Ouachita, to stand on the tip-top of the Ozarks and Bostons at Mount Magazine, the highest point between the Alleghenies and the Rockies; to join the Young Men's Christian Association and religious groups at Petit Jean, where within 1,120 acres may be seen such pitographs as the highest and longest natural bridge in the world.

We have fine and commodious hotels and rustic cabin camps to entertain you; the oldest newspaper west of the Mississippi—the Arkansas Gazette—and other great dailies to supply you with up-to-date readable news; churches manned by conscientious ministers, where you may worship each Sunday; great summer schools where you may educate your children while giving them the vacation and sports they so ardently desire; and above all, where there is as pure a stream of Anglo-Saxon blood as flows in the veins of any American State. And the latchstring of genuine hospitality is on the outside of our hearts and homes.

ADDRESS AT UNVEILING OF STATUE OF "LINCOLN, THE MYSTIC"

Mr. VANDENBERG. Mr. President, on last Saturday afternoon, at 3 o'clock, June 14, 1930, at Jersey City, N. J., a statue of "Lincoln, the Mystic," was unveiled in Lincoln Park of that city, under the auspices of the Jersey City Lincoln Association. The statue is the work of Fraser, who collaborated with St. Gaudens in some of his most historic creations, and which is a rare presentation of Lincoln as a man of prayer and meditation.

The program of the unveiling was most auspicious, in which the Governor of New Jersey and other distinguished public officials participated. The dedicatory oration was delivered by Dr. John Wesley Hill, chancellor of Lincoln Memorial University, Cumberland Gap, Tenn.

I ask unanimous consent to print this address in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD.

Dr. John Wesley Hill spoke as follows:

"Death hath this also," says Bacon, "it openeth the gate of fame."

Fame, in turn, triumphs over death.

Abraham Lincoln is not dead. Emancipated from the thraldom of time, he has stepped beyond the trammels of birth, and race, and State. He lives in an epic all his own; in ever widening spiritual leadership; in the splendor of realized ideals; in inspiration to good citizenship and in multiplying memorials in literature and art, in progress and reform, in patriotism and philanthropy, in education and humanitarism.

He reappears in this historical statue, an artistic presentation of "Lincoln, the Mystic."

To-day we lay upon his dreamless dust, the wealth of spring, flowers which are symbols, and poems and prophecies.

"The summit of the human mind is the ideal to which God descends and man ascends."

In each age, a few men of genius undertake the ascent. From below, the world watches them; "How small they are," says the crowd; but upward they climb, until they reach the summit where they catch great secrets from the lips of God.

These are the world's picked personalities. They tower above the cloud line of history! Appearing in the providential order, they are prophets.

No two ever came upon the same mission; they do not wear the same robe, nor work in the same rôle.

One comes as a patriarch, like Abraham; another as a law giver, like Moses; another as a statesman, like Pericles; another as a philosopher, like Plato; another as an apostle, like Paul; another as a diplomat, like Richelieu; another as a reformer, like Cromwell; another as a patriot, like George Washington; and another as an emancipator and deliverer, like Abraham Lincoln!

To choose between these men is impossible. There is no method for striking a balance between Abraham and Moses, or Plato and Paul, or Richelieu or Cromwell, or Washington or Lincoln. There is no primacy among them. They all are the greatest.

The centuries are the silent priests that enthrone them. Death is the grim philosopher that interprets them. The grave is the dark room, where the soul's negative finds the time exposure necessary to the development of the perfect photograph.

Time can neither be flattered nor bribed. When the investment a man makes of himself in his own age constantly yields installments of interest in succeeding ages, we know that such a man failed to get all that was due him while he lived. Post-mortem eulogy is only back pay.

The world has been slow to recognize its heroes. For living leaders we have epithets; for dead ones, epitaphs. We make sure that what we see is not a palpitating personality but a dim shadow appearing at midday, as at midnight, occupying no space, arousing no resentments, disputing no ambitions, obstructing no progress. And then, when we have read the death certificate, we cheer up and begin to tell the truth, throw aside prejudices and animosities; offer eulogies in expiation of epithets and lavish beatitudes where bread was once begrudged.

Distance affords perspective. Passion cools, prejudice subsides, opinions ripen into judgment, and judgment becomes the verdict from which there is no appeal.

It was the Gallilean who declared, "A prophet is not without honor save within his own country." That is true of all the prophets. Stones have been their bed and their bread. Aristides was banished because he was known as "Aristides the Just." Scipio Africanus was sent into exile on the anniversary of his victorious battle at Zama. Wellington was mobbed in the streets of London on the anniversary of the Battle of Waterloo. Bruno started heavenward in a chariot of fire. Bunyan penned his Pilgrim's Progress in a dungeon. Cromwell's dust was desecrated, and his skull was raised upon a pole over Westminster Hall, concerning which sacrilege Pope wrote, "See Cromwell damned to everlasting fame." Washington in his day was denounced as an aristocrat, Jefferson as a radical, Hamilton as a monarchist, Marshall as a tyrant, and Lincoln as a jester.

To-day we set these heroes on Olympus and speak of them as patriots and prophets.

We are still too near the epoch in which Lincoln wrought to make an accurate measurement of his greatness.

The workmen on the Parthenon could not see the full magnificence and glory of the temple that sprang from the brain of Ictanus and crowned the hills of Athens, but all the passing ages have seen it.

It will be a century at least before some American Froude will be able to analyze the qualities which were wrought into the incomparable character of Lincoln, qualities which lift him into solitary grandeur and mark him as a man of destiny. A character impossible of analysis because of its simplicity and completeness, like a perfect sphere, always the biggest on the side next to you.

We can only touch his distinguishing characteristics—in mind, practical reason; in will, firmness; in moral nature, integrity; in religious nature, loyalty to duty; in emotional nature, fidelity to friends and sympathy with humanity; in faith, Christianity; in manner, simplicity; in bearing, dignity; in scholarship, mastery of English and of statecraft; in abiding motive for action, patriotism; in poise, absolute courage in general make-up; preternatural endurance, and in all things a man, and such a man, that great nature might stand up and say, "We shall not see his like again."

Ingersoll said: "The memory of Washington has been reduced to a steel engraving." This can never be true of Lincoln, for as Stanton exclaimed at his death bed, "He belong to the ages," and he belongs to the ages because he belongs to humanity, and he belongs to humanity because he is the enshrined reality of democracy.

He is enthroned in history, not as a legendary figure clothed in the soft light of fabled story, nor as a dim specter appearing amidst the shadows of myth and mystery, but as a cosmic soul emancipated from the unholy thrall of time and place, stepping silently into the infinitude of humanity.

A world figure, standing with mystic mean in the forefront of world problems, pointing the way toward the sunpath of spiritual reality—his spiritual leadership is the greatest inspiration of modern times.

There is nothing Eutopian nor obsolete in his articles of faith, they are instinct with life, applicable to conditions to-day and adaptable to all times; not iridescent baubles of political vacuity, but a body of faith, which is the cornerstone of our national stability.

If we neglect this inheritance, it will fall into alien hands; the representatives of agitation and revolution are already attempting to appropriate it. There are over 200 revolutionary publications in this country, which are continually invoking the words of Lincoln in justification of their pernicious cause.

Pulpits and halls of learning are occupied by sensational preachers and teachers, who pretend to think it an exhibition of progressiveness to teach contempt for the established institutions of America.

Many of these so-called "advanced thinkers," in the lecture rooms of colleges, are not only cunning and adroit but able and magnetic, possessed of a power to inflame, and mislead the immature, men who seek to poison citizenship at its source, in the name of academic freedom.

The hour is opportune, therefore, for a Lincoln renaissance, a revival of his letters, a return to his principles.

Such a renaissance would be creative, striking to the roots of things, dealing with essentials, and resulting in mental and spiritual illumination and transformation.

Ethical tinkering, psychological cobbling, and socialistic whitewashing will accomplish nothing. Only the spirit of Lincoln, his love of the truth, his sympathy with humanity, his devotion to liberty, and his faith in the eternal, will bring the new birth of freedom, for which he plead, reinstate democracy as the invincible bodyguard of liberty, and

preserve representative government from the wrecking forces of ignorance and cupidity.

In 1802 Wordsworth wrote of Milton, and expressed the wish for the return of the poet statesman to the councils of those stirring times. The stress of these days is far greater, the problems confronting us more complicated and perplexing, while the issues involved are so vital and imminent that Wordsworth's longing for the return of Milton finds its counterpart in the oft-repeated appeals, which are being made from pulpit and press and platform to the spiritual leadership of Lincoln.

Indeed, Wordsworth's call to the soul of Milton, might well be paraphrased into the yearning cry of America:

"Lincoln, thou shouldst be living at this hour:
America hath need of thee: she is a fen
Of stagnant waters: altar, sword, and pen,
Fireside, the heroic wealth of hall and bower,
Have forfeited their ancient English dower
Of inward happiness. We are selfish men;
Oh! raise us up, return to us again;
And give us manners, virtue, freedom, power.
Thy soul was like a star, and dwelt apart:
Thou hadst a voice whose sound was like the sea:
Pure as the naked heavens, majestic, free,
So didst thou travel on life's common way,
In cheerful godliness; and yet thy heart
The lowliest duties on herself did lay."

Lincoln said, "Nowhere in the world is presented a Government of so much liberty and equality as ours."

Would he feel, were he here to-day, that our crass thanklessness for the privileges of such a precious heritage, our indifference to the evils which threaten it, our lack of spiritual discernment and restraint, must eventually arrest the forces of progress? What would he say of the sordid materialism, utterly antagonistic to the ideals for which he lived and died? What would be his attitude toward Mammonism, which is slowly enervating the spiritual concepts which were the creative forces of our early history, the loss of which will forfeit our spiritual leadership at home and abroad?

We are living in a day when lawlessness is on the increase, when homicide, banditry, and crime in all its hideous variety has the right of way; when an organized conspiracy against law and order tramples with impunity upon the Constitution, jeers at the officers of the law, at courts of justice, at time-honored traditions, and sacred landmarks, and in the extremity of their desperation seeking to subsidize the name of Lincoln in their assault upon the strongholds of civilization.

If Lincoln were here to-day, what would be his answer to the challenge? What would be his answer to their plea of personal liberty as justification of their contempt for the Constitution?

He would probably repeat his words in an address in Baltimore in 1864, "The shepherd drives the wolf from the sheep's throat, for which the sheep thanks the shepherd as his liberator, while the wolf denounces him for the same act, as the destroyer of personal liberty." He would say to these lawbreakers and their sympathizers what he said early in his career to an audience of young men at Springfield, Ill.:

"As the patriots of '76 did to the support of the Declaration of Independence, so to the support of the Constitution and the laws, let every American pledge his life, his property, and his sacred honor; let every man remember that to violate the law is to trample upon the blood of his fathers and to tear the charter of his own and his children's liberty. Let reverence for law be breathed by every American mother to the lisping babe that prattles on her lap. Let it be taught in schools, in seminaries, and in colleges. Let it be written in primers, spelling books, and almanacs. Let it be preached from the pulpits, proclaimed in legislative halls, and enforced in courts of justice. In short, let it become the political religion of the Nation."

Lincoln entertained no fears for the future of our flag or the safety of our country from perils without. Speaking of the possibility of our national downfall, he continued: "All the armies of Europe, Asia, and Africa combined, with all the treasure of the earth in their military chest, with a Bonaparte for a commander, could not by force take a drink from the Ohio or make a track on the Blue Ridge in a trial of a thousand years. At what point, then, is the danger expected? I answer, if it ever reaches us, it must spring up among us. It can not come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time or die by suicide."

Then calling attention to the growing disposition to disregard the Constitution sealed by the blood of its historic framers, he declared that our Government is built upon the principle of "majority rule" and that "if the time ever comes in America when a minority can frustrate the will of the majority the result will be mobocracy upon the one hand or tyranny on the other."

Lincoln predicated the security and perpetuity of our institutions upon law and order and constitutional authority. Abhoring slavery, he revered the Constitution which sheltered it and would leave it under the Constitution but not consent to its invasion of virgin soil.

In 1859 he said: "I say that we must not interfere with the institutions of slavery in the States where it exists, because the Constitution forbids it and the general welfare does not require it. We must not withhold an efficient fugitive slave law because the Constitution requires us, as we understand it, not to withhold such a law, but we must prevent the outspreading of the institution because neither the Constitution nor the general welfare requires us to extend it. The people of these United States are the rightful masters of both Congress and courts, not to overthrow the Constitution, but to overthrow the men who pervert the Constitution."

We are hearing much about progress nowadays.

Lincoln knew the difference between progress and motion. He was neither a reactionary nor a revolutionary. Charles A. Dana said of him, "He was never a step too late nor a step too soon." With William the Conqueror, he believed that "Events are God marching," and it was his highest ambition to keep step with them. He, therefore, moved midway between the extremes a step at a time, with one foot always on the ground.

If he were here to-day, he would make haste slowly, knowing that he that believeth should not make haste, and believing in the adage, "Take your time for you haven't any time to lose."

Progress with him was only another word for growth. It must be free from violence and destruction; it must be expressed in evolution not revolution. Illustrating this thought he said, "A man watches his pear tree day after day, impatient for the ripening of the fruit. Let him attempt to force the process and he will spoil both fruit and tree. But let him patiently wait and the ripe pear at last falls into his lap."

He would not attempt to rebuild the world overnight. He rebuked those who proposed such an experiment when he said: "You are united among yourselves in your determination to break with the past, but you are utterly divided as to where you are going."

The professional progressives of to-day would do well to halt in their headlong carriage and study the example of Lincoln, the ideal progressive of the ages. Bolshevism is not progress, it is the collapse of civilization, a conglomeration of the zoological instincts of socialism, the Industrial Workers of the World, and anarchy. Its program is economic joy riding; its basic doctrine is "economic determinism."

From this viewpoint the final causes of social changes and political revolutions are to be sought not in man's brain nor in his insight into eternity, truth, and justice but in changes in the modes of production and exchange.

Here, in the last analysis, we have human hopes, fears, convictions, and beliefs touching time and eternity, laws, morals, religion, marriage, education, and civilization explained by the economic laws of production, distribution, and consumption.

Lincoln represents the antithesis of this soulless philosophy.

It was his sense of personal accountability to God, his faith in an overruling Providence, his familiarity with the Scriptures, his habit of prayer, his tears and tenderness, his love of the truth, and faith in humanity that lifted him from obscurity and crowned him as the man of the ages.

He said: "I am driven to my knees over and over again, because I have nowhere else to go."

There is no place for prayer in the philosophy of Karl Marx, no room for faith, or hope of immortality in the deadly slough of sovietism.

Lincoln's foundation was the Rock of Ages, upon which he stood and viewed the universe as the handiwork of God, saw the movements of Providence behind the shifting scenes of time, and recognized "the power that makes for righteousness" directing the destiny of mankind.

It was this faith that made him seer and guide, prophet and comforter. It was this faith that inspired him to remind his dying father: "He notes the fall of a sparrow and numbers the hairs of our heads and will not forget the dying man who puts his trust in Him."

And it was this faith in Providence that moved him to write to the broken-hearted mother: "I pray that our Heavenly Father may assuage your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom."

We have fallen upon strange and ominous times, a period of social, economic, political, and religious adventure, in which all sorts of fustian doctrines are proposed as substitutes for the principles for which Lincoln lived and died.

What would Lincoln say of this drift from our historic moorings? What would he say of the program of State socialism, with its proposed ownership of land, mines, factories, and the home itself?

He would declare as he did while in our midst: "The legitimate object of government is to do for a community of people whatever they need to have done, but can not do at all, or can not do so well in their separate or individual capacities. In all that people can individually do for themselves the Government ought not to interfere."

He would say as he did to a committee from the Working Men's Association of New York during the Civil War: "The strongest bond of sympathy, outside the family relation, should be one uniting all working people, nor should this lead to a war upon property or the owners

of property. Let not him who is houseless pull down the house of another, but let him labor diligently and build one for himself, thus by example assuring himself that his own will be safe from violence when built."

What would be his reply to the seditious attacks upon our judicial system, as subversive of constitutional Government? He would repeat his celebrated declaration upon this subject in his debate with Judge Douglas: "Judicial decisions have two uses, first, to absolutely determine the case decided, and, secondly, to indicate to the public how similar cases will be decided when they arise. We believe in obedience to and respect for the judicial department of government. Its decisions on constitutional questions when fully settled should control, not only the particular case decided, but the general policy of the country, subject to be disturbed only by amendments of the Constitution as provided in that instrument itself. More than this would be revolution."

Finally, if Lincoln were here to-day what would be his attitude on the question of international peace? Would the glare of internationalism blind his eyes to the glory and supremacy of his own flag? Would love for humanity dilute or divert his love for native land? Early in his career he took his stand on this question declaring:

Many free countries have lost their liberty, and ours may lose hers, but if she shall, be it my proudest plume not that I was the last to desert, but that I never deserted her. If ever I feel the soul within me elevate and expand to those dimensions not wholly unworthy of its almighty Architect, it is when I contemplate the cause of my country deserted by all the world beside, and I standing up boldly and alone hurling defiance at her victorious oppressors. And here without contemplating consequences, before high heaven and in the face of the whole world, I swear eternal fidelity to the just cause as I deem it, of the land of my life, my liberty, and my love."

He declared again: "The man does not live who is more devoted to peace than I am, nor would do more to preserve it."

But it was peace with honor, and not at any price, for which Lincoln stood, an attitude voiced in the closing words of his second inaugural: "With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are now in, to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations!"

That was the dream which Lincoln breathed into the soul of the world, a dream of peace with justice for all mankind. There is no suggestion of isolation in this sentiment. It means in a large sense of the word, a strong and united people for leadership in the advancement of the world, toward the approaching fulfillment of Lincoln's dream, which hovers like a bow of promise over the blood-stained and battle-scarred earth.

Washington advised us against "entangling alliances," but not against enlarging territory and influence. When Washington gave us that advice, democracy was still on trial; our population was limited, and our resources unknown. We knew but little of the great empire west of the Alleghenies; the problem of self-government had not been solved. To-day we are a world power. The eagle has escaped its shell. Where Uncle Sam sits is the head of the table. His foot is on the call bell, and his hand grasps the carver; there can be no dissecting without his consent.

Lincoln recognized our accountability to the world. He saw beyond the Civil War a new era of democracy, the soul of which must be projected everywhere, and he would not tolerate the thought of isolation. His dream was of "a just and lasting peace among ourselves, and with all nations."

Prior to Lincoln's second inaugural, international differences were occasionally arbitrated. Arbitration proceeds by negotiation and compromise. When Lincoln plead for peace with justice, he was taking a long step in advance of arbitration. Justice suggests law, and law stands for adjudication. Peace with justice can only be secured by the application of the principles of law. This is the goal of internationalism to-day. The establishment of an untrammeled world tribunal for the adjudication of world controversies.

Lincoln's conception of a world court was far removed from a super-government.

He would recognize no international flag. He would never consent to the transformation of our Government from the lantern-bearer of world hope into an international bell hop.

His was the thought of national solidarity, that in the preservation of our integrity, we might expand and enlarge in peace and good will until our influence for amity and cooperation might encircle the globe, a vision of collectivism at home, peace "among ourselves," and cooperation abroad, "with all nations." Not a program of surrendered rights and policies, the transfer of the power to declare war from Congress to the League of Nations, the submission of the Monroe doctrine, our immigration policy, or any other question vital to our rights and life to an alien court, but rather such a peace at home, as shall make us strong abroad. A peace characterized with such strength toward the strong and gentleness toward the weak, that the world will recognize the source of our leadership, in our devotion to justice, love of liberty, and consecration to humanity.

It is appropriate that this monument to the character and achievements of Abraham Lincoln should be unveiled on Flag Day. That flag is Lincoln's appropriate memorial. His face is reflected in it.

In its ample folds are written in letters of deathless light the principles for which Lincoln declared, when he participated in the flag raising at Philadelphia on his way to Washington, and which he proposed to live for," and if necessary "to die for."

His principles are living in it! To-day it is the symbol of the cumulus glory of those principles—the Declaration of Independence—the chart and compass of all human rights; representative democracy, with constitutional safeguards for the protection of individuals and minorities; the might of right as against the right of might; the divine right of man as against the divine right of kings.

It means all that our civilization means—that the schoolhouse is the bulwark of American liberty, the ballot box is the ark of the American covenant, the courthouse the guarantee of American justice, and the home the cornerstone of American democracy.

It means the protection of our citizens at home and abroad, on every land and sea; it means that anarchy and mobs are un-American; that there is a legal remedy for every wrong; that dynamite is the weapon of the coward and force the instrument of the tyrant; that person and property, life and liberty must be inviolate beneath its ample folds; it means that education is the fortress of freedom and that religion is the foundation of civilization; it means the sanctity of our courts, that the scales of justice shall stand between weakness and strength, want and wealth, and guarantee simple equity to all. It means the right of property possession, and that the theory of confiscation is incongruous with the spirit of the Constitution; it means the rights of labor capital and that all social and industrial progress must be by evolution and not by revolution.

It means national honesty, that there shall be no knavery in politics, no graft in office, no betrayal of trust and no violation of treaty. It means national unity, that we are the citizens of one country, bound together in such an indissoluble compact that we are invulnerable to any weapon formed against us.

It means national hospitality that we welcome to our shores all refugees from oppression; that our fireside is broad enough for every man who loves our flag; that our citizenship is composed of all races whom "God hath made of one blood"; and that neither class nor caste nor racial nor religious distinctions shall mar our spirit of brotherhood.

It means that every gate shall be locked against anarchy and sedition and every law shall be enforced against crime; that our institutions demand the respect and reverence of all; that foreign instincts conflicting with these institutions shall not be tolerated; and that we have in this country but one citizenship, not hyphenated, but unqualified and unadulterated—American citizenship—and that he who talks or boasts or professes any other is a foe to our flag and a traitor to the Government, which he has sworn in allegiance to defend with his ballot and, if necessary, to defend with his blood.

Wondrous flag! The flag of our fathers, the flag of Washington and Jefferson and Hamilton; the flag of Lincoln, Garfield, Cleveland, McKinley, Roosevelt, and Wilson. Your flag and my flag, the flag, thank God, which is enthroned in the hearts of a hundred and thirty million freemen, the flag of freedom, the flag of democracy, the flag of the Republic, in the defense of which we are ready to do and dare and die.

Gaze upon it and you will see nothing in it to cause a blush or demand an apology. Its history has always been right, no blot upon its beauty, no blur upon its field of blue, no stain upon its stars, no shadow upon its title, no ravenous lion, nor hissing serpent, nor frowning castle, nor shadow of scepter or throne in its sacred emblazonry, but always and everywhere the symbols of light.

It is the banner of the dawn, the flower of hope blooming in the garden of humanity, the herald of peace and justice and brotherhood, the insignia of democracy keeping step with the march of the king of day, the incarnation of all the dreams and hopes and prophecies of all the past, the bow of promise upon the brow of every cloud, glowing with the golden deeds of vanished years and prophetic of greater glory yet to come. Gaze upon that flag to-day and behold the living, triumphant, glorified symbol of liberty and Americanism, the fadeless memorial of the defender and savior, Abraham Lincoln.

The great sculptor Donatello, when he had finished that splendid statue of St. George, carved on the front of San Michele in Florence, awaited the judgment of the greatest living artist, Michelangelo. He waited week in and week out, month in and month out, until at last the grand old master came.

There stood St. George upon his lofty pedestal, and there stood the immortal sculptor gazing upon the flawless figure with steadfast eyes, filled with wordless praise.

The vast throng of spectators waited in breathless suspense for the moment still unbroken.

Standing there before the deathless creation, his piercing eyes tracing every chiseled line, penetrating every feature, catching every fitful sunbeam and shadow, the marble dream seemed instinct with life, pulsing as with a heart of blood and articulate with supernal strength,

when suddenly the sculptor, who in building St. Peters, had fulfilled his promise to "Hang the pantheon between earth and sky," with face aflame with rapture, and lips tremulous with emotion, flashed the verdict. "Now march!"

The world is full of memorials to the deathless Lincoln.

To-day we unveil and dedicate another, the work of the gifted Fraser, which must link his name as an American sculptor with that of St. Gaudens.

It is Lincoln, the mystic, seated as he was wont, in pensive solitude upon a mount of meditation overlooking the Nation's Capitol, brooding over the solemn responsibilities resting upon him, and pleading with heaven for wisdom, and courage to bear them in those hours of Gethsemane gloom!

Arising from his meditations he returned, reanointed, to the post of duty.

Who can believe that the incident of death with its intervening years has quenched his love of liberty, or devotion to duty, or consecration to humanity? Who believes that his soul is chained in the cold embrace of bronze! The thought is a violation of the rational order of the universe, of that justice which upholds it, of love which lights the tomb, and hope which sights a star beyond the silent night of death.

Lincoln to-day, as never before, belongs to humanity.

He is not a prisoner within the windowless palace of death, but a living, palpitating personality, a heaven-appointed sentinel upon the dome of these American centuries, watching and waiting for the full fruitage of his patient husbandry.

He is a personality, not a portrait; a deathless soul set free from the trammels of time; not an effigy, a spiritual reality; not a phantom, a living leader; not a mute memory.

Oh, Lincoln, arise! Stand forth that we may gaze anew upon thy furrowed face. Look upon us; pity us; speak to us as thou didst of Gettysburg; stretch forth they hand; point the way of duty and destiny that America may be thy living monument down to the end of time. Oh, Lincoln, come down from thy summit of bronze, and march!

WILLIAM HARD'S ARTICLE ON SENATOR SHIPSTEAD

Mr. McKELLAR. Mr. President, yesterday in the Washington (D. C.) Star Mr. William Hard paid a very beautiful and well-deserved tribute to Senator SHIPSTEAD, our colleague. I think it ought to go in the RECORD, and I ask unanimous consent that it may be printed as a part of my remarks.

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

[From the Washington (D. C.) Star, of Sunday, June 15, 1930]

SENATOR SHIPSTEAD IS UNIQUE IN AMERICAN POLITICAL LIFE—MINNESOTAN, WITHOUT PARTY, IS DOMINATING FIGURE IN RANKS OF G. O. P.—SUCCEEDS WITH MISSISSIPPI TASK WHERE "REGULARS" ARE HELPLESS

By William Hard

The unique personality of the moment in American politics is Senator SHIPSTEAD, of Minnesota. No phenomenon like him has ever before been reported on the national political sky. His unexampled remarkablenesses are at least three.

First, he has really no party at all, and yet sweepingly carries his State. Second, he calls himself a "Farmer-Laborite" and yet dominates the struggle for the nomination for United States Senator among the Minnesota Republicans. Third, he is assailed as a "radical" and "bolshevik" and yet gathers in the enthusiastic suffrages of merchants and manufacturers and bankers. It is coming to be a current prophecy that he is the destined symbol of a new nonpartisanship—or a new merging of scattered old party fragments—in the whole Northwest.

Who is digging the Mississippi down to a depth of 9 feet all the way from St. Louis to Minneapolis? Who but this "bolshevik"?

SUCCEEDS WHERE REGULARS FAILED

The business administration of Herbert Hoover could not at this time apparently see quite so deep as 9 feet. It tentatively awaited further scientific soundings by engineers. The regular Minnesota Republicans in the House of Representatives could not persuade the House to dive all the way to a continuous and completely authorized 9-foot bottom. The hero who did it was that "enemy of business," Mr. SHIPSTEAD.

Alone Mr. SHIPSTEAD competently represented the aquatic aspirations of our great northwestern inland dry empire. Alone he filled the upper reaches of the Mississippi with 9 feet of water in italics (indicating new matter) on page 26 of the rivers and harbors bill as ultimately reported to the Senate by its Committee on Commerce.

He is all for human justice and introduces bills to bridle the passion of judges for issuing injunctions and jailing citizens without juries. He is all for the aesthetic architecture and introduces bills for beautifying the residential skylines of private property in Washington. He is all for international freedom and strives to rescue the Haitians from our alien rule. He denounces the League of Nations as an engine of militaristic, imperialistic, predatory, piratical, etc., powers. He hurls the World Court into the same fiery furnace of radical wrath. He votes for equalization fees and for debentures and for every other forward form of agrarian progressive revolution. He is a terrible man.

Also, though, he does every possible decent business chore for Minnesota at Washington effectively and promptly. He is a splendid man.

Mr. SCHALL, seeking renomination to the Senate, says that in it he has always done his best to be like SHIPSTEAD. Mr. Christianson, desiring to wrench Mr. SCHALL'S senatorial seat from him, says, in effect, that he will move it on the Senate floor always to within 1 inch of the inspiring whispers of SHIPSTEAD. Meanwhile, SHIPSTEAD goes out to the summit of the Blue Ridge in Virginia and associates with his most loved companions, trees, and gives himself his greatest pleasure, serene contemplation.

HAS NO POLITICAL PARTY

He has no political party to send to the aid of either Mr. SCHALL or Mr. Christianson. This man consists of just simply, only himself. He has no party to hold up his hands—and no party to tie his hands. He is the freest man in American politics, and increasingly one of the most powerful.

He is slow in gesture, slow in speech, tinged with a certain apparent pomposity of manner, shiningly colored with a humor which drawls and crawls like molasses, infinitely deliberate, infinitely strategic, absolutely surefooted, absolutely sincere. He has an almost Lincolnian faculty for long rumination, for matured design protracted far into the future, and for the expression of serious policy in whimsical parables. He is a Norseman who is as American as the primitive prairies of the covered wagon. Progressive, he also is antique. That is the combination to which our political history teaches us we give the widest wings of fame and fate.

THE NAME OF MOUNT TACOMA, WASH.

Mr. DILL. Mr. President, the most magnificent and beautiful mountain in the United States is on the north Pacific coast. There has been a dispute for a long time over the name of that mountain. The legislature of my State some years ago asked that the name be changed and there has been a great contest made over it. A great many books and publications have been written on the subject. One of the recent contributions on the subject is by A. H. Denman, Ph. B., LL. B. I ask that it be printed in the RECORD.

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

MOUNT TACOMA—ITS TRUE NAME

By A. H. Denman, Ph. D., LL. B.

The Seattle Intelligencer of November 23, 1869, contained an item in words following:

"The name of the new town laid off by General McCarver and known as Commencement City has been changed to Tacoma, the Indian name of Mount Rainier."

This statement is saturated with the truth. It was made before any jealousy of a new city had arisen to obscure in anybody's mind the truth connected with the Indian name of the mountain. The item truly indicates that the city got its name from the mountain; that Tacoma was recognized as the name of the mountain by both Indians and whites dwelling in the territory. Tacoma Chapter of the Good Templars was in Olympia and so named before there was any city of Tacoma.

The exact truth and the whole truth concerning the aboriginal name of the mountain is stated in shortest form by F. W. Hodge, when he was ethnologist in charge of the Smithsonian Institution, as follows:

"The word 'T'komma (Takoma)' in one form and another was used by several Salish tribes as the specific name of Mount Rainier (Mount Tacoma), but was by others applied specifically to other peaks and by some as a common noun to any snow peak." (Vol. II, Publications of Washington State Historical Society.)

The branch of the Smithsonian Institution relating to the ethnology of the Indians of the Pacific Northwest was founded by George Gibbs. He met Dr. William Frasier Tolmie in 1848 at the Hudson Bay Co.'s post, Fort Nisqually, located on the broad prairie now occupied by the United States military reservation south of Tacoma and at one time part of the Nisqually Indian Reservation. This post, established in 1833, was the first and for many years the only white settlement in the Puget Sound region. Doctor Tolmie was placed in charge thereof in 1833 and so remained for many years, a commanding figure in the history of the Northwest. While here, Gibbs with the aid of Doctor Tolmie compiled the vocabularies of the surrounding tribes of Indians, and these have been published by the Smithsonian Institution. Gibbs's knowledge of the Indian tongues enabled him to render valuable assistance to Governor Stevens in making treaties with the Indians in 1852.

In his vocabulary of the Wenatchee Indians, the general language of the Indians between the eastern slope of the Cascade Mountains and the Columbia River, Gibbs entered "T'koma, snow peak." In that of the Nisqually he noted "Takob, the name of Mount Rainier." He said

further that the northwestern dialects treated "b" and "m" as convertible. "Takob" is equivalent to "Takom" or "Tkoma."

"Far from coining the word, Winthrop did not even change its Indian form, as some have supposed, by modifying the mouth-filling 'Tahoma' of the Yakimas into the simpler, stronger, and more musical 'Tacoma.' This is as pure Indian as the other, and Winthrop's popularization of the word was a public service as perpetuating one of the most magnificent of our Indian place names." (Williams's The Mountain That Was "God," p. 197.)

Doctor Tolmie and G. M. Dawson compiled their Comparative Vocabularies of the Indian Tribes of British Columbia, published by authority of Parliament, at Montreal in 1884. In this work, referring to Gibbs, Tolmie says:

"I have, besides otherwise aiding in his researches, transmitted to him many vocabularies, some of which have been printed."

He says, further:

"In Niskwalli 'b' is interchangeable with 'm.' Gibbs used 'b' often when I thought 'm' more suitable."

Judge James G. Swan in a letter printed in the Wickersham pamphlet, hereinafter referred to, says that Doctor Tolmie told him more than once that "Ta-ho-ma" means a white, snow-covered mountain. Prof. Bailey Willis, of Stanford University, said in a recently published letter that about 1883, in correspondence with him, Doctor Tolmie wrote of the mountain as "Tacoma," using by preference the name used by the Indians with whom he has been so long and so intimately associated.

These vocabularies compiled by Gibbs and Tolmie are most significant because, as Doctor Tolmie says, they were made with a view to record such Indian words before they became affected by contact with any other race. The purpose was something more than merely lingual—it was ethnological. That is to say, the vocabularies were made to preserve a record of Indian words in their purity whereby the origin and relationship of the aborigines to others of the human race might be traced through their language. They are wholly distinct from the Chinook jargon, which is a mixture of tongues.

In 1861, before the publication of Winthrop's The Canoe and the Saddle, the United States Navy had a gunboat named *Tahoma*. The boat's name must have been brought to Washington by some naval officer who had before that visited these waters and thus learned the name the Indians applied to the mountain. (See Williams's 1913 edition of The Canoe and the Saddle, note on p. 316.)

In 1892 and 1893, Judge James Wickersham collected and reduced to writing the testimony of the Indians themselves. He further produced before a notable meeting of the Tacoma Academy of Science old Indians who testified through their interpreter, and the Indian word was heard by many learned Tacoma citizens in its purity. All this evidence has been printed and can be had from us on application. The testimony so collected confirms Gibbs and is summed up as follows: The Puyallup and Nisqualli name for the mountain is "Tacobet," the "b" in the Indian is interchangeable with "m," and hence we find the words "Tacoman" and "Tacoban." Peter Stannup, a full-blooded, educated Puyallup Indian, says, in a letter included in the publication, that "Ta-ko-ma" is generally used for a peak that is distinguished or highly honored. The Yakima-Klickitat name is "Ta-cho-ma," with the "ch" as in German, but most frequently written as "Ta-ho-ma." The name means an especially distinguished, high, snow-covered mountain, and is a fair, honest, Indian noun.

The name "Tacoma" was made familiar to the whole country through that charming classic of the Pacific Northwest, The Canoe and the Saddle, of Theodore Winthrop, commemorating his visit to these parts in 1853. At that time he stayed for a while at Fort Nisqually with Doctor Tolmie. He came alone with Indians by canoe from Port Townsend to Nisqually, and went alone with Indians through Naches Pass to The Dalles, thence eastward and counter to the stream of emigrants with their covered wagons coming westward over the Oregon Trail. Winthrop never saw his book in print. Enlisting at the first call of Father Abraham, he laid down a life of the highest promise in battle at Big Bethel in 1861, many years before the city of Tacoma came into being. He was a close and accurate student of the Indians and at pains to apply their words with accuracy. For reasons wholly disinterested, he discarded the meaningless name "Rainier" for the aboriginal name which he deemed fit and appropriate.

Other disinterested witnesses who can not be gainsaid are those who, so far as is known, were the first to climb to its summit. They applied the fine aboriginal name without thought of flattering anyone or of commemorating their own exploit. Gen. Hazzard Stevens and P. B. Van Trump, in August, 1870, made the first ascent. Stevens's account is in the Atlantic Monthly for November, 1876, under the title, "The Ascent of Tak-homa." He there tells us that his guide, the Indian, Sluiskin, knew the mountain by no other name; that the name was the specific name of the mountain exactly as when white men of the locality speak of "The Mountain" it means the one that is the highest and greatest of all; that when used generically the name was accompanied with another word, such as "Tacoma Wynatchee," meaning Mount Wenatchee, designating some smaller peak.

Again, and later in 1870, the summit was reached by F. S. Emmons, an engineer of international reputation, then serving on a United States Government survey. He made a full and comprehensive report of the mountain's glacial system and its topography in general. The Emmons Glacier on the east side, the largest glacier on the mountain, was worthily named in his honor. Throughout his report he speaks of the mountain as "Tachoma."

There is much more direct testimony as to the aboriginal name which space does not permit us here to enlarge upon. The reader is referred to The Mountain, published by Justice to the Mountain Committee; The Name of Mount Tacoma, a reprint with added matter; the Wickersham pamphlet; and Volume II of Publications of Washington State Historical Society.

The name "Rainier" was bestowed upon the mountain by Capt. George Vancouver, of the British Navy, who explored and mapped these waters in 1792, as a compliment to his friend Peter Rainier, then captain, afterwards a rear admiral. Rainier had no connection whatever with the discovery, exploration, or progress of the Pacific coast of North America. No one claims that he ever saw these shores. He served his country well against us in the War for Independence, winning his captaincy by the capture of the American privateer *Polly* off the coast of South Carolina. This fact hardly qualifies Rainier as a name for our greatest mountain, much less for a chapter of the Daughters of the American Revolution, who exclude from their membership descendants of those who were in those critical times loyal to King George III. H. H. Bancroft, the historian of the Pacific coast, tells us that Vancouver's nomenclature was often marked by an unworthy spirit of unfairness and injustice toward Spanish and American navigators, and that—

"It were well for one coveting easy immortality to be a friend of Captain Vancouver about this time, the aboriginal owners and occupants being, like the earlier Spanish navigators, wholly ignored in his naming."

Nor must it be forgotten in this connection that Vancouver's nomenclature was avowedly designed to mark his attempted annexation of the country to the realm of George III.

The Straits of Fuca were visited by the Yankees Kendrick and Gray, discoverer of the Columbia River, and were explored and mapped by the Spaniards before Vancouver came. Vancouver explored and mapped the connected waters we now know as Puget Sound. There is no inconsistency in our use of the term "Puget Sound," because Peter Puget, serving under Vancouver, actually made the survey of the inlets lying south of the city of Tacoma, and Vancouver limited the name to these portions, but the term has become extended to all the waters leading in from the Straits south of Point Wilson.

The Legislature of the State of Washington in 1917, voicing the sentiment of the State, including Seattle, as manifested by an almost unanimous press, by an overwhelming vote of both houses, requested the Geographic Board to drop the name "Rainier" and choose for the mountain that form of the aboriginal name which the board should find to be correct. This should have ended the matter. The refusal of such a board to heed such a request coming from the State of Washington is not entitled to respect. The ostensible excuse is the "right" of Vancouver to name the mountain, and the worthiness of Rainier in particulars removed far as possible from considerations affecting the Northwest coast.

Pilate sacrificed truth at the behest of a mob which, blinded by jealousy to all considerations of their own best interests and what was due to their own land and nation, shouted, "Away with Him! We have no king but Caesar!" So now jealous influences would suppress all the facts and all considerations of the fine name, with all its patriotic associations with such characters as Winthrop and Stevens, both of whom served their country on the battlefield, the one making the supreme sacrifice many years before the city was named. All must be forgotten because they apply the name "Tacoma," and to justify a senseless nomenclature bestowed in the interests of George III, a king of whom Britons are not proud. This will never be accepted as a solution.

The city of Tacoma can hardly be expected to consent to suppress the plain facts concerning her own good name in deference to jealous hostility directed against herself. She owes a duty to herself and to the world ever to proclaim the facts concerning her own name. The name has fine significance—the great white mountain—the Tacoma of all the Tacomas—as it really is. It should add interest even to those who may prefer the other name out of deference to authority, real or supposed, to know that the mountain has such a fine aboriginal name. If the people of Tacoma, yielding to sinister influences, permit such facts to be forgotten, they would be sadly lacking in self-respect and character.

President Taft, on the occasion of his visit in 1911, in public speeches in Seattle as well as in Tacoma, referred to the mountain as Mount Tacoma and by no other name. In a public address on October 10, 1911, printed in all the papers, responding to the remark of his introducer that "we of Tacoma and many of our good friends call it by the old original name, Mount Tacoma," he said, "I always think of the mountain by its original name."

For the flippant who say that the city's advocacy is "small-town stuff," we have what President Roosevelt said to a Seattle delegation

calling on him at the White House, when he asked them if their city had not become big enough and well enough assured of its future to drop its opposition to the aboriginal name. And further, on another occasion Mr. Roosevelt said: "Why should we Americans abandon the splendid Indian name 'Tacoma' in order to call our noblest landmark after a foreigner whose only connection with our history is that he fought against us when we were an infant Nation?" In a letter to Mr. Walter J. Thompson advocating the substitution of Tacoma for Rainier, Mr. Roosevelt said: "It has always struck me as a piece of genuine childishness to follow any other course."

The aboriginal name has the sincerity and directness of the natural native mind, indicating a reverence well worthy of the respect of the most civilized. It runs with the land. It is distinctive of Northwest America. It partakes of the nature of the mountain it designates. In "The Ascent of Denali," Archdeacon Stuck says:

"There is to the author's mind a certain ruthless arrogance that grows more offensive to him as the years pass by, in the temper that comes to a 'new' land and contemptuously ignores the native names of conspicuous and natural objects, almost always appropriate, and overlays them with names that are, commonly, neither the one nor the other. * * * Let at least the native names of these great mountains remain to show that there once dwelt in the land a simple, hardy race who braved successfully the rigors of its climate and the inhospitality of their environment and flourished, until the septic contact of a superior race put corruption into their blood."

In the Atlantic Monthly, vol. 51, p. 231, Helen Hunt Jackson says:

"The Indian name of Mount Rainier was 'Tacoma,' meaning, according to some, 'snow mountain'; according to others, 'heart food' or 'breast food.' One catches a glimpse through the clumsy English phrase of a subtly beautiful idea, and a sentiment worthy of the mountain and of the reverential Indian nature. It is a shame to abandon the name. Retaining it for the town is a small atonement for stealing it from the mountain. There seems a perverse injustice in substituting the names of wandering foreigners, however worthy, and however enterprising in discovery, for the old names born of love, and inspired by poetry we know not how many centuries ago; names sacred, moreover, as the only mementoes which soon will be left of a race that has died at our hands."

RELIEF OF WORLD WAR VETERANS

Mr. GEORGE. Mr. President, I wish to inquire of the Senator from Oregon [Mr. McNARY] whether the bill (H. R. 10381) to amend the World War veterans' act of 1924, as amended, has been given a preferential status on the calendar by the Republican steering committee?

Mr. McNARY. Mr. President, I think the intention is that the bill shall follow the disposition of the rivers and harbors bill.

Mr. GEORGE. That has not yet been determined?

Mr. McNARY. Not that I have been advised, but that has been the program which the steering committee and others have had in mind for some little time.

Mr. GEORGE. Then I take it that is the program?

Mr. McNARY. I should not want to speak with the full authority that the Senator would like to impress upon my words. It is my opinion, however, that it will follow the river and harbor bill.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Oregon yield for a moment?

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Arkansas?

Mr. McNARY. I yield.

Mr. ROBINSON of Arkansas. The fear has been expressed by some who are interested in the amendment to the veterans' relief laws that after the passage of the measure by the Senate Congress may adjourn and a pocket veto follow, with no opportunity afforded the advocates of the legislation to pass the measure over the veto. That feeling is quite extensive. I have received, perhaps, a hundred telegrams from different parts of the United States, suggesting that there is great danger of the failure of the legislation, notwithstanding the admitted necessity for it in legislative circles, through adjournment prior to action by the Executive and within 10 days after its passage through Congress. I merely want to suggest that it is desirable to pursue a policy which will give opportunity for the final disposition of that legislation before adjournment.

Mr. McNARY. Mr. President, I am in accord with the statement of the Senator from Arkansas. I think that feeling of fear might well be allayed by an early consideration of the bill. I had in mind, if the program shall not then have been finally settled as between that measure and the motor bus bill, that to-morrow morning it might be well to consider the veterans' bill during the morning hour; and I shall ask for an adjournment this evening.

Mr. GEORGE. I hope the Senator from Oregon will move an adjournment this evening so that the bill may be considered.

Mr. ROBINSON of Arkansas. I make the additional suggestion that unless the unfinished business shall be promptly disposed of—and I hope that course will be taken—the probabilities are that while the river and harbor bill is under consideration an opportunity may be afforded temporarily to lay it aside and to take up the veterans' bill.

Mr. McNARY. That opportunity may come later in the afternoon. I assure the Senator from Arkansas and the Senator from Georgia, however, that I shall cooperate with them in securing early consideration of the bill.

Mr. JOHNSON. Mr. President, will the Senator from Oregon yield to me?

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from California?

Mr. McNARY. I yield.

Mr. JOHNSON. I am quite in accord with what has been said about the veterans' bill. It ought to be passed at the earliest possible moment, and there ought to be sufficient time given to Congress thereafter, before adjournment, to act upon it definitely and conclusively, notwithstanding what the Executive may do in respect to it. However, let me call the attention of my brethren to the fact that the river and harbor bill is of extraordinary importance to the House and of extraordinary importance to many Members of the Senate as well. It must of necessity go to conference before ultimately it can be passed by both Houses. I take it that the situation is similar with the veterans' bill because of the amendment to it reported by the Finance Committee.

I would not wish to see the river and harbor bill displaced after once we begin consideration of it, and it may be taken as absolute that if we pass the bill it must go to conference; that thereafter immediately the veterans' bill may be taken up, and passed, I think, in a very short period, and it must go to conference. It therefore behooves us in the Senate to see that in the interim while these bills are being considered, either in the Senate or in conference, there be no agreement respecting the final adjournment of Congress.

Mr. LA FOLLETTE. Mr. President, that is the point I was going to suggest to the Senator from California, to the Senator from Georgia, to the Senator from Arkansas, and to the Senator from Oregon.

Mr. ROBINSON of Arkansas. That was the suggestion which I myself made or had in mind.

Mr. LA FOLLETTE. If a majority of the Senate will simply adhere to the determination that it will not consider any final adjournment resolution or any proposal fixing a time for final adjournment until the veterans' legislation shall have been passed by Congress and acted upon by the Executive, we can make certain that that legislation will be disposed of without its receiving a pocket veto.

Mr. McKELLAR. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Tennessee?

Mr. McNARY. I yield to the Senator from Tennessee.

Mr. McKELLAR. I wish to say that under no circumstances will I be willing to vote in favor of final adjournment until the veterans' legislation shall have been passed on by Congress and by the President, and, if vetoed, returned to Congress.

EDNA B. ERSKINE

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 969) for the relief of Edna B. Erskine, which was, on page 1, line 11, after "1923," to insert:

Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. COPELAND. I move that the Senate concur in the House amendment.

The motion was agreed to.

JOSEPH N. MARIN

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 3866) for the relief of Joseph N. Marin, which was, on page 1, line 7, after the word "ship," to insert "as of June 5, 1899."

Mr. COPELAND. I move that the Senate concur in the House amendment.

The motion was agreed to.

STATE DEPARTMENT'S APPROVAL OF FOREIGN-LOAN FLOTATIONS

Mr. GLASS. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Let the resolution be read.

The Chief Clerk read the resolution (S. Res. 293), as follows:

Whereas press dispatches from Washington have repeatedly alleged that the State Department has given informal approval, to be followed by its formal sanction, of the flotation in the United States of approximately $100,000,000 of German reparation bonds by the so-called International Bank, with headquarters in Europe; and

Whereas in course of congressional discussion frequent reference has been made to an alleged "order of the State Department" prohibiting Federal reserve banks from establishing business relations of any sort with said International Bank: Therefore be it

Resolved, (1) That the Secretary of State be, and hereby is, requested to inform the Senate upon what authorization of law, constitutional or statutory, expressed or implied, does the State Department base its right either to approve or disapprove investment securities offered for sale in the money markets of the United States by foreign governments, corporations, or individuals.

(2) By what sanction of law, constitutional or statutory, does the State Department assume the right to direct the action of the Federal Reserve Board or banks with respect to their lawful powers concerning the business of banking in foreign countries or the investments of these banks in foreign securities offered in the money markets of the United States.

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

There being no objection, the Senate proceeded to consider the resolution.

Mr. GLASS. Mr. President, two years ago, when Congress was not in session, for the first time the public was apprised of the fact that the State Department was undertaking to supervise flotations of securities in the money markets of the United States. Happening to be in Washington at the moment, I immediately made public protest against the right of the State Department to do anything of the kind. I regarded it as an unprecedented usurpation of authority by a department of the Government that had nothing whatsoever, in law or in propriety, to do with the financial conduct of banking institutions of the country. The only answer then made to my published protest was the attenuated excuse that the President of the United States, in conjunction with the State Department, was charged with the conduct of foreign affairs.

The only other explanation was made by the chairman of the Senate Finance Committee to the effect that the State Department was only doing what it had done since the foundation of the Government. The painful inaccuracy of that statement was shown on the very next day by a statement from the State Department to the effect that this policy was initiated in 1922 under the Harding administration.

I am going to ask, Mr. President, to have printed in the RECORD as part of the remarks I am now making the published statement which I made at the time for the press, the reply of the State Department thereto, and my reply to the State Department.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

[From the United States Daily, October 14, 1927]

STATE DEPARTMENT IS CRITICIZED FOR ACTION ON LOANS—SENATOR GLASS SAYS PRACTICE OF PASSING ON PRIVATE ADVANCES TO OTHER NATIONS IS DANGEROUS—TEMPTATION TO DISHONESTY AND LIKELIHOOD OF AROUSING ILL WILL ABROAD SEEN IN POLICY

Senator GLASS (Democrat), of Virginia, former Secretary of the Treasury, in a statement issued October 13, criticized the practice of the Department of State in passing upon private loans by American bankers to foreign countries. The Senator described this practice as "an unwarranted exercise of a dangerous unessential power, replete with temptation, and even invitation, to dishonesty and oppression."

The statement follows in full text:

"There has been recently a lot of talk by public men and comment by the press over the alarming concentration of power in the Federal Government at Washington. Most of the talk, as well as the comment, has been general and little of it specific, except when politicians and newspapers have persisted in discussing the excesses and delinquencies of Federal prohibition.

PROPERTY RIGHTS INVOLVED

"This all seems trivial to me, in contrast with some other things that have happened and constantly are recurring which, singularly enough, seem to have attracted little attention and provoked less intelligent criticism. They involve, some of them, not only the liberty and property rights of the individual and the sovereignty of the States, but a plain usurpation of authority by the Federal Government which is as injurious as usurpations of authority are, and, besides, is exceedingly dangerous.

"I would like some informed person to tell me the meaning, for example, of the formal official announcement of the Federal Department of State that it has approved the private refunding debt proposals of the French Government in the United States, together with a Prussian and Polish loan totaling $100,000,000?

TRANSACTIONS ARE PRIVATE

"By sanction of what constitutional authority or Federal statute does the State Department assume to review and visa private financial transactions to which citizens of concerns or corporations of this country are parties in interest, together with their foreign debtors, and in which the Government of the United States has no stake and with which it has properly nothing whatsoever to do?

"I might go further and ask upon what hypothesis of sound economics does such an appropriation and exercise of power, not granted by any law of the Congress, proceed? What facilities, as a practical fact, has the Department of State accurately to determine any of the intricate details involved in matters of such magnitude and by what authority were such facilities, if they exist, provided, and at whose cost? In short, who is the trained international banker, with his retinue of aides, the experienced, the tested credit man of the Federal Department of State, who assumes to pass upon the investment requirements of this country and to say which of the foreign nations are entitled to credit in America and upon what terms?

"I should also be interested to learn to whom this financial expert—for essentially he must be an expert—is responsible for the unauthorized counsel he gives. Likewise, whether his advice is always impartial or ever sinister. It may easily be conceived that there will be times, if these extraordinary financial processes of the Department of State are to continue, when an American banking group will be vitally interested to know precisely why its credits were rejected, while the transactions of a rival group were favored. Indeed, it might readily occur that a foreign government to which American bankers were willing to make loans would marvel and feel aggrieved that the Federal Department of State had put an embargo on its bonds while officially attesting the high credit of another nation.

"Since there is no authority for the examination and review of a proceeding of this kind, unauthorized by law, it would be interesting to know who is to determine whether the power thus irregularly exercised was used wisely or improvidently, fairly or capriciously, with intent to subserve the public interest or with purpose to enrich some and punish others? Except for the unquestioned integrity and approved patriotism of the incumbent Secretary of State, who may exactly say that the exercise of this unprecedented power, totally at variance with any proper function of the Department of State, will not some day be so flagitiously prostituted as to result in a distressing scandal?

NO AUTHORITY FOUND FOR REVIEW OF DEALS

"The Department of State has no more right to establish a practice or adopt a policy of approving or disapproving the foreign loans of private individuals, concerns, or corporations in the United States than it has to embargo the export commodity trade of this country. It has no more right to prohibit the sale of American credits abroad by the National City Bank, the Chemical National Bank, or the house of Morgan, or all these combined, than it has to favor or veto the sale to the European trade of the products of General Motors, the United States Steel Corporation, Henry Ford, or other private concerns in this country.

"Senator GLASS," broke in one of the newspaper men, "the State Department is proposing to ask Congress to give it such power; would Congress do it?"

"Not if Congress happens to be in its right mind," was the reply. "What on earth has the Department of State properly to do with the private business transactions of American citizens or concerns with the governments or citizens of foreign nations except to demand for them equal treatment under the laws of such foreign nations? The fact that the State Department proposes to ask such power is proof positive that it knows perfectly well it does not now possess it; hence it has no right to exercise it."

"Would you vote to delegate such power?" was asked.

"Of course not," was the response. "Such extraordinary power, incongruous and in every way inappropriate, is not essential for the achievement of any good purpose, but might too readily be employed in illicit and dishonest pursuits. As an expedient of partisan political advantage or reprisal it might be used in a way to involve scandal at home and ill feeling abroad.

"An official with less character and devoid of the high sense of probity possessed by the incumbent Secretary of State would be tempted to pervert the power to perfidious uses. Supersede this thoroughly upright Cabinet minister with a 'faithless' and thrifty person, and the imagina-

tion would be taxed to compute the profits in the barter of visas and vetoes which might ensue. I am not making the thoughtless mistake of arguing against an essential power merely because it might be abused, but am protesting against an unwarranted exercise of a dangerous, unessential power, replete with temptation, and even invitation, to dishonesty and oppression.

INJURY TO COUNTRY PREDICTED FROM PRACTICE

"The exercise of such power at best and in the cleanest way inevitably would draw the Government of this country into sanctions and moral obligations which would be, as they already have been, misleading and injurious. I say again, what business has the Government at Washington to be approving private financial transactions in which the Government has no stake and properly should have no concern? Neither has it any business to be vetoing such loans and thus assuming, without sanction of law, to embargo the sale of American credits abroad. Private business has no right to ask or to receive the imprimatur of the Government on their credit transactions, nor should foreign governments be required to get the permission of our State Department to engage in the ordinary commerce of credits or commodities with American business concerns. Such concerns should be left to conduct their own business on their own responsibility and at their own risk, and purchasers in this country of foreign securities taken by American bankers should not be persuaded to suppose that a foreign bond issue approved by our Department of State is necessarily a secure investment or that an issue not sanctioned at Washington is to be shunned as unsafe."

"Was not something of this sort done by the Treasury Department during the World War?" inquired one of the press representatives.

"I have no knowledge of anything of the kind during the war," responded Senator GLASS. "Frequently things are done during a war which should not be done in times of peace. Furthermore," he proceeded, "to the Treasury, and not to the Department of State, are matters of a financial nature properly confided. I recall distinctly that in a postwar exigency, when the Treasury was grappling with the Victory loan, and later, in the difficult initial stages of its certificate policy, some eastern bankers asked the Treasury if certain contemplated flotations of foreign securities in this country would impede Treasury operations. When told that they might these bankers did not pursue the matter; but that is a vastly different thing from that I am now discussing.

"The Treasury, even in the exigent circumstances cited, assumed no authority to visa private loans or to veto them; engaged in no official correspondence with foreign governments on the subject. It simply responded frankly to an inquiry which bankers were not obliged to make, and gave an answer which they were not obliged to regard.

TREASURY AVOIDED SIMILAR ACTION

"It was so when the United States Chamber of Commerce queried the Treasury in the postwar period about a proposed international conference in this country which the Treasury was sure would result in a discussion of the foreign debts and consequent embarrassment to the Treasury; but the Treasury assumed no right to prohibit such conferences nor did it make a practice or adopt a policy of approving or disapproving. It might have done so with vastly more propriety than the Department of State, which has no conceivable relation to matters of private, domestic, or foreign finance, whereas the Treasury was established to deal with both and does so under sanction of law, expressed and implied.

"But not even the Treasury, much less the Department of State, is charged by law or custom with authority to control the private enterprises in the ordinary course of business. I could easily comprehend even now, when the Treasury is engaged in extensive refunding operations of its own, how bankers might with propriety ask if their activities in foreign securities tended to embarrass the Treasury; but I am not aware that the Department of State is authorized to engage in international or domestic financial operations."

"Do you attach any significance, Senator, to the simultaneous action of the State Department on the French refunding project with the discussion of the tariff dispute between France and this Government?"

"The press can conjecture as well as I," was the reply, "whether it was intended to use the assumed power of approval or rejection of the refunding scheme as a cudgel or concession to bring about tariff readjustment. Anybody should know, in any event that, given the extraordinary power which the State Department has assumed to exercise without the sanction of law, it could use it in many ways that might embroil this Nation in bitter disputes and hurtful strife."

"But," persisted another newspaper man, "the State Department says the thing is voluntary; that the bankers asked the department to pass on these proposed loans."

"Why do they ask it; merely for fun? Isn't it perfectly clear that the process itself implicitly ties the Government of the United States to these private business transactions and in the minds of many investors, inevitably creates the impression that the foreign issues approved at Washington are superior in point of security, as well as in other respects, to investment issues not formally sanctioned by the Department of State?

"It is a sort of quasi copartnership, in which the Government, through the Department of State, superadds its prestige, if it does not morally loan its credit to these private business operations without any compensatory consideration. It is even suggested that, in approving these foreign loans, the Government assumes a moral obligation to compel their payment.

"At all odds the State Department brings these foreign securities in sharp competition with domestic issues in the American money markets and gives them the considerable advantage of Government indorsement. In my view, this should not be done. It ought to be stopped."

[From the United States Daily, October 15, 1927]

POLICY ON FOREIGN LOANS DEFENDED BY ADMINISTRATION—GOVERNMENT SAID TO ASSUME NO RESPONSIBILITY IN ANSWER TO CRITICISM BY MR. GLASS

Statements explaining the position of the United States Government in approving or disapproving of foreign loans were made on October 14 at both the White House and the Department of State. On behalf of President Coolidge and likewise of the Secretary of State, Frank B. Kellogg, the statement was made that the Government does not assume any responsibility in thus passing upon the loans.

These explanations were made following the publication of criticisms by Senator CARTER GLASS (Democrat), of Virginia, on October 13. Senator BORAH (Republican), of Idaho, stated his opposition also to the practice of passing upon such loans.

The United States Government's only interest in making private loans by American bankers to foreign countries is whether such loans would interfere with the foreign policy in the relations between the United States and the country which proposes to make a loan.

MR. COOLIDGE'S VIEWS

This statement was made officially at the White House on October 14 on behalf of President Coolidge in commenting upon the published statement of Senator CARTER GLASS (Democrat), of Virginia, on October 13 in which he criticized the practice of the Department of State in passing upon private loans by American bankers to foreign countries.

President Coolidge's views on the subject were outlined at the White House orally as follows:

The President was represented as saying that Senator GLASS is a man who is well versed on the question of foreign loans and what he says deserves a great deal of consideration.

REGULATING LAW PROBABLE

The President, it was said, has had under consideration the question of entirely disregarding the question of foreign loans in this country. If it seems to him that unless there is some contact between the State Department and the bankers making the loans it is probable that Congress would pass some drastic regulatory law. As a result it has seemed to the President best to proceed for the present with the present practice which is merely advisory and consists only in inquiring whether the proposed foreign loan would interfere with the foreign policy between this Government and the country which proposes to make such a loan.

SOUNDNESS NOT INVOLVED

The Constitution, it was said on behalf of the President, vests in the Chief Executive, with the advice of the State Department, the conduct of the foreign relations of this country. This Government, it was said, does not attempt to make suggestions in regard to the financial soundness of a loan or whether it is worthy or unworthy of investment in these bonds for investment in this country. That is a question for the bankers and investors to decide.

This Government's one interest is whether it would interfere in the foreign relations—in the relations between the United States and the country which proposes to make such a loan.

POLICY OF DEPARTMENT

The Department of State never approves a loan, it was stated, but rather states whether it has any objection to it. Bankers are under no legal obligation to follow the department's wishes in case a loan does not meet with its approval, and there is no obligation on the part of the bankers, tacit or otherwise, to seek the opinion of the department.

The practice of asking the opinion of the department, it was explained orally, began in 1922 after a consultation between President Harding and the bankers, in which they expressed a willingness to seek the opinion of the department.

Secretary Kellogg, it was stated, does not favor legislation regulating the system of supervision over foreign loans. Any commission which might be set up for this purpose, it was stated, would be cumbersome and might do more harm than good.

[From the United States Daily, October 18, 1927]

STATE DEPARTMENT CLAIMS RIGHT TO PASS ON LOANS—SENATOR SMOOT DEFENDS PROCEDURE AS OLD CUSTOM OF GOVERNMENT—MR. GLASS AGAIN CRITICIZES ACTION

The practice of the Department of State in passing upon proposals for private loans by American bankers to foreign governments was defended in oral statements October 17 by the department and by Senator SMOOT (Republican), of Utah, chairman of the Senate Committee on Finance.

These statements were in reply to criticisms made of the practice by Senator GLASS (Democrat), of Virginia, former Secretary of the Treasury, and now a member of the Senate Committee on Banking and Currency.

"The State Department is only following out the policy which has been pursued by the United States since its very inception," Senator SMOOT said. "If everyone is going to be allowed to make loans anywhere in the world indiscriminately and then, as soon as they get into trouble, run to the Government for help, the Government certainly ought to have something to say about making the loans."

The present policy of passing upon loans, it was stated [by the State Department] October 17, began in 1921 when President Harding called a group of bankers together and secured their agreement to submit all foreign loans which they contemplated floating in the United States to the Department of State.

AGREEMENT WAS EXPLAINED

Following this the department issued a statement in 1922 saying that the understanding between President Harding and the bankers "does not seem sufficiently well understood," and giving instructions regarding the proper channels by which projected foreign loans might be submitted to the Department of State.

Senator Kellogg does not have any criticism to make of Senator GLASS, it was stated, since he believes Senator GLASS has every right to discuss the matter.

REPLIES TO DEFENSE MADE BY PRESIDENT

Senator GLASS, in a formal statement given out October 16, referred to statements attributed to President Coolidge defending the practice of the Department of State. The Senator asserted that this practice of the department is "incontestably, extraconstitutional, and without sanction of law." The Senator's statement follows in full text:

"There is neither argument nor force in the statement that former Secretary Hughes wrote this, that, or the other cautious thing to the investment bankers nearly six years ago when this practice, pregnant with dangers and possibilities of corruption, outstripping the avarice of Teapot Dome, was initiated. Nor does it answer any immediate objection to the practice to say that the Department of State will persist in a course unauthorized by law, regardless of what Congress may think about it, and avowedly because it will not trust Congress to deal with the subject.

"I should hate to believe that this contemptuous and defiant note toward Congress could deter legislative action, should such intervention seem the part of wisdom to the only branch of government actually charged by the Constitution with the regulation of our commerce with foreign nations.

"This, I may add, is not the first time a Federal department has assumed to brush Congress aside, as we are reminded by a recent epochal decision of the Supreme Court of the United States.

"Much as I like and trust the banking community, I hope nobody imagines that I have remonstrated against this irregular exercise of an unauthorized power here in Washington because of any concern for these international bankers. They manage to take care of themselves. My protest is against another dangerous centralization of power in the Federal Government, and particularly against usurpation of a power with which the Executive Government is not legally clothed, and which, exercised without responsibility or subject to review, may easily be frightfully prostituted in various ways.

"Of course, the group of bankers referred to is not only willing but eager to have the Federal Government approve its loan. Such approval constitutes them the favored protégés of the Government and renders them grateful beneficiaries of favors bestowed, as well as expectant recipients of benefactions to come. Acquisitiveness is the secret of their rejoicing.

"I notice in this very connection that this obedient group of bankers in New York yesterday boasted that $140,000,000 of these approved foreign bonds had been placed in the money market recently in one week. If this is an actual fact, what does it signify except that this considerable fraction of an immense total of foreign securities, at abnormally high interest rates, having the persuasive prestige of United States Government approval, is thrust directly in open market competition with American note and bond issues, which have not the advantage of their Government's imprimatur to stimulate their sale?

"That's one of many grave objections to this unauthorized and discriminating use of the Government's credit; for that, in effect, is what it amounts to.

"Every railroad, every public utility of any kind in this country, every productive enterprise in America, every domestic business project requiring large capital and unable to pay ruinous interest rates, and indeed, the United States Government itself in its certificate sales and lower rate refunding operations, are made the victims of these Government-blessed foreign securities which Washington thus approves, confessedly without knowing one earthly thing about their real value or security.

"I hesitate to believe that the President, who is so in the habit of thinking clearly and of applying his fine common sense to public problems, made the statement accredited to him by some of the newspapers with reference to State Department control of loans by bankers in this country to foreign nations.

"Certainly it is incredible that the President supposes the Federal Constitution, in any of its provisions, confides to the executive branch of the Government the right to regulate foreign commerce, or, except in pursuance of treaties duly ratified by the Senate of the United States and Federal statutes thereunder enacted, to manage foreign affairs.

"Hence, the action of the Department of State in assuming to establish a policy of approving or vetoing private bank loans to foreign governments is incontestably extraconstitutional and without sanction of law. Such a practice is not warranted by a sentence of the Constitution, implicit or otherwise, nor by any law of Congress.

"On the contrary, the Federal Constitution confers on the Congress of the United States, in terms, the exclusive power 'to regulate commerce with foreign nations.' And one of the most amazing aspects of this alleged executive defense of the State Department's practice in the matter of these foreign loans is the statement imputed to the President that this Government control of private financial transactions was rendered necessary through a dread that Congress might by legislative enactment inaugurate a system of control out of agreement with the judgment of the executive branch of the Government.

"In short, the State Department, utterly without legal authority, sets up a dangerous policy of espionage and moral control over private loans of American bankers to foreign governments, and in justification can find no better excuse than to assert that it did this deliberately to prevent the Congress, expressly charged by the Constitution with the regulation of such affairs, from instituting legislation dealing with the problem.

"Yielding the impossible premise and conceding the sole right of the Executive through his State Department to manage without restraint or constraint of law, the 'foreign relations' of this Government, we are for the first time in the history of the country given to understand that the term 'foreign relations' embraces the private business transactions of American money lenders.

"My thought has been that a completely comprehensive definition of the term would restrict it to the 'relations' of the United States as a nation to the governments of foreign nations, as established by treaty and prescribed by what the world calls international law. Never before have I heard it suggested that the private business transactions of individual tradesmen of the sale of credit abroad by American bankers constituted an item in this Nation's 'foreign relations.' I confess to being more abashed than convinced by this species of casuistry.

"It is even now announced that the highly esteemed Secretary of State has little, if exactly anything, to do with these approvals or embargoes, the exceedingly delicate business being committed to subordinate department attachés. Why publicity should have been given to this important piece of information in justification of this objectionable practice I do not venture to conjecture. As it seems to me it further cripples the defense.

"It is never pleasant to feel compelled to criticize the administration of one's government in any of its branches. At least, it never is to me; and rarely have I done it. It is more agreeable to praise; and often have I done this. There are, however, times when remonstrations are in order; and it has struck me that this is one of the times.

"The supply of American funds for investment purposes is not inexhaustible; and when the overload of these prodigious foreign flotations begins to sour or default in the hands of those attracted by the will-o'-the-wisp of Government approval the authorities at Washington may then realize that my criticism is neither partisan nor unfriendly, but is a reasonable protest against transferring financial transactions from the realm of sound economics to the bogs and pitfalls of evil politics."

DEPARTMENT OF STATE,
Washington, June 6, 1930.

The Hon. CARTER GLASS,
United States Senate.

DEAR SENATOR GLASS: I inclose a list which has been prepared for me of the foreign loans since the date for which you asked. I hope this is in satisfactory form.

Sincerely yours,

J. P. COTTON.

Loans regarding which the department has been consulted since November, 1928, with an indication of the action taken thereon

	Bankers	Amount	Date	Action taken
ARGENTINA				
Province of Santa Fe	Blair & Co. (Inc.)	$1,500,000	Feb. 28, 1929	No objection.
Province of Buenos Aires	First National Corporation and Harris, Forbes & Co. (Sullivan & Cromwell, attorneys).	8,000,000	Dec. 10, 1929	Not interested.
Province of Santa Fe	Chatham Phenix Corporation (Carter, Ledyard & Milburn, attorneys).	1,500,000	Feb. 28, 1930	Do.
Buenos Aires Central Railroad & Terminal Co	South American Railways Co. (issue marketed through Harris, Forbes & Co., Sullivan & Cromwell, attorneys).	14,500,000	Mar. 31, 1930	Do.
Compania Italo-Argentina de Electricidad, Sociédad Anonima.	A. Iselin & Co. (Curtis, Mallet-Prevost, Colt & Mosle)	(1)	Apr. 10, 1930	Do.
Government of Argentine Nation	Chatham Phenix Corporation	50,000,000	Apr. 17, 1930	Due to misunderstanding, department was not consulted until after flotation.
Province of Cordoba	First National Old Colony Corporation, Hallgarten & Co., Kissel, Kinnicutt & Co. (Curtis, Mallet-Prevost, Colt & Mosle).	6,000,000	May 12, 1930	Not interested.
Province of Santa Fe	Chatham Phenix Corporation (Carter, Ledyard & Milburn).	4,000,000	May 17, 1930	Do.
AUSTRALIA				
City of Sydney, New South Wales	Bancamerica-Blair Corporation	5,000,000	Feb. 4, 1930	Not interested.
Metropolitan Water, Sewerage and Drainage Board, Sydney.	Bancamerica-Blair Corporation and associates	5,000,000 to 7,500,000	Mar. 13, 1930	Do.
City of Brisbane	Bancamerica-Blair Corporation	5,000,000	Apr. 28, 1930	Do.
Do	Lee, Higginson & Co	5,000,000	June 3, 1930	Do.
BELGIUM				
City of Antwerp	International Acceptance Bank (Inc.)	10,000,000	Nov. 13, 1928	No objection.
Do	National City Co	10,000,000	Nov. 12, 1928	Do.
Do	Brown Bros. & Co. and Illinois Merchants Trust Co. (Sullivan & Cromwell).	10,000,000	Nov. 15, 1928	Do.
Do	Guaranty Co. of New York	10,000,000	Nov. 20, 1928	Do.
Do	do	11,000,000	Apr. 5, 1930	Not interested.
Do	National City Co	(2)	Apr. 21, 1930	Do.
BRAZIL				
Mortgage Bank of Brazil and South America	Blair & Co. (Inc.)	5,000,000	Dec. 3, 1928	No objection.
State of Pernambuco	White, Weld & Co	2,000,000	Feb. 4, 1929	Do.
State of Rio de Janeiro	E. H. Rollins & Sons (Hornblower, Miller & Garrison)	6,000,000	Feb. 7, 1929	Do.
State of Minas Geraes	Kuhn, Loeb & Co	15,000,000	May 6, 1929	Do.
State of Rio de Janeiro	E. H. Rollins & Sons	[3] 6,000,000	May 20, 1929	Do.
Association of Cocoa Growers of Bahia	Philip S. Smith & Co		Aug. 13, 1929	Not interested.
State of Minas Geraes	National City Co	8,000,000	Sept. 4, 1929	Do.
State of Espirito Santo	Dillon, Read & Co	10,700,000	Sept. 16, 1929	Do.
State of Sao Paulo	Speyer & Co. and J. Henry Schroder Banking Corporation.	[4] £2,000,000	Nov. 19, 1929	Letter from bankers was acknowledged without comment (coffee valorization financing).
Do	Speyer & Co	£10,000,000	Apr. 3, 1930	Not interested.
CANADA				
Canadian National Railways	Blair & Co	$35,000,000	Nov. 28, 1928	No objection.
Do	Chase Securities Corporation	18,000,000	Mar. 11, 1929	Do.
Do	Bancamerica-Blair Corporation	40,000,000	June 14, 1929	No opinion expressed.
CHILE				
Chilean Government	National City Co	15,000,000	Mar. 2, 1929	No objection.
Chilean municipalities	Brown Bros. & Co., Grace National Co. (Inc.), E. H. Rollins & Sons (Inc.) (Sullivan & Cromwell).	15,000,000	Mar. 25, 1929	Do.
Mortgage Bank of Chile	Kuhn, Loeb & Co	20,000,000	June 26, 1929	Do.
City of Santiago	Grace National Bank, Brown Bros. & Co., E. H. Rollins & Sons (Sullivan & Cromwell).	3,000,000	Mar. 7, 1930	Not interested.
Chilean Government	National City Co	25,000,000	Apr. 23, 1930	Do.
City of Santiago	Kissel, Kinnicutt & Co., Hallgarten & Co. (Chadbourne, Hunt, Jaeckel & Brown).	2,200,000	May 12, 1930	Do.
COLOMBIA				
Agricultural Mortgage Bank	W. A. Harriman & Co. (Inc.), the Equitable Trust Co. of New York (Davis, Polk, Wardwell, Gardiner & Reed.)	5,000,000	Dec. 4, 1928	No objection.
Department of Antioquia	Blair & Co. (Inc.)	1,750,000	Dec. 29, 1928	Do.
Municipality of Barranquilla	Central Trust Co. of Illinois (Curtis, Mallet-Prevost, Colt & Mosle).	500,000 or 1,000,000	Oct. 4, 1929	Not interested.
COSTA RICA				
Republic of Costa Rica	First National Corporation (Sullivan & Cromwell)	2,750,000	Dec. 1, 1928	No objection.
Do	do	2,750,000	Mar. 18, 1929	Do.
CUBA				
Republic of Cuba	Chase National Bank	40,000,000	Jan. 31, 1930	No objection.
DENMARK				
Copenhagen Telephone Co	Guaranty Co. of New York	6,700,000	Jan. 26, 1929	No objection.
Loan Association of Consolidated Municipalities of Denmark.	do	Kr. 31,000,000	May 29, 1930	Not interested.
Do	Brown Bros. & Co. and associate (Sullivan & Cromwell)		June 2, 1920	Do.
FINLAND				
Central Bank for Cooperative Agricultural Credit Societies.	National City Co	$12,500,000	Feb. 27, 1929	No objection.
City of Helsingfors	Brown Bros. & Co. and associates (Sullivan & Cromwell)	8,000,000	Dec. 9, 1929	Not interested.
GERMANY				
Rudolph Karstadt (Inc.)	Scholle Bros	15,000,000	Nov. 9, 1928	No objection.
Dortmund Municipal Utilities	Field, Glore & Co. (Inc.) (Hornblower, Miller & Garrison).	3,000,000	Nov. 15, 1928	Do.
Ruhr Housing Corporation	Dillon, Read & Co	4,600,000	Nov. 26, 1928	Do.
United Steel Works Corporation	do	5,000,000	Dec. 11, 1928	Do.
Province of Hanover, State of Prussia, Harz Water Works Loan, second series.	Lee, Higginson & Co	4,000,000	Jan. 23, 1929	Do.

See footnotes at end of table.

Loans regarding which the department has been consulted since November, 1928, with an indication of the action taken thereon—Continued

	Bankers	Amount	Date	Action taken
GERMANY—continued				
Berlin City Electric Co	Dillon, Read & Co	$15,000,000	Jan. 28, 1929	No objection.
Harpener Bergbau A. G. zu Dortmund (Harpen Mining Corporation).	National City Co	10,000,000	Feb. 2, 1929	Do.
Burbach Potash Co	Dillon, Read & Co	6,500,000	Feb. 1, 1929	Loan considered by Cabinet. Department objected. (Government-fostered monopoly.)
Ruhr Chemical Corporation	do	3,000,000	June 7, 1929	No objection.
German Government	do	50,000,000	June 18, 1929	Do.
Berlin Communications Co	Kuhn, Loeb & Co	7,500,000	July 12, 1929	Do.
Dominican Nuns of the Congregation of St. Catherine of Siena.	Bitting & Co. of St. Louis (Nagel & Kirby)	575,000	July 22, 1929	Not interested.
Deutsche Dampfschiffahrts-Gesellschaft, "Hansa," Bremen.	Guaranty Co. of New York	5,000,000	Sept. 23, 1929	Do.
City of Hanover	Brown Bros. & Co	3,500,000	Sept. 30, 1929	Do.
City of Berlin	Brown Bros. & Co. and associates (Sullivan & Cromwell).	15,000,000	Nov. 25, 1929	Do.
United Industrial Corporation	Harris, Forbes & Co	5,000,000	Jan. 8, 1930	Do.
Siemens & Halske A. G	Dillon, Read & Co	14,000,000	Jan. 14, 1930	Do.
Rhine-Westphalia Electric Power Corporation	National City Co	20,000,000	Mar. 14, 1930	Do.
Berlin City Electric Co	Dillon, Read & Co	15,000,000	Mar. 27, 1930	Do.
Mitteldeutsches Kraftwerk Magdeburg Aktiengesellschaft.	A. G. Becker & Co	4,000,000	May 14, 1930	No objection.
Saar Basin Consolidated Counties	Ames, Emerich & Co. and associates	7,500,000	May 29, 1930	Not interested.
Gelsenkirchen Mining Corporation	Dillon, Read & Co	25,000,000	do	Do.
GREAT BRITAIN				
British Power & Light Corporation (Ltd.)	Clark, Dodge & Co		May 9, 1929	No opinion expressed
Lautaro Nitrate Co. (Ltd.)	The National City Co	32,000,000	June 14, 1929	No objection.
GREECE				
Greek Government	Speyer & Co	7,500,000	May 1, 1930	Not interested.
HUNGARY				
Royal Hungarian Government	Speyer & Co	(3)	Apr. 2, 1930	Not interested.
ITALY				
Societa Italiana Ernesto Breda Per Construzioni Meccanichi S. A.	Dillon, Read & Co	5,000,000	Dec. 15, 1928	No objection.
Piedmont Hydro-Electric Co. of Turin	Bancamerica-Blair Corporation and associates (Cravath, de Gersdorff, Swaine & Wood).	8,000,000	June 3, 1929	Do.
Do	Bancamerica-Blair Corporation and Chase Securities Corporation (Cravath, deGersdorff, Swaine & Wood).	4,000,000	Dec. 9, 1929	Not interested.
City of Turin	Bancamerica-Blair Corporation and associates	7,500,000	Mar. 13, 1930	Do.
Piedmont Hydro-Electric Co. of Turin	Bancamerica-Blair Corporation	15,000,000	Mar. 19, 1930	Do.
JAPAN				
Toho Electric Power Co. (Ltd.), Tokyo	Guaranty Co. of New York	11,450,000	June 7, 1929	No objection.
Imperial Japanese Government	J. P. Morgan & Co	50,000,000	May 9, 1930	Do.
NETHERLANDS				
Royal Dutch Co	Dillon, Read & Co	40,000,000	Mar. 3, 1930	Not interested.
NORWAY				
Norway Kommunal Bank	Guaranty Co. of New York	Kr. 40,000,000	May 28, 1930	Not interested.
Kingdom of Norway Municipalities Bank	Brown Bros. & Co. and associates (Sullivan & Cromwell)	Kr. 40,000,000	June 2, 1930	Do.
Do	International Manhattan Co. (Inc.) (Cravath, deGersdorff, Swaine & Wood).	$5,360,000	June 4, 1930	Do.
RUMANIA				
Kingdom of Rumania Monopolies Institute	Blair & Co. and associates (Cravath, deGersdorff, Swaine & Wood).	10,000,000	Jan. 30, 1929	No objection.
SWEDEN				
Kreuger & Toll Co	Lee, Higginson & Co	50,000,000	Feb. 28, 1929	No objection.
URUGUAY				
Republic of Uruguay	Guaranty Co. of New York	[6] 17,000,000	Mar. 24, 1930	Not interested.
Do	Bancamerica-Blair Corporation	10,000,000	Mar. 24, 1930	Do.
Do	Hallgarten & Co. and associates (Sullivan & Cromwell)	17,581,000	Mar. 31, 1930	Do.
YUGOSLAVIA				
City of Belgrade	Blair & Co. (Inc.)	3,000,000	Dec. 15, 1928	No objection.
Do	Bancamerica-Blair Corporation	3,000,000	June 19, 1929	Do.

[1] 25,000 shares.
[2] Probable.
[3] Possibly $20,000,000.
[4] Short-term credit.
[5] Between $10,000,000 and $15,000,000.
[6] Uruguayan pesos.

Mr. GLASS. I may say that I did not pursue the matter when Congress convened because I had been told in a quiet way that the then Secretary of State would be glad to discontinue the practice. I was also told at that time that the State Department had consented to exercise this function, which it had no lawful right to assume, because it wanted to compel a certain foreign government to adjust its indebtedness to this country. That has been done, and even this untenable excuse no longer applies. Yet we see it printed in the newspapers that the State Department has given its informal approval to the flotation of this loan on the American market and that such informal approval would be followed by its formal sanction.

For the last two years, as all of us know, it has been exceedingly difficult for States, for subdivisions of States, for anybody to float loans on the American market. The bond market has been stupefied for that length of time; and yet here the State Department assumes the right to approve foreign loans which go into the money market with the moral indorsement of the United States Government to compete with domestic loans that have not the approval of the United States Government.

I ask permission to insert in the RECORD following the matter which I have been authorized to insert a statement from the State Department of its activities in this direction.

The VICE PRESIDENT. Without objection, permission will be granted to print the matter referred to by the Senator.

(The statement referred to appears in the RECORD following the extracts previously printed on request of Mr. GLASS.)

Mr. GLASS. Mr. President, the table itself, inclosed in the letter of June 6, 1930, of the Undersecretary of State, which letter has just been ordered printed in the RECORD, would seem to

indicate that the State Department, without any regularly constituted facilities for such business, has set itself up as a central bank for clearing foreign investment loans. As far as I have been able informally to ascertain, this has been done without legal sanction; hence the purpose of the resolution which I have sent to the desk and which has been read to the Senate is to find out definitely and officially what basis there is in law for this assumption of such an extraordinary function by the Department of State.

It will be noted that of the nearly 100 transactions appearing in this table the Department of State ventured to object to but one flotation. This private loan through a private banking house seems to have been considered by the Cabinet. By what authority this was done is beyond my comprehension. No department of the Government, as I can see, is authorized to review such transactions or to take action in any direction. If any department of the Government were authorized to consider and decide such matters it would seem to be the Treasury Department and not the Department of State.

And, finally, this persistent talk in the other branch of Congress, some of it incorporated in resolutions proposed, about a certain "order of the State Department" to the officials of the Federal reserve banks! Mr. President, the Department of State has no more right to issue an order to the Federal reserve banks than has the village blacksmith. At least that is my conception of the matter. If I am wrong I should like the State Department in response to the foregoing resolution, to tell us wherein it is so.

Mr. President, I ask for the adoption of the resolution.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

The preamble was agreed to.

RIVER AND HARBOR BILL

The Senate resumed the consideration of the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. JOHNSON. I ask unanimous consent that the formal reading of the bill may be dispensed with and the bill be read for amendment, the committee amendments to be first considered.

The VICE PRESIDENT. Without objection, that order will be made.

NATIONAL INSTITUTE OF HEALTH

Mr. COPELAND. Mr. President, a few days ago the Senate passed the Ransdell bill to establish a National Institute of Health in Washington. This is a very notable act on the part of the Senate. I think the Senator from Louisiana deserves great credit for the enthusiasm and energy which he displayed in passing this bill.

I find in the Washington Star of yesterday an article by Hudson Grunewald entitled "War Declared on Disease." It is a description of the Ransdell bill and its proposals. I ask unanimous consent that it may be printed in the RECORD.

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

WAR DECLARED ON DISEASE—CAPITAL TO BE CENTER OF BIGGEST FIGHT EVER WAGED UNDER PLANS APPROVED BY CONGRESS

By Hudson Grunewald

The passage of the Ransdell bill to establish a National Institute of Health in Washington, D. C., marks the beginning of a new chapter in the history of medicine; a new contribution by the United States to medical knowledge of the most far-reaching influence in the relief of human suffering. A veritable declaration of war against all the physical forces detrimental to health on a greater scale than ever before attempted, this bill centers in the Nation's Capital all of the country's medical and scientific resources for the combating of disease, and creates in Washington a clearing house of health for all the world.

Here, under a commander in chief, will be marshaled the Nation's army of experts in the sciences of medicine, surgery, chemistry, physics, biology, bacteriology, pharmacology, pharmacy, dentistry, and allied professions, in a concerted drive to prevent disease by ascertaining its cause and applying preventive measures in advance of its outbreak.

Here in the Nation's Capital will be founded an institution devoted solely to the study, investigation, and research in problems relating to the health of man, where every available facility will be provided to aid and encourage scientists to combat illness and to solve the many remaining mysteries of disease, and where all medical knowledge and every advance in the promotion of human health will be pooled and correlated for the benefit of mankind.

PLANNED ON RECORD SCALE

Here will be begun new researches in cancer on a greater scale than ever before attempted; new investigations into the cause and cure of infantile paralysis and heart disease; new studies of influenza and pneumonia. Here for the first time the scientists of an entire Nation will unite in a mass attack against the common cold and against other widespread maladies to which all are heir. Here will be made new discoveries, new and better methods of cure and treatment will be found to replace those now in use, and new and greater safeguards of health will be devised.

No institution has ever been founded anywhere in the world for the combating of disease on so large a scale, and there is no means of foretelling what may be its eventual benefits to humanity.

The bill has been termed "the most forward step ever taken by the American Government." And it affords the United States "the unique opportunity to give to our country a new and powerful weapon for attack on the greatest problems of maintenance of health and cure of disease which is not duplicated or equaled elsewhere."

"While war claims its sacrifices in millions of lives," declared Senator JOSEPH E. RANSDELL (Democrat), of Louisiana, author of the bill, "disease each year claims its ten of millions. * * * Can we not use for the solution of these problems the same methods so successfully employed in the solution of means of making war? The experience of the ages is now being drawn upon in this fight against disease, but the means are entirely inadequate, as shown by the continued ravishment of disease."

"United efforts of the Navy, the Infantry, Artillery, Cavalry, Air Service, etc., is now the self-understood method of campaign against an enemy," Dr. Julius Stieglitz, of the University of Chicago, has pointed out. "Similarly, a campaign against disease, against invading microbes and disorganized body functions will give the greatest promise of success in an institution that can continuously call upon eminent men in the fields of science studying disease to give their whole service to the planning and execution of the campaign against these deadly enemies to the life of our people."

CONTAINS THREE FEATURES

The definite object of the Ransdell bill is to promote the health of human beings, to improve their earning capacity, to reduce their living expenses, to increase their happiness, and prolong their lives. It has unselfish interests to serve, and its beneficent results will enter every home in the Nation.

The bill contains three distinct features:

First. The creation of a National Institute of Health in the Public Health Service under the administrative direction and control of the Surgeon General, for the special purpose of pure scientific research to ascertain the cause, prevention, and cure of disease affecting human beings. It does not create any new bureaus or new commissions, but utilizes existing Government machinery and provides for such enlargement of the Hygienic Laboratory which is merged in and made an essential part of the national institute. It authorizes the appropriation of $750,000, or so much thereof as may be necessary, for construction and equipment of additional buildings at the present Hygienic Laboratory of the Public Health Service, Washington, D. C.

Second. It authorizes the Treasury Department to accept gifts unconditionally for study, investigation, and research in problems relating to the health of man and matters pertaining thereto, with the proviso that if gifts in the sum of half a million dollars or more are made, the name of the donor shall be attached thereto.

Third. It proposes the establishment and maintenance in the institute of a system of fellowships in scientific research in order to secure the proper personnel and to encourage and aid men and women of marked proficiency to combat the diseases that menace human health.

The main purpose of the bill as reported is "to arouse our people to the imperative necessity and wisdom of preventing the innumerable diseases that affect humanity and of making life more comfortable and happy by assuring good health, the greatest of temporal blessings." The practical effect of the legislation would be to enlarge the work of the Public Health Service and to enable it to fulfill a larger field in public-health research.

"There are millions of sufferers from painful, consuming disease," says Senator RANSDELL, "such as the common cold, about the nature, origin, and cure of which little or nothing is known, and which causes more deaths and economic waste than any other; as influenza, before which modern medicine remains impotent; measles, the offending organisms of which have not as yet been definitely proven; pneumonia, which is still unconquered; tuberculosis and cancer, which baffle the skill of scientists; child-bed sickness so fatal to mothers; infantile paralysis, which remains a curse to childhood; Bright's disease, which is so prevalent among adult men; anemia, mental troubles, heart lesions, and venereal diseases, all of which take heavy toll of human life. Leprosy, life's greatest tragedy, is only slowly being conquered. A great deal has been done recently in a scientific way to conquer malaria, but it, too, is not thoroughly understood. A vast amount of research work is awaiting the attention of scientists in the field of medicine and its application for the alleviation of suffering."

EXPERTS TO WORK TOGETHER

"There should be one place in the United States where unceasing efforts are being made to conquer disease," Senator COPELAND, of New York, told the committee to which the bill was referred, "it is pathetic

to think that infantile paralysis, influenza, and pneumonia are just as fatal to-day as they were a century ago. There must be found means of controlling those dread diseases. The Ransdell bill will help to accomplish this."

The plan of the institute is to make of it a great cooperative, scientific organization in which leading experts in every branch of science will be brought together and given opportunity to work in unison for the purpose of discovering all the natural laws governing human life, and especially to learn those variations of such laws which are detrimental to human health.

The bill authorizes the use of the site now occupied by the Hygienic Laboratory and adjacent lands owned by the Government for suitable and adequate buildings for the use of the institute as well as the acquisition of additional sites in or near the District of Columbia.

Public-health investigations by the Federal Government were first authorized in 1901. "Since then," states the committee report, "commendable progress has been made and many new facts discovered which have had an important bearing on the control of disease. The necessity for this work far outstripped the facilities for its conduct."

Reid Hunt, of the Harvard University Medical School, told the committee that "never in the whole history of the world have the efforts to improve health conditions been so far behind the advance in other sciences. The applications to public health are certainly lagging, simply because there are no good places to study them as they should be studied."

Pointing to the fact that the United States has lagged behind in medico-scientific advances because of its lack of adequate research facilities, such as the National Institute of Health will provide, the report showed that the big advances made in medicine in the past 60 or 70 years, with a few outstanding exceptions, have been of foreign origin, and the roots of many of them have been in the German laboratories, supported by the German Government.

"The first duty of the State is the care of the health of its citizens," said Dr. W. J. Mayo in a letter read before the committee. "By means of public-health measures in the last 60 years the average life of man has been prolonged 12 years. This extraordinary result has been brought about through researches by medical men and has been possible only through the cooperative labor of many investigators. The physician in his ministrations applies for the benefit of his patients the best which science offers."

"The public health movement has demonstrated with complete assurance that at the present time, with all of our health advances, hundreds of thousands of lives are sacrificed to ignorance and neglect and that the total economic money value of these lives is close to $6,000,000,000," Louis I. Dublin, statistician of the Metropolitan Life Insurance Co., stated in a letter to Senator RANSDELL. "Preventable disease likewise costs us well over $2,000,000,000 a year. These are the stakes for which the public-health program is playing."

The scope of work coming under the National Institute of Health is very great. An idea as to some of the problems awaiting solution is clearly set out in a recent study made by the Public Health Service of the cases of sickness in a typical small town and reported to the committee. Translated into terms of the population of the United States, it is shown that the number of persons suffering from minor sicknesses in 1927 were as follows:

Colds and bronchitis	50,232,000
Influenza and grippe	17,184,000
Diseases of the digestive system	11,589,000
Tonsillitis and sore throat	7,884,000
Diseases of the nervous system, including headaches	5,292,000
Measles	4,104,000
Whooping cough	2,712,000
Rheumatism and lumbago	2,616,000
Heart and other circulatory diseases	2,196,000
Hay fever and asthma	600,000

MAJOR DISEASES EXCLUDED

"It must be remembered that these figures do not touch on the more dreaded diseases, such as cancer, tuberculosis, etc.," says the report. "Furthermore, it should give rise to serious thought when we read from the report of Dr. George T. White, secretary and manager of the Association of Life Insurance Presidents, that while the death rate among policyholders of the 52 legal reserve life insurance companies was 828 per 100,000 policyholders in 1921, nevertheless the corresponding figures for 1927 were 823.5, a decrease of only 4.5 deaths per 100,000, which is equivalent to a decrease of only 0.045 of 1 per cent, and this in spite of all the wonderful developments in science during that period of six years."

The system of fellowships for researches of demonstrated proficiency, as provided in the bill, is regarded as a most important one. These fellowships would offer inducement and opportunity for those specially qualified in this line of research to serve their fellow men in the most useful of all ways. While it is contemplated that the bulk of this research work will be carried out in the laboratories in Washington, nevertheless it is not so limited, for under the terms of the bill these "fellows" could be assigned to a definite problem in educational or endowed institutions in any other part of this or other countries, wherever it would be most advantageous for the problem to be worked upon. The existence of such fellowships will direct the attention of the young men and women of our universities, and even those in our high schools, to the desirability of equipping themselves for lifetime work in this most important of all fields of applied science.

In discussing these fellowships, Surgeon Kerr, of the United States Public Health Service, declared: "The most valuable asset of the people of the country is brains, and from my experience in college and university life I know there are young men, have been young men, and I know there must be now, who by reason of lack of finances and lack of encouragement and the inaccessibility of a scientific environment in which to develop have fallen by the wayside. Now, the purpose of a measure of this kind should be to have potentially available a provision whereby a young man could be aided, not for a few days or a few weeks, to finish his education, as the universities have some funds of that character, but to aid him, after he has graduated, providing he is an extraordinary student."

Concerning the matter of gifts and donations to the national institute of health, Senator RANSDELL said: "In the field of public health no precedent can be recalled of donations from philanthropists to enable the Federal Government to maintain laboratories and institutions for the promotion of research with possibly one exception. The Smithsonian Institution was founded as the result of the gift of one man. It stands as a monument to his name and its achievements are known throughout the world. With the highest respect for Smithson and full appreciation of the great work accomplished by the Smithsonian Institution and the bureaus directed by it, I believe that the citizens of America would have derived infinitely more practical benefit had he left his endowment for an establishment to study the diseases of man, to relieve human suffering, and prolong human life. * * * I can not suggest anything to the millionaires of America, many of whom are earnestly seeking some wise use for their wealth, that will do as much good to humanity as to contribute generously to their Federal Government for public-health purposes in combating disease.

"A great chemico-medical laboratory fully equipped to cope with all diseases that afflict mankind, where he can carry on his important work fruitfully and in an unlimited way is the need of the American scientist. Our lagging in the matter of medical research has not been the result of the inefficient mentality of our scientists, but, on the contrary, the lack of facilities and the discouraging insufficiency of funds to stimulate recruits in science."

What results will be accomplished by the National Institute of Health, which will be perhaps the greatest single agency ever formed for the combating of disease, can hardly be visualized.

MEASURE OFFERED IN 1926

"Encouraged by this Government," Dr. Arthur McCormack, State health officer of Kentucky, declared, "it absolutely startles one's imagination to contemplate the resulting benefits to humanity that can be accomplished."

The passage of this bill is the realization of a dream come true for Senator RANSDELL, and is the third great humanitarian measure he has put through, being the author of the bill to establish the National Leprosarium at Carville, La., where lepers are to-day being cured, and having fathered the bill to eradicate Texas fever.

Senator RANSDELL first introduced the measure on July 1, 1926, and for nearly four years he has applied himself unceasingly and untiringly and with undiminished enthusiasm toward the realization of his ideal. The suffering of humanity throughout the centuries has impelled him in his efforts, the great need of his country's physicians and scientists for such a measure to aid them in their battle against suffering, and his patriotic desire to make the United States a leader in this movement of such vast benefit to countless millions in the ages to come has urged him on.

Many men of vision and love for their fellows have assisted him in doing the educational work necessary for the proper understanding of the measure by Congress. "It is impossible to name them all," he says, "but I can not refrain from mentioning President Hoover, ex-President Coolidge, Andrew Mellon, Secretary of the Treasury, and Francis P. Garvan, president of the Chemical Foundation. These four great Americans saw with clear eyes the possibility of this health ininstitute for preventing or curing disease, with its awful suffering and colossal economic losses not only to our country but to the whole world. They and many others gave their whole-hearted support to the bill."

Since the passage of the measure Senator RANSDELL has been flooded with letters of praise and congratulatory messages, and newspapers throughout the United States have paid him tribute in commendatory editorials.

The time has come to recognize the silent men of medicine and science who are every day accomplishing heroic victories in the warfare against disease and human suffering. There have been greater generals in the laboratories, in the operating rooms, and in the wards of hospitals than any who have won glory on battle fields. Senator RANSDELL has paved the way for this recognition in the National Institute of Health in Washington. Here will arise a Napoleon of science, a George Washington of health. But to Senator RANSDELL will go first honors for this great humanitarian measure, and the institute he has founded will be a lasting memorial to his name.

DISTRICT JUDGE HARRY B. ANDERSON

Mr. McKELLAR. Mr. President, on May 13 I wrote a letter to the Attorney General of the United States in reference to the investigation of Judge Harry B. Anderson, of Memphis, Tenn., district judge of the western district of Tennessee. I did not get an answer from him, and on June 3 I wrote him another letter asking for a reply. On June 11 I received a reply to both letters.

First, I desire to read the letter that I wrote to the Attorney General on May 13:

Hon. WILLIAM D. MITCHELL,
Department of Justice, Washington, D. C.

MY DEAR MR. ATTORNEY GENERAL: You will recall that some weeks ago I had a conversation with you in reference to an investigation by your department of Judge Harry B. Anderson, Federal district judge at Memphis.

Since that time I have made further investigation of the matter. I find that a number of members of your Bureau of Investigation, called special agents, I believe, the number being estimated from seven to nine all told, have been more or less constantly investigating the district judge at Memphis since last July; that in the course of these investigations they have taken many affidavits; some from criminals; others from men now in prison who had been convicted in Judge Anderson's court; others who had been charged with crime in Judge Anderson's court; some anonymous letters; some from Judge Anderson's bitter personal enemies; and some, no doubt, from well-meaning persons. I say this is my information because I have never seen the so-called secret record.

I am reliably informed also that during the investigation of Judge Anderson by your department—

I call the special attention of the Senate to this statement—

one of your assistants made a report to you in which he recommended that you call Judge Anderson before you and tell him that unless he changed his rulings in liquor cases and in matters of procedure that an investigation looking to his impeachment should be immediately begun. This report, I am informed, is a matter of record. Whether you called the judge before you is not disclosed. That the investigation looking to Judge Anderson's impeachment recommended by your assistant, Mr. Keifer, has taken place there seems to be no reasonable doubt.

I am also informed that when this investigation was completed that information was directly or indirectly furnished by your department to Congressman LAGUARDIA, of New York, who thereupon offered a resolution in the House to appoint a committee to investigate Judge Anderson; that a committee was appointed consisting of three very excellent gentlemen of the House—Mr. LAGUARDIA, of New York; Mr. SUMNERS, of Texas; and Mr. BROWNING, of Tennessee, all members of the Judiciary Committee—to inquire into the charges, and that this committee has the matter under advisement now.

It seems that these gentlemen not only had the record as prepared by your secret-service men before them but also heard a number of witnesses favorable to the charges. Thereupon Congressman FISHER and I asked that Judge Anderson be allowed to appear before the committee and be heard. This was done through the courtesy of the committee, and I am of the opinion that Judge Anderson's statements concerning the various charges were satisfactory, though the committee has not yet reported, and it may be that they, or some of them, are not satisfied. I am not attempting to speak for them in any manner, shape, or form. They are all splendid gentlemen and will speak for themselves.

It must be remembered, Mr. Attorney General, that up to the time of the report no officials in your department had ever asked Judge Anderson about any of these matters, though he was in Memphis the most of the time while these investigations were being made. He was tried by your department in secret without a hearing. Apparently he did not have as much chance as a suspected traitor during a great war. Impeachment proceedings against a Federal judge are like gossip about a virtuous woman. It injures even if wholly untrue. Surely such proceedings should not be conducted in this one-sided and secret way. I am absolutely sure that you do not approve such a course.

But, Mr. Attorney General, what I want to ask you specifically is, What right the Attorney General has to investigate secretly or otherwise Federal judges looking to their impeachment? My own interpretation of the Constitution is that the three departments of Government are separate and coequal. I find no act of Congress authorizing your department to investigate Federal judges.

Indeed, the act to which I will call your attention in a moment specifically excludes Federal judges. Why, then, is the executive department concerned with investigating charges for the purpose of removing a Federal judge? If you know of any warrant for such a proceeding, I would be glad for you to point it out. In this connection I call your attention to section 301 of the Code of Laws.

"Official for investigation of official acts, records, and accounts of marshals, attorneys, clerks of courts, United States commissioners, referees, and trustees. For the investigation of the official acts, records, and accounts of marshals, attorneys, and clerks of the United States courts, and the Territorial courts, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, without exception, shall be examined by the agents of the Attorney General at any time, and for the investigation of the official acts, records, and accounts of referees and trustees, when requested by the presiding judge of such courts, the Attorney General is authorized to appoint officials who shall be vested with the authority necessary for the execution of such duties."

As I look at this statute, your office has the right to investigate the records and accounts and official acts of marshals, attorneys, clerks, and commissioners, of your own motion and when you are requested to examine into the records of referees and trustees by the presiding judge, you are authorized to do this. The act seems to be perfectly clear. I do not know whether Judge Anderson requested you to look into the acts, records, and accounts of referees and trustees or not. It is immaterial. At all events, I do not find any authorization to the Attorney General to investigate district judges for the purpose of having them impeached. District judges are specifically left out of this act. However, there may be some other act under which your office has authority of which I am not advised and I would be glad to know the authority. If any such act was passed, however, it must be clearly unconstitutional; for it is inconceivable that this power could be given any executive department under our Constitution. If so, is would mean that the Federal judiciary would be subservient to the Department of Justice at all times.

I next desire to call your attention to the fact that Judge Anderson lives in Memphis, and so do I, and so does Congressman FISHER, the Representative from that district. The Department of Justice did not consult Congressman FISHER about the matter, nor anyone else in official position so far as I know, but it seems that after making this secret report, the department took action through a very excellent New York Congressman, Mr. LAGUARDIA, living 1,200 miles away. Why was this course pursued? It seems to me that the ordinary civilities of the situation would have demanded that before action was taken about a Federal judge from Memphis, that the Congressman from that district, and the judge himself, might have been notified of the proceedings.

As I understand it, your record was entirely secret. Congressman FISHER, after talking with me, asked to see this record, and his request was denied. This did not and does not seem to be fair. Do you not think that this rather savors of the Russian checka? I am sure the refusal to let Congressman FISHER see the record would not have your approval.

In my conversation with you some weeks ago you told me that you did not know about the matter until about three weeks before, and I at once asked you to look into it further; but, apparently, you were satisfied to let the investigation go on because it has continued ever since, and I understand still other agents have been sent to Memphis by your department in an attempt to secure further information against Judge Anderson.

Under these circumstances, I am wondering if you do not feel that it would be right for you to state to the committee of the House now considering the matter, that this investigation of Judge Anderson was undertaken by men in your department without your knowledge or approval, as you stated to me.

I doubt if you know it because it happened before you came into the department, but when Judge Anderson was confirmed, some very influential men in Tennessee, one of whom, Mr. C. H. Huston, has since become a national figure in your party, were very much opposed to Judge Anderson, and whether that fight has been continued or not I do not know, but it certainly looks as if it had continued.

In writing you this letter I am not passing upon any of the charges against Judge Anderson. I am merely protesting against the method used in bringing about impeachment charges by your department.

I will greatly appreciate your early reply.

With high personal regards, I am very sincerely yours,

KENNETH MCKELLAR.

I received no answer to that letter, and on June 3 I wrote the Attorney General the second letter, as follows:

JUNE 3, 1930.

Hon. W. D. MITCHELL,
Attorney General, Department of Justice.

MY DEAR MR. ATTORNEY GENERAL: On May 13 I wrote you a letter. I have never had a reply.

Did you intend not to reply to the letter? Kindly advise me if you received it. To my mind it involves a most important question and I would like to have the attitude of the Department of Justice on the question of making an examination of district judges of the United States.

With much respect, I am, very sincerely yours,

KENNETH MCKELLAR.

Mr. President, on June 13 I received this letter, dated June 11, addressed to me:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., June 11, 1930.

Hon. KENNETH MCKELLAR,
United States Senate.

DEAR SENATOR: I have your letters of May 13 and June 3 with reference to Judge Harry B. Anderson, judge of the United States district court at Memphis, inquiring whether this department is authorized to make investigations of Federal judges with a view to impeachment.

The impeachment of Federal judges is a matter exclusively within the jurisdiction of the House of Representatives. It is clear that Attorneys General have no authority to make investigations with a view to impeachment of Federal judges, and, so far as I know, no Attorney General has claimed any such authority.

There has been no investigation of Judge Anderson by this department with a view to impeachment. The investigation which has been made at Memphis, and to which you refer, was an investigation by officials of this department into the administration of the bankruptcy laws at that point and was initiated in June or July of last year as a result of complaints and reports which had been received at the department.

Section 301 of title 5 of the United States Code, which you quote in your letter and which provides that the Attorney General, when requested by the presiding judge of a Federal court, shall investigate the official acts, records, and accounts of referees and trustees, is only one of a number of statutes defining the powers of the Attorney General. That statute has never been construed as preventing the Attorney General from making an investigation of the conduct of referees and trustees in bankruptcy where the investigation is not requested by the court. Other statutes make it clear that it is the duty of the officials of this department to investigate and, if necessary, prosecute violations of Federal statutes by bankruptcy officials as well as other classes of officials, without regard to whether the judge of a Federal court has requested it. So far as I know, Judge Anderson has never requested an inquiry by this department into the administration of bankruptcy cases in his district, but such a request was not necessary to authorize the investigation referred to.

Preliminary inquiry made last year into certain specific cases under the bankruptcy act at Memphis developed facts which made a further inquiry appropriate, and in November last, the assistant in charge of the matter directed that the investigation be continued to ascertain if there had been any criminal misconduct in violation of acts of Congress. That inquiry was not directed at Judge Anderson, but during the course of the investigations of departmental agents at Memphis persons at Memphis, on their own motion, went to the agents of the department and laid before them statements relating to Judge Anderson's official conduct. These agents received those statements and recorded them and transmitted them to the department with their reports, as it was their duty to do.

Reference may be made more specifically to some of the matters referred to in your letter. You state that one of my assistants made a report to me with a recommendation that I call Judge Anderson here and advise him that unless he changed his official conduct an investigation would be made looking to his impeachment. No such report or recommendation was ever brought to my attention, and those who have had charge of this matter and examined the files advise me that no such report has been filed.

The information that you have received that when the investigation was completed the results were furnished by this department to Congressman LAGUARDIA, of New York, is without foundation. After these reports had been received at this department and before they were transmitted to the Judiciary Committee of the House at its request, Congressman LAGUARDIA requested that these files be opened to him for inspection. This request was refused. Congressman FISHER, of Tennessee, made a similar request and was refused. No exception could have been made in the case of a Congressman supposed to have been friendly to Judge Anderson. To have opened the files to one would have required us to do it for all. I have made a thorough inquiry to ascertain whether prior to the transmission of the files to the Judiciary Committee, of which he is a member, Congressman LAGUARDIA received any information as to their contents from anybody connected with this department and am advised that he did not.

My attention at one time was directed to a speech made by Mr. LAGUARDIA on the floor of the House relating to this situation, and I was advised at the time that he had received no information from the department; it was suggested that those who had volunteered information about Judge Anderson to agents of this department at Memphis had given information to Mr. LAGUARDIA. However, as to the source of his information, I shall have to refer you to him.

We took no action through the Congressman from New York. It was thoroughly understood here in the department that no official of this department has any function to perform in impeachment proceedings, and it was not until a formal request was received from the chairman of the Judiciary Committee of the House that the files were delivered to the committee.

With respect to the continuation of the inquiry at Memphis I am informed by my assistants that agents of this department are still at work at that place investigating the conduct of bankruptcy cases and their work will be continued until it is completed. They are not directing their inquiry at any matter concerning Judge Anderson.

Early in May some complaints were made to this department that one of the examiners of the department who had made an investigation at Memphis in 1925 at the time of Judge Anderson's confirmation had suppressed information which he had obtained at that time and not reported it to the department. Some inquiry was recently made by agents of this department to determine whether these complaints against the bureau's agent were justified, but that proceeded no further, and at the present time the bankruptcy inquiry which has all along been the subject matter of our action is the only investigation being made at Memphis that has to do with any of the matters referred to in your letters.

Respectfully yours,

WILLIAM D. MITCHELL,
Attorney General.

Mr. President, the House of Representatives has appointed a committee to investigate Judge Anderson, and, of course, I am not going to discuss the facts of that case. If Judge Anderson has done wrong he should be punished, but now, after this secret investigation by the Department of Justice and its prosecution of Judge Anderson, of course there should be a full and complete investigation of the whole matter. It is due to Judge Anderson and to the public. I do want to call the attention to the Senate of the investigation by the Department of Justice of a Federal judge.

I want to commend the statement of the Attorney General that—

> The impeachment of Federal judges is a matter exclusively within the jurisdiction of the House of Representatives. It is clear that Attorneys General have no authority to make investigation with a view to impeachment of Federal judges, and, so far as I know, no Attorney General has claimed any such authority.

That is a clear statement of the law, and I commend it.

The Attorney General then says:

> There has been no investigation of Judge Anderson with a view to impeachment.

In this statement of fact I am quite sure that the Attorney General is mistaken, and that he has been misinformed as to what has taken place in his department. The getting of facts for the impeachment of Judge Anderson has been the primary purpose of this investigation, and the bankruptcy investigation has been wholly incidental. Indeed, Mr. President, the next paragraph of the Attorney General's letter suggests at least the nature of the inquiry. Though he does not quote, he states that there are other statutes than section 301, title 5 of the United States Code, which I had quoted to him, and which provides that trustees and referees in bankruptcy may be investigated when requested by the presiding judge of the Federal court. What these "other statutes" are the Attorney General does not point out, but the fact that his investigators proceeded without asking the judge's approval goes to show the nature of the investigation. They did not ask the judge's approval because he was the man actually being investigated. The Attorney General admits that the presiding judge never requested an inquiry by this department into the administration of bankruptcy cases in his district.

The first paragraph on page 2 of the Attorney General's letter also virtually admits that Judge Anderson was investigated. The Attorney General does say, "That inquiry was not directed at Judge Anderson," but he goes on to show then that, while it was not directed at Judge Anderson, he was investigated and a report made to the department.

The Attorney General's statement that the inquiry was not directed at Judge Anderson recalls the story that was told of the college days of Lord Macaulay. While that gentleman was at college, he, with a number of other students went over one night to mingle with the crowd taking part in a parliamentary election. They vote day and night over there, it seems. Lord Macaulay just went to take part in the excitement, and while standing in the crowd a big burly fellow threw a dead cat in the crowd and it hit Mr. Macaulay on the side of the head. The big fellow rushed up to Mr. Macaulay and said: "Oh, Mr. Macaulay, I did not intend that for you. I intended that for Bill Jones." Mr. Macaulay, with the quickness of wit which ever characterized him replied: "The next time I hope you will intend it for me and hit Bill Jones."

The Attorney General says it was not intended for Judge Anderson, but Judge Anderson seems to be the only man who has been hit by the department. The difference, however, between this case and the Macauley incident, is that whatever might have been the Attorney General's personal views about the matter, the department intended to hit Judge Anderson, and did hit him.

I call especial attention to the next paragraph. The Attorney General says:

You state that one of my assistants made a report to me with a recommendation that I call Judge Anderson here and advise him that unless he changed his official conduct an investigation would be made looking to his impeachment. No such report or recommendation was ever brought to my attention, and those who have had charge of this matter and examined the files advise me that no such report has been filed.

Again the Attorney General is uninformed as to what is in the files. A Congressman, and one of the most reputable Congressmen that I know, who had seen the secret files, told me he had seen this report containing this recommendation, and I challenge the Attorney General to produce the file if the statement of this Congressman is doubted. It was in the file, and if it is not there now it has been removed by some one who had no business to remove it. I can produce a copy of a part of it and a full statement of all it contains.

As to the Attorney General's statement about the connection of Congressman LAGUARDIA with the case I am not advised, and in the absence of a statement from Congressman LAGUARDIA we will, of course, assume that the Attorney General is correct about it.

With respect to his statement that his agents in Memphis have not made and are not making any inquiry concerning Judge Anderson but are only investigating bankruptcy matters, of course, I am not advised, but I suppose the congressional committee which has been appointed will be very likely to find out the true facts.

All I can say is that I saw an affidavit taken by a Department of Justice man from a prisoner at Atlanta who had been sentenced in a narcotic case for five years by Judge Anderson, having not the remotest thing to do with bankruptcy matters, and it is inconceivable to me that a Department of Justice secret agent would go to the trouble and expense of going all the way to Atlanta to get the affidavit of a convict in a narcotic case unless he was after Judge Anderson in some way.

Mr. President, I brought this matter to the attention of the Senate so that Senators would think over the proposition of whether it is in the province of the Department of Justice to put sleuths on Federal judges and have secret reports made concerning Federal judges in this country. I do not think that it is a sound policy. If a Federal judge feels that he is under constant scrutiny of the Department of Justice, I do not know that he can make a fair and upright and honest judge. Nor do I think the department, while admitting it has no authority to investigate judges looking to their impeachment, should actually exercise such authority under some other pretense.

As to the facts concerning the charges against Judge Anderson made in this secret way I am not advised. Those are matters which will come out in the investigation and I express no opinion as to them. As I said before, if Judge Anderson has been guilty of improper conduct, he should be punished.

Mr. President, the spy system in government has been despised throughout the ages. It may be justified in war, but even then it is looked upon as hideous, and a spy, when caught by the opposing nation, is usually strung up or shot without ceremony. It will be recalled that one of the causes of the French Revolution was the infamous spy system, first of Richelieu and then Mazarin. Who has not read of the efforts of the Three Guardsmen to get out of France and their helplessness because of the spy system? The people do not like it. Honest men do not like to be spied upon. To my mind it is extremely doubtful whether in peace time any government has benefited by a system of spies. Senators have recently been subjected to somebody's spy system here in Washington. Our offices have been opened and our papers ransacked, and now here we find that, under the guise of investigating bankruptcy matters, and, as I believe, without any authority of law, a Federal judge is being subjected to the third degree under the Department of Justice spy system.

In speaking of this spy system in the Department of Justice, I have no words of criticism of the present Attorney General. It was instituted long before he came into the department. I have no doubt he is a high-minded and patriotic official; but I do think it is time for us as legislators to look into the Bureau of Investigation in the Department of Justice, or any other department having a secret service, very carefully before we appropriate any more money for such purposes. The good that they may do is probably vastly more than offset by the harm they do.

The American people especially do not believe in the spy system. One of the causes of our Revolution was the search and seizure law—the secret laying-in-wait law. The very term "star-chamber proceeding," as brought about in England in the time of the Stuarts, has been anathema ever since this system was in vogue. Happily, it has long since been abolished. But it ought not to be permitted to grow up in America. The peoples' business should be conducted in the open. The days of secrecy in government have gone by, and I hope have gone by forever. It took a number of us years and years to get secret sessions of the Senate abolished, and I hope they are gone and gone forever. But while we have abolished secrecy in government in the Senate, we appropriate vast sums for secret organizations and services in the departments, and these, too, ought to be abolished, and speedily abolished, and never permitted to function any more.

Let us do away with the spy systems in all departments. They are inimical to free government. They are at war with all traditions held most dear by the American people.

RIVER AND HARBOR BILL

The Senate resumed the consideration of the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The PRESIDING OFFICER (Mr. COUZENS in the chair). The clerk will read the bill for action on the committee amendments.

The legislative clerk proceeded to read the bill.

The first amendment of the Committee on Commerce was, on page 3, line 5, before the word "feet," to strike out "28" and insert "30," and in line 8, after the words "sum of," to strike out "$400,000" and insert "$718,000," so as to make the paragraph read:

New Bedford Harbor, Mass., in accordance with the report of the Chief of Engineers as submitted in House Document No. 348, Seventy-first Congress, second session, except that the depth to be obtained in the entrance channel shall be 30 feet and the width shall be 350 feet. There is hereby authorized to be expended on this project the sum of $718,000.

The amendment was agreed to.

The next amendment was, on page 3, after line 8, to insert:

Taunton River, Mass., in accordance with the report submitted in House Document No. 403, Seventy-first Congress, second session.

The amendment was agreed to.

The next amendment was, at the top of page 5 to insert:

East Chester Bay, N. Y., in accordance with the report of the Chief of Engineers as submitted in Senate Document No. 37, Seventy-first Congress, second session.

The amendment was agreed to.

The next amendment was, on page 5, after line 15, to strike out:

Great Lakes-Hudson River waterway: The Secretary of War is hereby authorized, empowered, and directed to accept from the State of New York the State-owned waterways known as the Erie Canal and the Oswego Canal and thereafter maintain and operate them as navigable waterways of the United States, at an estimated annual cost of $2,500,000: *Provided*, That such transfer shall be made without cost to the United States and shall include all land, easements, and completed or uncompleted structures and appurtenances of the said waterways.

And in lieu thereof to insert:

The Secretary of War is authorized and empowered to accept from the State of New York the State-owned canals, known as the Erie and Oswego Canals, and to operate and maintain them at their present depth, at an annual estimated cost of $2,500,000, as barge canals only, and not as, or with any intention to make them ship channels, or to hinder or delay the improvement of the St. Lawrence Waterway as the seaway from the Great Lakes to the ocean: *Provided*, That such transfer shall be made without cost to the United States, and without liability for damage claims arising out of said canals prior to their acquisition by the United States, and shall include all land, easements, and completed or uncompleted structures and appurtenances of the said waterways and their service: *And provided further*, That no project for the widening or deepening of these canals, or for the elevation of bridges in connection therewith, shall proceed without subsequent authorization of Congress.

Mr. VANDENBERG. Mr. President, inasmuch as this paragraph has been the subject of prolonged and heated controversy, but is now the text of amicable and useful agreement, I think the RECORD should carry briefly a statement on the subject. Inasmuch as the future may be required to confront interpretations, it seems to me that the situation can not be passed without a limited presentation of the philosophy of the committee and the meeting of minds which has resulted in this unanimous recommendation from the committee.

If the Erie and Oswego Canals are to be federalized at all—a proposition which, I regret to say, I still am forced inherently to oppose—this paragraph writes a proper prospectus which gives them their appropriate barge status and at the same time leaves unhampered and unimpaired the larger vision of the St. Lawrence seaway to the ocean. This discriminating definition is specific and undeniable. It marks a useful armistice between what heretofore have been rival purposes. It commits each project to its own logical sphere.

Despite my own belief that the Erie, even as a barge canal, is inherently unstable, I hope that its future barge prosperity, if it be federalized, will belie my pessimism.

Despite the belief of my able friend, the senior Senator from New York [Mr. COPELAND], on the other hand, that the St. Lawrence seaway is equally inherently unsound, I am sure he likewise will hope that this new working agreement between the two projects will justify all the economic dreams of the landlocked Middle West in respect to this ocean outlet.

I want to thank the senior Senator from New York [Mr. COPELAND] and his House colleague [Mr. DEMPSEY], chairman of the Rivers and Harbors Committee, for the spirit of rational cooperation in which this composition has been written. They have not been blind to the rights, the aspirations, and the viewpoints of other sections of the country. We have tried to reciprocate. We have all acted in good faith, and I have no question regarding the good faith in which this prospectus will eventuate. Therefore, Mr. President, I repeat that if the Erie and Oswego Canals are to be federalized—if they are to be federalized—I heartily favor the language in the pending Senate committee amendment.

This still leaves the basic question, however, whether any such Federal legislation is justified at the present time. I regret that not even our agreement upon this substitute language permits me to change my position on the fundamental proposition. Inasmuch as I moved in the Commerce Committee to strike the Erie project entirely from the bill—a motion, however, which mustered but one other vote besides my own—I feel that I should submit to the Senate in a very few words the reasons which moved me to the conclusion that, at least at the present writing, an adequate and dependable and conclusive basis has not been established for any such prodigal adventure.

The contemplation which the committee confronted in connection with this paragraph divided into these two propositions: First, is the project a threat to the St. Lawrence waterway? Second, regardless of the St. Lawrence waterway, should the Federal Government take over the Erie Canal at all? I speak of the second contemplation first.

I am opposed on economic grounds to the present federalization of the Erie Canal. It always has been a burden, and I fear it always will be a burden. I do not feel that a sound basis has been submitted to the Congress to warrant the transfer of the Erie deficit from the treasury at Albany to the Treasury at Washington. Neither do I feel that we have warrantable recommendations from the Board of Rivers and Harbors Engineers upon which to act with finality upon a problem of such stupendous size and implication. This is not the way to legislate.

The Erie Barge Canal system has cost the taxpayers of the State of New York $216,000,000 from 1905 to 1929, exclusive of capital charges. It does not begin to carry as much tonnage to-day as it did half a century ago. The average tonnage over the canal has shrunk from 5,434,000 tons in the 5-year period from 1877 to 1882 to an average of but 1,640,000 tons during the 5-year period from 1919 to 1924. It is somewhat larger now. I believe the tonnage in 1929 was slightly in excess of 2,500,000 tons. But it is still far below its own ancient mark and still far below its own capacity.

May I say parenthetically in passing, as a relative measure of the importance of waterways, that the great Erie system, into which this $216,000,000 have been poured in the last quarter of a century, to-day carries but 3 per cent as much traffic as passes up the Detroit River?

In 1925 it cost the State of New York $4.51 per ton for all freight floated on the Erie Canal regardless of length of haul, whilst the rail rates on the same commodities carried from Buffalo to New York averaged $3.70 per ton. This moved Colonel Greene, the chief engineer of New York canal operations, to report to Governor Smith in a special 1925 report as follows:

> From these figures it is evident that it would have been cheaper for the State if all the freight carried on the canal had been put on railroad cars and the State had paid the freight bills.

That is New York's own official verdict on the utility of the Erie Canal system in specific terms. Regardless of its noble, ancient history—and I join in glorifying its pioneering epoch of bygone days—it seems to be an unpromising economic liability to-day.

There are other official New York verdicts. These are not my own witnesses. These are New York's witnesses.

New York has heroically sought to bring its canal system into practical fruition; and anyone who contemplates the courage and the vision with which New York has undertaken the task can not help but pause to pay compliment to that vision and that courage, and wonder whether under Federal auspices anything like similar courage and vision may be anticipated.

At one time New York thought that the construction of warehouses and terminals would encourage traffic; so New York ambitiously built 66 terminals, of which 50 are located on the Erie and Oswego branches. I believe another $40,000,000 was sunk in this aspiration. Did it succeed? Again let Colonel Greene, the New York operator of the canal, testify. I read from his special report of February 26, 1926, in which he states:

> During the past two years no freight was handled at 49 of these terminals and only five warehouses were used for canal freight. * * *
>
> Following the failure of the terminals to increase canal tonnage, a demand arose for grain elevators. The State has built two. In spite of the rosy predictions of success made by proponents of these elevators, they have thus far been financial failures; and yet in the face of these failures there is now strong agitation for the State to build more elevators.

There we have the testimony of the New York operator of these canals, speaking in a forum where he had every incentive to be ruthlessly accurate. I believe he was accurate. Again he stated:

> Spending money for terminals and grain elevators in the hope that increased tonnage will follow has thus far been unsuccessful.

Every effort has been unsuccessful, Mr. President; the canals themselves are unsuccessful by their own confession. They are a tremendous burden upon New York—a "white elephant" is the favorite expression which, by a significant coincidence, seems to find its way into numerous editorial expressions from newspapers up and down the country. Indeed, even the New York press itself has been occasionally similarly candid. The Wall Street Journal of March, 1927, states:

> It is proposed that Uncle Sam take over the New York State canals. New York could well afford to pass them over plus $50,000,000 in gold, if Uncle Sam were foolish enough to accept.

I have no illusions, Mr. President, about the temper of the Senate in connection with this proposition, any more than I had any illusions respecting the temper of the Commerce Committee. Uncle Sam is to be foolish within the definition of the Wall Street Journal and without any $50,000,000 for damages to his reputation as a rational business man.

The canals now operate at a depth of between 10½ and 12 feet. This is at least 1½ feet deeper than the average 9-foot depth in the other canalization projects of the inland intercoastal Federal water system. Therefore it means nothing by way of increased traffic to federalize them and "link them up"—as the favorite bromide goes—with the balance of the Federal canal system.

Mr SIMMONS. Mr. President——

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

Mr. VANDENBERG. I yield.

Mr. SIMMONS. The Senator from Michigan is partly correct and partly in error. I think the Atlantic seaboard canalization system, starting at Boston and running down to the Gulf, now completed to Beaufort, N. C., and shortly to be completed to Wilmington, N. C., near the South Carolina line, is all of a 12-foot depth, and by increasing the depth of the Erie Canal to 12 feet its depth will be harmonized with that of the canal system along the Atlantic seaboard.

Mr. VANDENBERG. I think the Senator from North Carolina overlooks the fact that the Erie Canal is nearly 12 feet deep; it is supposed to be fully 12 feet deep at the present time. Be that as it may, I hope his optimism is well justified, because, as I said in the beginning, inasmuch as we have found a common

ground upon which to proceed, in the event that the New York canals are federalized they certainly have my very best wishes in line with the Senator's prophecy; but I am submitting, Mr. President, that on the face of information available to the Senate to-day there is no sound basis to ask that the New York canals be federalized at all.

Whatever money the Federal Treasury has to invest in waterways can and should be spent in more profitable directions. The single argument in favor of this proposition which appeals to me is the frank statement that New York pays her rich share of the burden of carrying other Federal waterways, and, therefore, we should not object if she asks us to reciprocate; that, at least, has the virtue of candor, and I am inclined to think that I could not oppose the logic, but I can not at the present time agree that it suffices to justify the addition of the Erie and Oswego systems to the federalized system of the country, and the annual addition of a minimum of two and one-half million dollars to the upkeep cost of the inland waterways of the country. The Senate must remember that two and one-half million dollars is 15 per cent of all the money being spent at the present time upon the upkeep of inland waterways, and we are adding in one single item 15 per cent at a minimum because never yet has the deficit arising from the operation of the New York canals gone as low as two and a half million dollars.

I pass, Mr. President, the question of what the added burden would be if these canals should be developed either through the widening or deepening of their beds or through the elevation of bridges. I pass it because the pending substitute expressly precludes any such expenditure without subsequent authorization by Congress, which will be a matter of at least five years, for it will take two or three years at a minimum to effectuate this Greek gift. However, as an indication of what would be involved if we ever shall launch out upon this expansion, I think the Senate should have clearly in mind the fact that a 13-foot project upon the Erie and Oswego Canals would cost $27,000,000, and that a 14-foot project would cost $81,000,000. Approach it from whatever angle you please, Mr. President; figure it in however optimistic arithmetic you wish; I do not see how you can escape the conclusion that the pending take-over is without justification.

What do the department engineers say, Mr. President? Ah, this is a poignant chapter in the story. I must dwell upon it for a passing moment, because it is calculated to be an exhibit that will return subsequently in the debate in connection with other projects with respect to methods of procedure, engineering and otherwise.

Let me call the attention of the Senate to the fact that in March, 1926, the river and harbor engineers refused to recommend the Erie project at from 20 to 25 feet in depth; and in May, 1926, the House committee asked for a review, which they got in December, 1926, when the engineers reiterated their previous verdict. Then, in 1929, the House committee asked for a review of the project on the basis of 14 feet. On November 1, 1929, the engineers declined to approve. In December, 1929, the House committee asked for a review of the project at 13 feet—a constantly receding depth—and in February the engineers reported that they could not approve the project even at 13 feet. In March, however, as the result of interesting negotiations, to which I do not intend to advert at the present moment because they are more pertinent in the discussion of a subsequent paragraph of this bill—in March and then in April the engineers finally overturned every recommendation they had written theretofore and brought in a blanket proposal which, as paraphrased by the Chief of Engineers, suggested that the Federal Government should take over the canal and study it afterwards. To me that is an astounding contemplation in the science of engineering. Leap before you look—the philosophy of hazard. I say this with greatest respect for the Chief of Engineers, whom I highly esteem. But I can not withhold the observation that such summary and speculative rejection of all the prior engineering reports has been something of a shock to my belief in engineering continuity.

Mr. President, holding these views, I moved in committee to strike out the Erie project from the bill. The motion was defeated by a vote of 13 to 2. I repeat that, if I sense properly the general disposition of the Senate in regard to this and other items in the bill, the same ratio will persist here. Therefore, being a realist, I passed then, as I pass now, to the other consideration, namely, is the federalized Erie project as described in the pending committee amendment a hazard to the St. Lawrence seaway from the Great Lakes to the ocean?

Mr. President, assuming that we shall take over the Erie system from New York, the question before the Senate is whether or not, under these specifications, it can be done without menace to the supreme among all our transportation projects, namely, the St. Lawrence seaway.

In cooperation with my able friend the senior Senator from New York [Mr. COPELAND], the substitute language now before the Senate was drafted and approved unanimously by the Commerce Committee. In addition, I think it is only fair to say, and I think it is pertinent to say, that the language has at least the unofficial approval of the distinguished chairman of the House Rivers and Harbors Committee [Mr. DEMPSEY]. Now that we have left behind the controversial field, which I shall not advert to again, respecting the fundamental question of federalization at all, I desire to renew my expression of belief that in conjunction with the senior Senator from New York [Mr. COPELAND] and the chairman of the House Rivers and Harbors Committee we have actually produced a program which has within it the best possible legitimate advantage not only for the Erie system but for the St. Lawrence system.

If the Erie system of canals is to be taken over at all, I repeat that I approve this form of acquisition. I do it in the belief that it has removed all possible Erie menace to the St. Lawrence waterway, and I do it on the theory that it terminates the prior rivalry between the St. Lawrence route and the so-called all-American or Ontario-Hudson route through New York. I do it on the theory that it gives the St. Lawrence the unobstructed right of way if and when we shall proceed with the stupendously and incalculably advantageous connection between the Great Lakes and the Atlantic Ocean. If language means anything at all, the language of the pending substitute means precisely what I have summarized. Indeed, I would go so far as to prophesy that it actually puts the St. Lawrence prospectus in the most advantageous position it has ever occupied.

This is not my opinion alone. I should hesitate to rely upon my own opinion in a matter of such critical importance. It is also the opinion of many jealous friends of this St. Lawrence outlet. If it were not my abiding view, or if the substitute should be changed or defeated, I could not discharge what I conceive to be my responsibility without invoking every possible recourse, no matter how futile in finality, to stop the tragedy. In terms of transportation, it is my own judgment that the completion of the St. Lawrence seaway will prove to be the greatest engineering achievement since Roosevelt bisected Panama, the greatest of all boons to landlocked agriculture and industry from the Lakes to the Rockies. I also hazard the prophecy that it will be perfected within the next five years, opening the Great Lakes to 88 per cent of all the cargo vessels upon the oceans of the world.

Heretofore it has been rivaled chiefly by the competitive aspirations of a trans-New York route with the Erie system as the nucleus for a $631,000,000 channel with 153 miles of restricted water, from 25 to 27 locks, and involving 54 bridges; this compared with the St. Lawrence project at a net $100,000,000, with only from 21 to 25 miles of restricted water, and only from 7 to 9 locks, and only 8 bridges.

The comparison never has been even remotely favorable to the rival nucleus; but the rivalship, none the less, has been one of the important obstacles which the St. Lawrence has faced.

There is no further need, however, to analyze this rivalry. By the express terms of the pending substitute, the rivalry is ended. I linger upon the subject only to emphasize the plain meaning of this language in the bill, for the sake of the record.

We take over the Erie and Oswego Canals "as barge canals only, and not as, or with any intention to make them, ship channels, or to hinder or delay the improvement of the St. Lawrence waterway as the seaway from the Great Lakes to the ocean." Nothing could be more explicit. The charter could not be more exact.

Oh, but some one says, cynically, that one Congress can not bind another. True; but what of it? We can bind the terms of transfer. We do put the people of New York upon specific notice as to their limited expectations when they vote, as they must, to amend their constitution in order to validate the transfer. There can be no question raised hereafter as to what they anticipated. There can be no misunderstandings. We can and do bind our War Department and its engineers. If and when there is a seaway, it is the St. Lawrence. The Erie canals are barge canals only and by the express mandate of the instrument which validates their transfer. I decline to impute bad faith to those who concede these definitions in behalf of the State of New York.

Mr. President, in conclusion I desire to advert to a question which has been repeatedly asked of me respecting this matter—the question which my able friend the senior Senator from New York [Mr. COPELAND] has asked me more than once. It is typified and summarized about as follows:

"You must realize that there can be no St. Lawrence seaway without Canadian consent to an international agreement. Suppose no such agreement can be secured within a reasonable time: Will you then still oppose a ship canal by the all-American or the Ontario-Hudson route?"

Mr. President, I think that is a thoroughly fair question, and I think it deserves a thoroughly candid answer.

Personally, I believe that Canada has such a vast stake in the development of the St. Lawrence seaway that her assent to an international agreement is too logical to be denied as a matter of self-interest. Without it, she can not possibly capitalize the advantages of her gigantic investment in her new Welland Canal. I expect a mutually fair agreement to be negotiated in the near future. But if such an agreement clearly becomes impossible within a reasonable time—let us say five years—and we are no nearer an agreement then than we are now, I should say that we must take up in dead earnest the possibilities of developing the New York route, even though it be six times as expensive and, in my judgment, sixty times less advantageous. The point is that the land-locked Middle West must be given access to the ocean. I want unhindered American opportunity to pursue the St. Lawrence project with Canada; and I believe that our mutual interests will shortly produce mutually advantageous results. But our needs are such that we can not wait for this international agreement forever.

So, Mr. President, I can not escape the conclusion that if the Erie Canal system is to be federalized, the language of the pending substitute is adequate for the protection of the contingent interests of 50,000,000 people who rightly believe that the St. Lawrence seaway is vital to their economic life and progress. Contemplating the Senate's disposition respecting the basic question of the take-over, I am content to rest my opposition to that basic issue upon this statement, and in conclusion to reassert that working from that hypothesis I believe the paragraph now pending is to the best advantage of New York and of the Middle West and of the St. Lawrence prospectus and of the Erie canals in their proper category; and I again desire to express my appreciation for the assistance that has been rendered in this composition by the senior Senator from New York [Mr. COPELAND], and by his House colleague, the chairman of the Rivers and Harbors Committee.

I do not believe, for the reasons heretofore stated, that the Federal Government is warranted in assuming the burdens incident to the transfer of these canals to Federal auspices; and I have so voted. But I do believe that if and when this basic question has been answered in the affirmative, there is no reason left—if this pending substitute be adopted—why those of us who believe in the St. Lawrence seaway should object. On the contrary, I conceive, if anything, that the St. Lawrence seaway now enjoys a right of way which is clearer and more inviting and more tangible and more encouraging than ever before. We could not have consented to the language in the House bill, nor to some of the New York interpretations that were put upon it. But six weeks of earnest intervening effort in the Senate Commerce Committee have produced an entirely different prospectus. It is a clear and distinct and unequivocal prospectus. It means what is says, and it will be administered in this spirit. Now, let the St. Lawrence negotiations proceed under new impulse and with renewed enthusiasm.

Mr. WALSH of Montana. Mr. President, the provision of this bill with respect to the New York State canals as it came from the House gave no little concern to those of us who have been interested in the establishment of a sea route from the Great Lakes to the ocean by the St. Lawrence River. It reads as follows:

> Great Lakes-Hudson River waterway: The Secretary of War is hereby authorized, empowered, and directed to accept from the State of New York the State-owned waterways known as the Erie Canal and the Oswego Canal and thereafter maintain and operate them as navigable waterways of the United States, at an estimated annual cost of $2,500,000: *Provided,* That such transfer shall be made without cost to the United States and shall include all land, easements, and completed or uncompleted structures and appurtenances of the said waterways.

It is well known to the public generally, and certainly to the Members of this body, that a rivalry has long existed between these two proposed routes from the Great Lakes to the sea—one by the natural course, following the flow of the waters draining into the Lakes; the other by a route across the State of New York, either from Lake Ontario by way of the canals across that State to the Hudson River, utilizing the Welland Canal, or by the so-called all-American route, utilizing the canals now in existence and constructing another canal upon the American side around Niagara Falls.

The controversy has gone on now for more than 10 years; and the people of the State of New York with quite general unanimity, although not entirely so, have pinned their faith upon the so-called all-American route, or upon the Lake Ontario-Hudson River route. The Oswego and Erie Canal is to be utilized in connection with either route.

These two routes, together with the Great Lakes-St. Lawrence route, were reported on by the international joint commission created by virtue of the treaty of 1909, which investigated the entire subject pursuant to concurrent resolutions of the Congress of the United States and the Parliament of the Dominion of Canada in the year 1920 and subsequent years. Throughout the inquiries conducted by the commission and in its report it was clearly developed that these two routes were rival routes, the State of New York appearing officially before that commission in the course of its hearings and arguing against the Great Lakes-St. Lawrence route and in favor of the route through their State.

A part of the plan was to transfer the state-owned canals to the General Government and enlarge them and deepen them so as to make of them ship canals of depth sufficient to accommodate seagoing vessels drawing at least 25 feet of water.

It seemed quite reasonable, then, when this bill came to the Senate containing the provision to which I have invited attention to suppose that it was a step in the plan and project to make that the route from the Great Lakes to the sea for seagoing vessels.

The matter was presented to the Committee on Commerce of the Senate, having this bill under consideration, and they have reported an amendment, which, as I understand, was arrived at after conference with Hon. S. WALLACE DEMPSEY, the chairman of the House Committee on Rivers and Harbors, generally regarded as the sponsor of the provision under consideration and long known as an advocate of the sea route across the State of New York.

That amendment seems to be framed in such a way as ought to still all apprehension those of us who favor the Great Lakes-St. Lawrence route may have entertained. It provides as follows:

> The Secretary of War is authorized and empowered to accept from the State of New York the state-owned canals, known as the Erie and Oswego Canals, and to operate and maintain them at their present depth, at an annual estimated cost of $2,500,000, as barge canals only, and not as, or with any intention to make them ship channels, or to hinder or delay the improvement of the St. Lawrence waterway as the seaway from the Great Lakes to the ocean: *Provided,* That such transfer shall be made without cost to the United States, and without liability for damage claims arising out of said canals prior to their acquisition by the United States, and shall include all land, easements, and completed or uncompleted structures and appurtenances of said waterways and their service: *And provided further,* That no project for the widening or deepening of these canals, or for the elevation of bridges in connection therewith, shall proceed without subsequent authorization of Congress.

Those of us, I say, who are and who have been in favor of the Great Lakes-St. Lawrence route, accepted the assurances thus given as settling the controversy, so far as the choice between these two routes is concerned, and it would seem that if, under these circumstances, the State of New York should transfer these canals to the General Government, it would bind itself, in morals, if not in law, hereafter to cease to advocate the enlargement of those canals in order to make them ship channels, and would bind itself for all time to advocate the retention of these canals as barge canals only.

Mr. NORRIS. Mr. President, of course, we could not bind any future Congress except morally.

Mr. WALSH of Montana. Certainly not.

Mr. NORRIS. Let me call the attention of my friend the Senator from Montana to the fact that when we provided by law for the development of Muscle Shoals, we solemnly provided that never should that property be leased to a private party or corporation, that it should always be retained by the Government. We made that provision before we put public funds into it. We provided that it should be operated by the Government. Yet hardly was the ink dry upon the law in which that was provided before propaganda nation-wide in its scope started, through the most deceitful kind of literature, which has been carried on ever since, and there is a matter now before Congress, in dispute between the two Houses, as to whether we shall violate that law morally, admitting, of course, that technically we have the right to do it. Can not the Senator conceive that that precedent and that history, now fresh in our minds, might apply to this particular provision, and that no sooner would we

have the law enacted than the agitation would commence at once, notwithstanding the law, to make a ship canal out of that barge canal?

Mr. WALSH of Montana. Of course, the Senator from Nebraska is entirely right. All these assurances may be disregarded. The honor of the State of New York being pledged in this direction may of course be forfeited, and it may take an opposite position in the future. But in this case it seems to me we should be no worse off than we are now. The choice now is between these two routes. It does not seem to me that the State of New York would be in any more favorable attitude should it in the future endeavor to advocate the route which it has advocated in the past, by reason of the fact that the Government of the United States now takes over these canals with these assurances accompanying them.

Mr. President, the admonition given by the Senator from Nebraska is particularly pertinent because of a feature of this matter to which I shall now invite attention. Notwithstanding the solemn assurances found in the Senate committee amendment, after this bill had been reported to the Senate, or at least after the amendment had been agreed upon by the Committee on Commerce, on the 3d day of June last an organization known as the Great Lakes-Hudson Waterway Association held at Albany, N. Y., its third annual convention. At that convention speeches and addresses were made by distinguished citizens of the State of New York, as well as by representatives of the great State of Illinois, in which the strongest kind of adherence was expressed to the original project of an all-American canal across the State of New York, and congratulations were extended to the people of the State of New York about the progress which had been made in that direction, and on the prospect of its speedy realization.

The report of the proceedings of that convention will be found in the Knickerbocker Press for June 5, 1930, a copy of which I have here, and I ask at this time that the article may be incorporated in the RECORD.

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

[From the Knickerbocker Press, June 5, 1930, Albany, N. Y.]

WATERWAY UNIT WANTS UNITED STATES ACT FOR SHIP CANAL

Resolutions asking for immediate action by Congress on the construction of a Lakes-to-sea ship canal by the Hudson and Mohawk Valleys were adopted yesterday at the third annual convention of the Great Lakes-Hudson Waterway Association.

The gathering brought together 300 men and women interested in waterway development, unusually large representation being from New York State communities along the waterway route, as well as from Atlantic seaboard States.

William D. Saltiel, city attorney of Chicago, declared that the St. Lawrence route to the sea is opposed by the Province of Quebec, and said that even if this opposition were overcome the St. Lawrence Canal would be "a constant source of international dispute."

THINKS BATTLE NEARLY WON

"I think your battle for a shipway through New York State is almost won," he said. "Only one Senator is opposed to it. But you must not be indifferent. You should continue to arouse public attention to the obvious necessity of a waterway entirely within the United States. Chicago is with you."

Strong indorsement was given to the plan for federalizing the Erie and Oswego Canals, which was hailed as a step toward the ship canal.

J. P. Magill, of the Maritime Exchange of New York, and Alfred E. Olcott, representing the New York State Chamber of Commerce, urged that full support be given to Representative S. WALLACE DEMPSEY, of Lockport, for his work in this project.

"I do not believe that Mr. DEMPSEY has any intention of 'selling out' New York State," Mr. Magill declared. "I believe that he is entitled to have our confidence, and that he knows that the project is going forward. Mr. DEMPSEY has made the Erie and Oswego Canals national for the first time. Our trouble has been that we built the canal and gave it to the Nation and then have forgotten about it."

FORD SEES ROUTE VITAL

"Recently Henry Ford and some other of our great industrialists are waking up and are seeing that this is a vital waterway route."

Assemblyman Louis A. Cuvillier sounded the only opposition voiced at the convention, in declaring that the New York State Legislature "will never consent to a transfer with such string as are involved in the rivers and harbors act."

He said that it would be better for New York State to build the ship canal herself than to make a bargain such as is now proposed. He called attention to the provision only for Federal maintenance of the canal in the present bill, with the restriction that its future development shall be only for barge traffic.

Mr. Olcott said that the State chamber of commerce is prepared to take an active part in promoting the ship canal and declared that great credit was due Mr. Dempsey. He also said that he believed the federalizing plan was a long step in advance, and felt confident that Mr. Dempsey's complete plans will see it built.

W. J. L. Banham, president of the New York Board of Trade, said that the Federal plan is in no way intended to impair the barge canal, but to lead to larger development.

BIG THING FOR BARGE CANAL

"People are saying of the ship canal through New York State what they said of the Panama Canal," he said. "But we have learned to see the value of the Panama Canal. The barge canal to-day can do greater and bigger things, and this ship-canal plan is only to help it on the way.

"Everybody knows which is the right route for the ship canal. It should be in the United States. It is when transportation is improved that tall buildings are built."

Col. Edward C. Carrington, president of the association, said that the fight to have the barge canal developed as a part of the national waterways is not limited to this State, but includes the seaboard and Great Lakes States.

He predicted that the ship canal would bring 23,000,000 tons of freight to the Hudson River, effecting savings nationally distributed.

"There is an impression that the United States engineers reported against the New York State route for a ship canal," he said. "They simply said it would cost $500,000,000. This is about half what New York City is spending on its subways. It is feasible to extend the Panama Canal to the Great Lakes, and that is just what this proposal means. It will do more to make this a self-contained Nation than anything else.

"We do not propose that the Great Lakes ports or the cities of Buffalo, Syracuse, and Rochester shall be denied an all-water bill of lading when it is obvious that they are entitled to it."

Peter G. Ten Eyck, chairman of the Albany Port District Commission, declared he was "in accord with the taking over of the Erie and Oswego Canals by the Federal Government," but said:

"We should not sell this canal, which the people of this State have built, too cheaply. We should know what is really proposed. Anyone who would oppose any enlargement of the Barge Canal would be a traitor."

"President Hoover is regarding with favorable interest the development of waterways on the Atlantic seaboard," J. Hampton Moore, of Philadelphia, said. Mr. Moore is president of the Atlantic Deeper Waterways Association and has long been interested in the port of Albany.

"People in the East have been apathetic," Mr. Moore said. "The Hudson River has long been neglected. But now let us hope that the awakening is at hand." He referred to the recent unbroken voyage of canal motorships from Detroit to the Hudson River at Troy as showing the new impetus on the waterway.

The convention met in the morning in the Ten Eyck ballroom, continuing with luncheon on the *Berkshire*, followed by a motor-bus trip to the port of Albany.

Among those present were George E. Edmonds, of the Detroit Chamber of Commerce; John A. Tait, Philadelphia Board of Trade; J. Monroe Holland, port commissioner of Baltimore; and L. P. Nickel, of the United States Department of Commerce.

Mr. WALSH of Montana. Mr. President, feeling that the occasion called for some explanation from the Representatives of the State of New York and others heretofore advocating the so-called all-American route, under date of June 11, 1930, I addressed a communication to Mr. DEMPSEY, as follows:

JUNE 11, 1930.

Hon. S. WALLACE DEMPSEY,
House of Representatives.

DEAR MR. DEMPSEY: My attention is called to an article appearing in the Knickerbocker Press, published at Albany, N. Y., of date June 5, reporting proceedings of the third annual convention of the Great Lakes-Hudson Waterway Association, held in that city on June 4, copy of which is herewith inclosed.

The remarks made by distinguished citizens of your State concerning the significance of the provision in the rivers and harbors bill, now before the Senate, dealing with the subject of the transfer of the New York State-owned canals, known as the Erie and Oswego Canals, are so at variance with assurances given by you to me when you were good enough to call on me in relation to that subject, and to assurances, as I am informed, given by you and others associated with you to the Senate committee as to give me no little concern, and I must confess apprehension.

As I understood you at least, you had entirely abandoned the idea of longer proposing to advocate a ship canal across the State of New York connecting the Great Lakes with the Hudson River, and that you desired simply that the Federal Government should take over the canals

referred to and maintain and operate them as barge canals as distinguished from ship canals. I was given to understand that the language found in the report of the Senate committee to the effect that, the canals being taken over by the Federal Government, it was "to operate and maintain them at their present depth at an annual estimated cost of $2,500,000, as barge canals only, and not as or with any intention to make them ship channels, or to hinder or delay the St. Lawrence waterway as the seaway from the Great Lakes to the ocean" had your entire approval and acquiescence and was inserted to still apprehensions that the acquirement of the same by the national authority was merely a step in the plan to transform them into a ship canal as a substitute for the improved outlet by way of the St. Lawrence from the Great Lakes to the sea; in other words, I was led to believe that the offer of the State of New York was made in perfect good faith and for the purposes, and only for the purposes, indicated in the provision of the bill on that subject reported by the Senate committee.

A careful perusal of the press report of the Albany meeting mentioned forces one to the conclusion that if you have not changed your attitude with respect to the Senate provision it is not shared by eminent citizens of your State who, apparently, believe that you still sympathize with their purpose eventually to transform the canals into ship channels. I quote from the article as follows:

"William D. Saltiel, city attorney of Chicago, declared that the St. Lawrence route to the sea is opposed by the Province of Quebec, and said that even if this opposition were overcome, the St. Lawrence canal would be 'a constant source of international dispute.' 'I think your battle for a shipway through New York State is almost won,' he said. 'Only one Senator is opposed to it. But you must not be indifferent. You should continue to arouse public attention to the obvious necessity of a waterway entirely within the United States. Chicago is with you.'"

I pause to observe that if Mr. Saltiel's information is as here stated, that only one Senator is opposed to the ship canal across the State of New York, it is far from being accurate.

Mr. COPELAND. Mr. President, where is that gentleman from?

Mr. WALSH of Montana. According to this article he is the city attorney of the city of Chicago.

Mr. COPELAND. I thought he was from outside of the State of New York.

Mr. WALSH of Montana. My letter to Mr. DEMPSEY continues:

The above is of particular significance in view of the fact that the charge has been freely made, as you may know, that a Representative from the State of Illinois, interested in the federalization of the canal connecting Lake Michigan with the Illinois River, and you, representing the New York canals, jointly prevailed upon the Chief of Engineers to approve the taking over by the Federal Government of both the canal systems referred to. The article in question continues:

"Strong indorsement was given to the plan for federalizing the Erie and Oswego Canals, which was hailed as a step toward the ship canal."

The article reports remarks of Alfred E. Olcott, of the New York State Chamber of Commerce, as follows:

"The State chamber of commerce is prepared to take an active part in promoting the ship canal, and declared that great credit was due Mr. DEMPSEY. He also said that he believed the federalizing plan was a long step in advance, and felt confident that Mr. DEMPSEY's complete plans will see it built";

and those of Mr. W. J. L. Banham, president of the New York Board of Trade, thus:

"the Federal plan is in no way intended to impair the barge canal, but to lead to larger development. 'People are saying of the ship canal through New York State what they said of the Panama Canal,' he said. 'But we have learned to see the value of the Panama Canal. The barge canal to-day can do greater and bigger things, and this ship-canal plan is only to help it on the way. Everybody knows which is the right route for the ship canal. It should be in the United States.'"

Other expressions clearly indicated the set purpose eventually to transform the canals now offered by the State of New York into ship channels.

Will you have the kindness to advise me at your early convenience whether the occurrences related signify that there has been no abandonment whatever of the project of the so-called all-American ship canal across the State of New York or of utilizing the Oswego and Erie Canals as the basis of whatever ship canal may be authorized by the Federal Government, connecting the Great Lakes and the sea, or whether the Senate may, with entire safety, rely upon the assurances in the provision found in the river and harbor bill for the acceptance by the Federal Government of the New York State canals, that the same are to be operated and maintained simply as barge canals, and that the transfer of them to the Federal Government is not with a view to hinder or delay the improvement of the St. Lawrence waterway as the seaway from the Great Lakes to the ocean.

It would be comforting to have your own assurance, if you are unable to speak for others, that it is not your purpose, either now or in the future, to advocate the construction of a ship canal across the State of New York instead of affording a water outlet for ocean-going ships from the Great Lakes to the sea by the St. Lawrence route.

Very respectfully yours,

T. J. WALSH.

Mr. DEMPSEY very promptly replied, and replied in a perfectly frank and candid manner, that whatever views he may have entertained concerning the matter in the past, he entertains now no idea of the construction of a ship canal across the State of New York; that the proposition of taking the canals over and operating them as barge canals, and as barge canals only, was made in perfect good faith, and so far as he is concerned it is his purpose to maintain that good faith. I am disposed to take those assurances from Mr. DEMPSEY as those from the gentleman that I know him to be.

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

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from New York?

Mr. WALSH of Montana. I yield.

Mr. COPELAND. The Senator has referred to the congratulations expressed by Colonel Carrington. Would the Senator be willing to have a very brief article read by the clerk? It is a full answer to the joking, perhaps sarcastic, remarks made by my friend Colonel Carrington. I am sure it fits into the argument and shows how a great editor of a great newspaper feels about the "congratulations" which were expressed.

The VICE PRESIDENT. Does the Senator from Montana yield for that purpose?

Mr. WALSH of Montana. I yield.

The VICE PRESIDENT. The clerk will read as requested.

The legislative clerk read as follows:

[From the Buffalo Courier, Saturday, June 7, 1930]

CARRINGTON'S LITTLE JOKE

Colonel Carrington, we take it, is somewhat of a joker. Only on that ground can we explain this paragraph from his reported speech to those who attended his personally conducted convention at Albany this week:

"Our Representatives in Congress, including Representative J. WALLACE DEMPSEY and Senators ROYAL S. COPELAND and ROBERT F. WAGNER, are to be congratulated, at least in having the Federal Government undertake to enlarge our present barge canal and have it operated, as it should be, by the Federal Government."

The point of the joke is, of course, that when the United States Senate agreed to federalization of the Erie-Oswego Canals, it specifically and positively did so with the provision that the Federal Government should not undertake their enlargement or development.

With that thoroughly understood, the colonel may proceed with the engrossing of his congratulations.

Mr. WALSH of Montana. The letter of Mr. DEMPSEY is as follows:

COMMITTEE ON RIVERS AND HARBORS,
HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., June 12, 1930.

Hon. THOMAS J. WALSH,
United States Senate.

DEAR SENATOR WALSH: I have read with much care your favor of yesterday advising me that certain statements were made at the recent convention of the Great Lakes-Hudson Waterways Association.

It is impossible, in a State with 12,000,000 people, not to have some differences of opinion. In fact, I myself long entertained the belief that there should be a deep waterway across New York. I was led to change my opinion through the advice of the practical shippers who feel that we need and want to use practical barge canals connecting the Great Lakes and the Hudson.

The uses of the two proposed waterways are quite different, but both will be exceedingly valuable. The New York barge canals will furnish the most economical transportation between these two great waterway systems for our very large domestic commerce, carrying oil, lumber, sugar, rubber, and sulphur from the Texas and Pacific coasts for distribution among the 60,000,000 people whom the Government engineers estimate will be served by them; and will also distribute the three-fourths of our grain consumed in this country, and largely in New York and New England, where only 5 per cent of our foodstuffs are raised, as well as automobiles from Michigan and Ohio for New York, New England, and the South Atlantic States.

The usefulness of these barge canals to the Mid West has been recognized by the Mississippi Valley Association, embracing 25 States, the Missouri River Association, covering 9 States, the Great Lakes Carriers' Association, the annual conference of the merchant marine of the country, which indorsed the Federal acquisition of the canals at its third annual conference last month by a unanimous resolution, and, I

am advised, also by several of the directors of the Great Lakes-St. Lawrence Tidewater Association.

I am convinced, however, that the carriers and the large shippers of the country feel very deeply—

That the Federal acquisition of the Erie and Oswego Canals is of vital importance to the country as a whole;

That federalization will mean the giving of these canals such a depth in the channels and through the locks as will make them usable by barges carrying from 2,500 to 3,500 tons, in view of the fact that barges are being constructed for navigation of the St. Lawrence canals, with their present depth of 14 feet, which will carry 113,000 bushels of grain, or 3,490 tons; that such an improvement of the canals, giving them 20-foot clearance, also, to the bridges, will involve a very small expense, considering the large volume of traffic they will carry, and the low rate at which it will be transported; that this work can be done within a very brief time, and that during the improvement period the traffic on the canals will not be stopped or even interfered with; and

They believe that this is the practical, sensible view of the situation, that these canals will be more useful as barge canals than for deeper waterways, and they are, therefore, earnestly for the federalization of these canals and for their improvement and use as modern, efficient barge canals, and not for deeper waterways.

I fully share this feeling.

In brief, I accept the Senate provision with regard to these canals in entire good faith.

Cordially yours,

S. WALLACE DEMPSEY.

Accordingly I am not disposed to oppose the Senate provision with respect to the matter upon the ground that it would be inimical to the eventual successful carrying out of the Great Lakes-St. Lawrence waterway, a project which promises and holds out the hope to the people of the Northwest of blessings that are incalculable.

However, Mr. President, it will be recalled that in earlier discussions of the matter on the floor my esteemed friend the senior Senator from New York [Mr. COPELAND] has indicated his adherence to the project of a ship canal across the State of New York, the so-called all-American route. I wonder if he would be prepared at this time to give us his assurance of his purpose to maintain these canals as barge canals only?

Mr. COPELAND. Mr. President, I assume the words contained in the amendment on page 6 mean exactly what they say; at least they say what I have in mind. Of course, the Senator from Montana does not expect me to say that I am in favor of the St. Lawrence Canal, but so far as this project is concerned it is written in good faith and I so accept it.

Mr. WALSH of Montana. The remarks of the Senator have not by any means given any comfort to me at all. Of course, I understand perfectly well that the Senator has heretofore been opposed to the Great Lakes-St. Lawrence canal and that he is now opposed to it. I understand that perfectly well; but that is not really the question. The question is whether the Senator is prepared to abandon his advocacy of the New York route for the canal?

Mr. COPELAND. If the Senator will read and reread every speech I have made on the subject he will find that I have said and reiterated that if a canal must be built from the Great Lakes to the Atlantic I would prefer to have it go through the State of New York. I do not favor any canal from the Great Lakes to the Atlantic at the present time. So far as I am concerned, I am accepting this proposal exactly at face value as a barge canal. I have no other thought in mind.

Mr. WALSH of Montana. Of course, that does not mean anything, and I may just as well frankly say so to the Senator from New York. It gives us no assurance whatever. Of course, these are accepted as barge canals. The question is, Do the people of the State of New York, so far as the Senator from New York can speak for them, propose to continue to advocate a ship channel through the State of New York as an opposing proposition to the Great Lakes-St. Lawrence canal?

Mr. COPELAND. I can not speak for Colonel Carrington.

Mr. WALSH of Montana. No; but the Senator can speak for himself.

Mr. COPELAND. I can speak for myself. I do not know how the people of the State of New York feel about it, but they are going to be told exactly what this means. This is a proposal to give the barge canals to the Federal Government to be used as barge canals. Then the people at the polls on two occasions will determine whether or not they wish to give the barge canals to the Federal Government on that basis.

Mr. WALSH of Montana. The Senator has excited again the apprehensions which led me to address my letter to Mr. DEMPSEY. There are no assurances whatever in that statement from the Senator.

Mr. COPELAND. What would the Senator have me say?

Mr. WALSH of Montana. I would have the Senator say what Mr. DEMPSEY said. He said in his letter that at one time he was an advocate of the construction of a ship canal across the State of New York. He has reconsidered that and reached the conclusion that that is not a wise thing and he believes that these canals ought to be maintained as barge canals, and as barge canals only.

Mr. COPELAND. His conclusion is exactly what I believe.

Mr. WALSH of Montana. The Senator did not say so.

Mr. COPELAND. I say so now. That is exactly what I believe.

Mr. WALSH of Montana. At any time whenever a proposition to create a ship route from the Great Lakes to the sea is before the Senate the Senator will be in no embarrassment whatever from anything he has said to-day to argue in favor of a ship canal across the State of New York rather than by the St. Lawrence River.

Mr. COPELAND. I will not be embarrassed, but I want to say frankly to the Senator from Montana that I am opposed to a ship canal via the St. Lawrence River to the ocean. The Senator knows that, and I shall not propose any plan for a canal across the State of New York.

Mr. WALSH of Montana. The Senator may not be obliged to propose it. Some one else may propose it.

Mr. COPELAND. The Senator must at least take me at what I say.

Mr. WALSH of Montana. I am taking the Senator at what he says.

Mr. COPELAND. I am perfectly set in my opinion that to build an all-British canal would be an absurd thing. I do not believe in it. I do not want anybody here to vote for this project in the belief that I think it is a good thing to build a St. Lawrence canal, because I do not.

Mr. WALSH of Montana. I desire to say just a word in respect to the "all-British canal."

Mr. President, under treaty with the Dominion of Canada and with Great Britain when we dealt indirectly with Canada through Great Britain, and without treaties with Canada, we have jointly improved those natural waterways and natural outlets from the Great Lakes to the sea so that now ships drawing 14 feet of water may ascend the St. Lawrence to the Lakes and descend from the Lakes to the sea by the St. Lawrence.

As to its being an all-British route, the Senator from New York is sufficiently familiar with the geography of our country to know that Lake Superior is water common to both of the countries; that the Sault Ste. Marie is water common to both countries; that Lake Huron is water common to both countries; that the St. Clair River is water common to both countries; that Lake St. Clair is water common to both countries; that the Detroit River is water common to both countries; that Lake Erie is water common to both countries. The Welland Canal, it is true, is upon Canadian territory exclusively, with a treaty right upon the part of the Government of the United States to navigate that water. There then comes Lake Ontario, which is water common to both countries. Then comes a very considerable stretch of the St. Lawrence River, which is water common to both countries. Then we reach the lower reaches of the St. Lawrence River, which are, of course, entirely within Canada.

The term "an all-British canal" or "all-British water route" thus used inconsiderately by the Senator from New York is quite as appropriate as the term "all-American route," which he has heretofore used in describing the plan of a ship canal across the State of New York. There is no such thing as an "all-American" or "all-British" route from the Great Lakes to sea by either the one or the other route.

I wish that the Senator from New York had been quite as frank as Mr. DEMPSEY, of the House.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 10, after line 16, to insert:

Claiborne Channel, Md.: The existing project is hereby modified so as to provide for a channel 14 feet deep from the vicinity of the harbor wharves to deep water in Eastern Bay with widths of 100 feet for a distance of 1,800 feet to the bend opposite the existing Black Beacon, thence widening in a distance of 260 feet to 150 feet to 14 feet depth in Eastern Bay, with necessary widening at the bends at an estimated cost of $12,125, with $3,000 per year for maintenance.

The amendment was agreed to.

The next amendment was, on page 12, line 13, after the figures "$500,000," to strike out the comma and "conditioned upon contributions from local or other interests in the amount of $100,000," so as to make the paragraph read:

Inland waterway from Norfolk, Va., to Beaufort Inlet, N. C., in accordance with report submitted in Senate Document No. 23, Seventy-first Congress, first session, for a tidal guard lock in the Albemarle and Chesapeake Canal at or near Great Bridge, Va., at a limit of cost, however, of not to exceed $500,000.

The amendment was agreed to.

The next amendment was, on page 12, line 21, after the word "improvement," to strike out the colon and the following additional proviso:

Provided further, That the channel from the mouth to Hopewell shall be improved to a width of 250 feet, and the channel from Hopewell to Richmond shall be improved to a width of 150 feet. The amount hereby authorized to be expended upon the said project shall not exceed the sum of $3,555,000.

So as to make the paragraph read:

James River, Va., in accordance with the report submitted in House Document No. 314, Seventy-first Congress, second session, and subject to the conditions set forth in said document: *Provided*, That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement.

The amendment was agreed to.

The next amendment was, on page 13, after line 13, to insert:

Cape Fear River at and below Wilmington, N. C., and between Wilmington and Navassa, N. C., in accordance with the report of the Chief of Engineers submitted in House Rivers and Harbors Committee Document No. 39, Seventy-first Congress, second session.

The amendment was agreed to.

The next amendment was, on page 15, after line 10, to strike out:

Far Creek, N. C., in accordance with the report submitted in House Document No. 112, Seventy-first Congress, first session, and subject to the conditions set forth in said document.

And in lieu thereof to insert:

Far Creek, N. C., in accordance with the report submitted in House Document No. 112, Seventy-first Congress, first session, but subject only to the condition that local interests shall furnish all necessary rights of way and areas for the disposal of dredged material.

The amendment was agreed to.

The next amendment was, on page 17, line 16, after the word "modify," to insert "in accordance with the report submitted in Senate Document No. 132, Seventy-first Congress, second session," and in line 21, after the words "sum of," to strike out "$394,000" and insert "$1,210,000," so as to make the paragraph read:

Brunswick Harbor, Ga.: The existing project is hereby modified in accordance with the report submitted in Senate Document No. 132, Seventy-first Congress, second session, so as to provide for a channel 30 feet deep and 500 feet wide over the bar, and a channel 27 feet deep and 400 feet wide at Brunswick Point. The sum of $1,210,000 is hereby authorized to be appropriated for the prosecution of the work herein adopted.

The amendment was agreed to.

The next amendment was, on page 18, after line 14, to insert:

Intracoastal waterway from Jacksonville, Fla., to Miami, Fla.: The existing project is hereby modified in accordance with the report submitted in Senate Document No. 71, Seventy-first Congress, second session, and subject to the conditions set forth in said document.

The amendment was agreed to.

The next amendment was, on page 18, after line 19, to strike out:

Miami Harbor, Fla.: Enlarging the turning basin in accordance with the plans submitted in Rivers and Harbors Committee Document No. 15, Seventy-first Congress, second session. The amount authorized to be expended on the project hereby adopted shall not exceed the sum of $200,000.

And in lieu thereof to insert:

Miami Harbor, Fla.: The existing project is hereby modified in accordance with the report submitted in House Rivers and Harbors Committee Document No. 15, Seventy-first Congress, second session. The sum of $200,000 is hereby authorized to be expended for the prosecution of the works herein adopted.

The amendment was agreed to.

The next amendment was, on page 20, line 6, after the word "contribute," to strike out "$4,546,000" and insert "$2,000,000," so as to make the paragraph read:

Caloosahatchee River and Lake Okeechobee drainage areas, Florida, in accordance with the report submitted in Senate Document No. 115, Seventy-first Congress, second session, and subject to the conditions set forth in said document, except that the levees proposed along Lake Okeechobee shall be constructed to an elevation of 31 feet instead of 34 feet above sea level and shall be so built as to be capable of being raised an additional 3 feet, and that the United States shall perform the work of constructing all levees: *Provided*, That the State of Florida or other local interests shall contribute $2,000,000 toward the cost of the above improvements, in lieu of the contributions called for in the aforesaid document: *And provided further*, That no expense shall be incurred by the United States for the acquirement of any lands necessary for the purpose of this improvement.

The amendment was agreed to.

The next amendment was, on page 20, line 16, after the word "authorized," to strike out the colon and the following proviso: "*Provided*, That the expenditure for the work hereby authorized shall not exceed the sum of $239,200," so as to make the paragraph read:

Tampa Harbor, Fla.: The improvement of the Egmont Bar Channel and the Sparkman Bay Channel recommended in the report submitted in House Document No. 100, Seventieth Congress, first session, is hereby authorized.

The amendment was agreed to.

The next amendment was, on page 21, line 14, after the word "improvement," to strike out "The sum of $100,000 is hereby authorized to be appropriated for the prosecution of this project," so as to make the paragraph read:

Intracoastal waterway from Pensacola Bay, Fla., to Mobile Bay, Ala., in accordance with the report submitted in House Document No. 42, Seventy-first Congress, first session, and subject to the conditions set forth in said document: *Provided*, That no expense shall be incurred for any lands required for the purpose of this improvement.

The amendment was agreed to.

The next amendment was, at the top of page 23, to insert:

Cedar Bayou Channel, Tex., in accordance with Senate Document No. 107, Seventy-first Congress, second session.

The amendment was agreed to.

The next amendment was, on page 25, after line 23, to strike out:

Mississippi River, between mouth of Missouri River and Minneapolis, Minn.: The report submitted by the Chief of Engineers in House Document No. 290, Seventy-first Congress, second session, is hereby adopted. The following work, to be prosecuted in accordance with the plan for a comprehensive project to procure a channel of 9-foot depth, is hereby adopted: Additional lock at Twin City Dam, additional lock at Keokuk, dredging in Twin City Pool, and dredging at head of pool No. 2. For the prosecution of the work hereby adopted there is authorized to be appropriated the sum of $3,058,000.

And in lieu thereof to insert:

Mississippi River between Illinois and Minneapolis: The existing project is hereby modified so as to provide a channel depth of 9 feet at low water with widths suitable for long-haul common-carrier service, to be prosecuted in accordance with the plan for a comprehensive project to procure a channel of 9-foot depth, submitted in House Document No. 290, Seventy-first Congress, second session; and the sum of $7,500,000, in addition to the amounts authorized under existing projects, is hereby authorized to be appropriated for the prosecution of initial works under the modified project: *Provided*, That all locks below the Twin City Dam shall be of not less than the Ohio River standard dimensions.

Mr. SHIPSTEAD. I send to the desk an amendment to the amendment and ask for its adoption. It is in the nature of a correction.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The CHIEF CLERK. In the amendment on page 26, line 10, it is proposed to strike out the word "Illinois" and insert in lieu thereof the words "the mouth of the Illinois River."

Mr. JOHNSON. Mr. President, that is a formal correction which I deem appropriate.

The VICE PRESIDENT. Without objection, the amendment to the amendment is agreed to, and without objection the amendment as amended is agreed to.

Mr. VANDENBERG. May I ask the Senator from Minnesota if the amendment just adopted respecting the Mississippi River

project is purely a change in phraseology and does not import additional projects into the paragraph?

Mr. SHIPSTEAD. Not at all.

Mr. VANDENBERG. I thank the Senator.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 26, line 23, after the name "Sioux City, Iowa," to strike out "the Secretary of War is hereby authorized to expend in the prosecution of the existing project, and within a period of three years after the date of the passage of this act, an amount not exceeding $15,000,000," and insert "There is hereby authorized to be appropriated in the prosecution of the existing project the sum of $15,000,000, in addition to the unexpended balance of funds previously authorized, and it is intended that said sum be expended within a period of three years: *Provided, however*, That if said sum is not expended within said period said authorization shall not lapse," so as to make the paragraph read:

Missouri River between Kansas City, Mo., and Sioux City, Iowa: There is hereby authorized to be appropriated in the prosecution of the existing project the sum of $15,000,000, in addition to the unexpended balance of funds previously authorized, and it is intended that said sum be expended within a period of three years: *Provided, however*, That if said sum is not expended within said period said authorization shall not lapse.

The amendment was agreed to.

The next amendment was, on page 27, line 15, after the word "authorized," to strike out "for the first 83 miles upstream from Paducah, together with detailed surveys and investigations for low dams for navigation only covering that portion of the Tennessee River below the Hales Bar Dam: *Provided*, That the total expenditures under this authorization shall not exceed $3,500,000," and insert a colon and the following proviso: "*Provided*, That an expenditure of $5,000,000 shall be authorized to be appropriated for the prosecution of work under this project," so as to make the paragraph read:

The project for the permanent improvement of the main stream of the Tennessee River for a navigable depth of 9 feet in accordance with the recommendations of the Chief of Engineers in House Document No. 328 of the Seventy-first Congress, second session, is hereby authorized: *Provided*, That an expenditure of $5,000,000 shall be authorized to be appropriated for the prosecution of work under this project: *Provided further*, That the Chief of Engineers is hereby directed to ascertain and report to Congress on the first day of the first regular session of the Seventy-second Congress, advising the prospective cooperation offered by responsible interest, under the Federal water power act, in the program of construction recommended by the Chief of Engineers, providing for the 9-foot project by means of high dams.

The amendment was agreed to.

The next amendment was, on page 30, line 25, after the word "said," to strike out "document: *Provided*, That the channel in the Calumet River branch of the Indiana Ship Canal may be extended for a distance of 550 feet south of the north line of One hundred and forty-first Street" and insert "document, except that the Calumet River branch of the Indiana Harbor Ship Canal shall be dredged to a depth of 22 feet, and a bottom width of 160 feet, for a distance of 550 feet, immediately south of the south end of the turning basin at the Forks, the original work having been practically completed. The conditions required under the act of June 25, 1910, are hereby waived," so as to make the paragraph read:

Indiana Harbor, Ind., in accordance with the report submitted in Rivers and Harbors Committee Document No. 21, Seventy-first Congress, second session, and subject to the condition set forth in said document, except that the Calumet River branch of the Indiana Harbor Ship Canal shall be dredged to a depth of 22 feet, and a bottom width of 160 feet, for a distance of 550 feet, immediately south of the south end of the turning basin at the Forks, the original work having been practically completed. The conditions required under the act of June 25, 1910, are hereby waived.

The amendment was agreed to.

The next amendment was, on page 31, line 16, after the word "document," to strike out the comma and the words "except that the State of Illinois's plans of improvement are not adopted as to the volume or so as to require the volume of water contemplated in said plans, but the said project shall be so constructed as to require the smallest flow of water with which said project can be practically accomplished in the development of a commercially useful waterway: *Provided*, That nothing in this act shall be construed as authorizing any diversion of water from Lake Michigan, but the whole question of diversion from Lake Michigan shall remain and be unaffected hereby, as if this act had not passed," and to insert a colon and the words "*Provided*, That the diversion of water from Lake Michigan shall be so controlled by the Secretary of War, under the supervision of the Chief of Engineers, as to meet the needs of a commercially useful waterway, as defined in said Senate document, from Lake Michigan to the Mississippi River and to conserve fully existing interests of navigation on the Great Lakes: *Provided*, That nothing in this act shall prejudice any action at law or in equity respecting the diversion of water from the Great Lakes watershed: *Provided further*," so as to make the paragraph read:

Illinois River, Ill., in accordance with the report of Maj. Gen. Lytle Brown, Chief of Engineers, submitted in Senate Document No. 126, Seventy-first Congress, second session, and subject to the conditions set forth in his report in said document: *Provided*, That the diversion of water from Lake Michigan shall be so controlled by the Secretary of War, under the supervision of the Chief of Engineers, as to meet the needs of a commercially useful waterway, as defined in said Senate document, from Lake Michigan to the Mississippi River and to conserve fully existing interests of navigation on the Great Lakes: *Provided*, That nothing in this act shall prejudice any action at law or in equity respecting the diversion of water from the Great Lakes watershed: *Provided further*, That there is hereby authorized to be appropriated for this project a sum not to exceed $7,500,000.

Mr. JOHNSON. Inasmuch as this is a controverted item, which will be discussed somewhat at length, I ask for the time being that it may be passed over.

Mr. BLAINE. Mr. President, before passing over the item I desire to offer the amendment which I proposed on last Friday. I wish to say in this connection that the amendment which I proposed on that day is the result of conferences between representatives of the Lake States in both Houses of Congress and is in accordance with the opinion and judgment of the attorneys who have been representing and are now representing the Lake States in the litigation that has been before the courts, including the Supreme Court of the United States, for a great number of years. The amendment which I proposed on last Friday has been worked out by the parties to whom I have referred. I now offer the amendment.

The VICE PRESIDENT. Does the Senator desire to have it read or to have it considered as pending, to be considered when the committee amendment shall be taken up?

Mr. JOHNSON. Mr. President, my desire in making the suggestion I did was to have the entire matter go over until tomorrow, when the amendment which the Senator presented on Friday last may be considered in conjunction with the amendment reported by the committee. I do not wish to interfere, however, with such mode of procedure as the Senator from Wisconsin may desire to follow, although I advised the Senators from Illinois that I thought the amendment would not come up to-day.

Mr. BLAINE. My own view was to offer the amendment at this time and then pass over the entire proposal, as the Senator from California suggests, to be taken up later.

Mr. JOHNSON. Let the amendment be considered as pending to-morrow.

The VICE PRESIDENT. The amendment will be considered as pending, and the committee amendment will be passed over together with the amendment offered by the Senator from Wisconsin.

Mr. COPELAND. May I ask the Senator from Wisconsin if he has modified his amendment from the printed form?

Mr. BLAINE. No modifications have been made from the form as proposed and printed.

The VICE PRESIDENT. The clerk will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 36, line 1, after the word "document" to strike out the colon and the following provisos:

Provided, That the entrance channel shall be dredged to a width of 600 feet, and the dredging along the south bank of the main channel between Beacon 4 and Beacon 10 is hereby eliminated from the project herein adopted: *Provided further*, That the condition requiring a local contribution of $10,000 shall apply only to the National City Chula Vista Channel.

So as to make the paragraph read:

San Diego Harbor, Calif., in accordance with the report submitted in Senate Document No. 81, Seventy-first Congress, second session, and subject to the conditions set forth in said document.

The amendment was agreed to.

The next amendment was, on page 38, after line 18, to insert:

Willamette River between Oregon City and Portland, Oreg., in accordance with the report submitted in House Document No. 372, Seventy-first Congress, second session, and subject to the conditions set forth in said document.

The amendment was agreed to.

The next amendment was, on page 39, line 6, after the words "width of," to strike out "four" and insert "five," so as to make the paragraph read:

Columbia and Lower Willamette Rivers below Portland, Oreg., and the sea, in accordance with the report submitted in House Document No. 195, Seventieth Congress, first session, as modified by the recommendation submitted in Rivers and Harbors Committee Document No. 8, Seventy-first Congress, first session, and subject to the conditions set forth in the said committee document: *Provided*, That the channel herein authorized shall be dredged to a width of 500 feet.

The amendment was agreed to.

The next amendment was, on page 40, after line 17, to insert:

Everett Harbor, Wash., in accordance with the report submitted in House Document No. 377, Seventy-first Congress, second session.

The amendment was agreed to.

The next amendment was, on page 40, after line 20, to insert:

Lake River, Wash., in accordance with House Document No. 2, Sixty-ninth Congress, first session, as modified by the report of the War Department dated May 10, 1930, pursuant to the Commerce Committee resolution of February 22, 1930.

The amendment was agreed to.

The next amendment was, on page 41, after line 6, to insert:

Harbor of Refuge, Seward, Alaska, in accordance with the report submitted in House Document No. 109, Seventieth Congress, first session.

The amendment was agreed to.

The next amendment was, on page 49, after line 3, to strike out:

Inland waterway from Beaufort to Jacksonville, N. C., leading from Craigs Point and via Salliers Bay, Howard Bay, and New River.

And in lieu thereof insert:

Inland waterway from Beaufort to Jacksonville, N. C., leading from Craigs Point and by way of Salliers Bay, Howard Bay, and New River, and a further survey of New River with a view to providing suitable depth for navigation from Jacksonville, N. C., by way of Ware Landing to Doctors Bridge to a point near Richlands, N. C.

The amendment was agreed to.

The next amendment was, on page 49, after line 13, to strike out:

Channel from Pamlico Sound near the mouth of Neuse River, to Beaufort, N. C., via Swan Point, Cedar Inland Bay, Thoroughfare Cut, Thoroughfare Bay, Core Sound touching at Atlantic Wharves, and through the straits and Taylors Creek Cut with a view to securing a depth of 7 feet with suitable width.

And in lieu thereof insert:

Channel from Pamlico Sound near the mouth of Neuse River to Beaufort, N. C., by way of Swan Point, Cedar Island Bay, Thoroughfare Cut, Thoroughfare Bay, Cora Sound, touching at Atlantic Wharves, and to run through Mill Point Shoal by Sealevel, across to Piney Point, and touching the wharves of the various communities through the straits and Taylors Creek Cut with a view of securing a depth of 7 feet with suitable width.

The amendment was agreed to.

The next amendment was, on page 50, after line 16, to insert:

Trent River, from Trenton to Tuckahoe Bridge, N. C.

The amendment was agreed to.

The next amendment was, on page 50, after line 18, to insert:

Resurvey of Contentnea Creek, a tributary of the Neuse River, N. C.

The amendment was agreed to.

The next amendment was, on page 50, after line 20, to insert:

Limestone Creek, Duplin County, N. C.

The amendment was agreed to.

The next amendment was, on page 51, after line 22, to insert:

Preliminary survey and examination of Shem Creek, from Hog Island Channel, S. C.

The amendment was agreed to.

The next amendment was, on page 52, after line 24, to insert:

Flint River, Ga., to Montezuma, Ga.

The amendment was agreed to.

The next amendment was, on page 54, after line 8, to insert:

From the mouth of the St. Marys River on the Atlantic Ocean.

The amendment was agreed to.

The next amendment was, on page 54, after line 21, to insert:

Alafia River, Fla., to connect Government channel in Hillsboro Bay with said river.

The amendment was agreed to.

The next amendment was, on page 55, after line 17, to insert:

Channel from Pensacola Bay, Fla., into Bayou Chico.

The amendment was agreed to.

The next amendment was, on page 55, after line 22, to insert:

Waterway from Choctawhatchee Bay to West Bay, Fla.

The amendment was agreed to.

The next amendment was, on page 56, after line 5, to insert:

Upper St. Johns River, Fla., from Lake Harney to Lake Washington, with a view to securing a navigable channel of suitable depth and width together with its incidental effect on flood control.

The amendment was agreed to.

The next amendment was, at the top of page 57, to insert:

Kissimmee River, Fla., from Kissimmee to Fort Bassenger; and from Fort Bassenger to Lake Okeechobee, with a view to its improvement for the purposes of navigation together with its effect on flood control.

The amendment was agreed to.

The next amendment was, on page 57, after line 4, to insert:

Channel 30 feet deep at mean low water and 500 feet wide extending north or northeastwardly from present channel in Pensacola Harbor to a point on the established Government pierhead line opposite the piers of the St. Louis-San Francisco Railway Co.

The amendment was agreed to.

The next amendment was, on page 57, after line 18, to insert:

Sunflower River, Miss.

The amendment was agreed to.

The next amendment was, on page 57, after line 19, to insert:

Quiner River, Miss.

The amendment was agreed to.

The next amendment was, on page 57, after line 20, to insert:

Steeles Bayou, Miss.

The amendment was agreed to.

The next amendment was, on page 57, after line 21, to insert:

Deer Creek, Miss.

The amendment was agreed to.

The next amendment was, on page 57, line 24, after the name "Back Bay," to insert "of Biloxi," so as to read:

Back Bay of Biloxi, Miss.

The amendment was agreed to.

The next amendment was, on page 58, line 3, after the name "Alabama," to strike out the comma and "with a view to removing obstructions," so as to read:

Mobile River, Ala.

The amendment was agreed to.

The next amendment was, on page 58, after line 5, to insert:

Chickasaw Creek, Mobile County, Ala.

The amendment was agreed to.

The next amendment was, on page 58, at the beginning of line 7, to insert "Bayou La Batre," so as to read:

Bayou La Batre, Bayou Plaquemine Brule, La.

The amendment was agreed to.

The next amendment was, on page 58, after line 21, to strike out:

Lake Charles Deep Water Channel, La., with a view to maintaining said channel to its enlarged dimensions.

And in lieu thereof to insert:

Lake Charles Deep Water Channel, La., with a view to reporting the amount of funds heretofore furnished by local interests for such water way and as to the advisability of the United States Government reimbursing the local interests for all or any part of the funds so contributed.

Mr. VANDENBERG. Mr. President, we have been running over a number of amendments against which I voted in committee because of my own very profound belief that they establish dangerous precedents. I intend to address myself to that

subject upon the final passage of the bill; but I want particularly to call attention to the extreme danger in the very simple and innocent amendment now pending and the amendment on page 59, seeking a survey and a report upon the amount of funds heretofore furnished by local interests, and a survey looking to the advisability of the reimbursement of these local contributions.

Mr. President, we have proceeded for years on the theory of local contributions in the building of our rivers and harbors bills. If we are ever going to undertake to turn back and in any degree establish the principle of general reimbursement, there will not be any money left for any new projects whatever in the very near future. I think it is an exceedingly dangerous precedent. It was flatly rejected by the House of Representatives Rivers and Harbors Committee, and I think it is in direct contravention of sound practice.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 59, after line 22, to insert:

Sabine-Neches Waterway, Texas, with a view to reporting the amount of funds heretofore furnished by local interests for such waterway and as to the advisability of the United States Government reimbursing the local interests for all or any part of the funds to be contributed.

Mr. SHEPPARD. Mr. President, there is a typographical error in line 3, page 60. The words "to be" should be stricken out, and the word "so" inserted in lieu thereof.

The VICE PRESIDENT. Without objection, the amendment to the amendment will be agreed to.

The amendment, as amended, was agreed to.

The next amendment was, on page 60, after line 7, to insert:

Aransas Pass: Corpus Christi Channel, Tex., from Corpus Christi Breakwater to shore line of Corpus Christi Bay.

The amendment was agreed to.

The next amendment was, on page 60, after line 10, to insert:

Houston Ship Channel, examination and survey for further improvement by deepening, widening, or otherwise to meet requirements of present and prospective commerce.

The amendment was agreed to.

The next amendment was, on page 60, after line 13, to insert:

Channel and turning basin between Houston Ship Channel, Tex., and Barbour Terminals.

The amendment was agreed to.

The next amendment was, on page 61, after line 7, to insert:

Red River, Ark., Okla., and Tex., from Fulton, Ark., to mouth of Washita River, Okla.

The amendment was agreed to.

The next amendment was, on page 61, after line 21, to insert:

Louisiana and Texas Intracoastal Waterway from Corpus Christi to the Rio Grande Valley.

The amendment was agreed to.

Mr. JONES. Mr. President, I desire to join with the Senator from Michigan [Mr. VANDENBERG] with reference to the two amendments he referred to a moment ago. I did not know that any such amendments were in the bill. I do not think we want to begin the practice of reimbursing contributions heretofore made in the river and harbor matters. I hope, therefore, that we shall have a separate vote on this matter later.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 68, after line 10, to insert:

Port of San Francisco east of Belmont, South San Francisco Bay, Calif.

The amendment was agreed to.

The next amendment was, on page 68, after line 12, to insert:

Middle River, Calif., from the Santa Fe Railroad at Middle River to Latham Slough; Latham Slough, from Empire Cut to Middle River; Turner Cut, from San Joaquin River to Whiskey Slough; and Whiskey Slough, from Turner Cut to Empire Cut, so as to provide a depth of 9 feet and a width of 100 feet, and to clear at least 50 feet on both sides of the channel of all sunken vessels, débris, and shoals which might in any way endanger navigation on these streams.

The amendment was agreed to.

The next amendment was, on page 69, after line 12, to insert:

Coquille River, Oreg., with a view to determining the advisability of providing for navigation, in connection with power development, control of floods, and the needs of irrigation.

The amendment was agreed to.

The next amendment was, on page 69, after line 16, to insert:

Yaquina Bay and entrance.

The amendment was agreed to.

The next amendment was, on page 69, after line 17, to insert:

The Secretary of War is hereby authorized and directed to cause a preliminary examination and survey to be made of the harbor at Port Orford, Oreg. The cost of such examination and survey shall be paid from appropriations heretofore or hereafter made for examinations and surveys.

The amendment was agreed to.

The next amendment was, on page 69, after line 22, to insert:

Lewis and Clark River, and the lower harbor of Astoria, Oreg.

The amendment was agreed to.

Mr. COUZENS. Mr. President, I desire to enter a motion to reconsider the amendment just approved of and have it go on record, because it involves the same precedent that the Senator from Washington [Mr. JONES] and the Senator from Michigan [Mr. VANDENBERG] have raised with respect to reimbursing contributions already made.

The VICE PRESIDENT. The Senator moves to reconsider the votes whereby the two amendments previously adopted were agreed to.

Mr. COUZENS. I make a motion for reconsideration.

The VICE PRESIDENT. Without objection, the motion of the Senator from Michigan will be entered, to be taken up later.

The reading of the bill was resumed.

The next amendment was, on page 70, after line 6, to insert:

Multnomah Channel, Oreg.

The amendment was agreed to.

The next amendment was, on page 70, after line 7, to insert:

The Secretary of War is hereby authorized and directed to cause a preliminary examination and survey to be made of the Willamette River, Oreg., from Portland to Eugene, with a view to improving the said river to the extent necessary to make it navigable between said points. The cost of such examination and survey shall be paid from appropriations heretofore or hereafter made for examinations and surveys.

Mr. COUZENS. That is the same sort of an amendment. I raise the same question with respect to that, and include that in my proposal to reconsider.

The VICE PRESIDENT. The motion will be entered and argued when the other motion is considered.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 70, after line 15, to insert:

Intercoastal waterway from the mouth of Columbia River to Puget Sound by way of Shoal Water Bay and Grays Harbor, Wash.

The amendment was agreed to.

The next amendment was, on page 70, line 26, after the name "Port Ludlow," to insert "Harbor," so as to read:

Port Ludlow Harbor, Wash., and vicinity.

The amendment was agreed to.

The next amendment was, on page 71, after line 2, to insert:

Lake Washington Canal and waterway from the locks to and into Lake Washington, Wash., with a view to widening and deepening the channel.

The amendment was agreed to.

The next amendment was, on page 71, after line 5, to insert:

Channel from Puget Sound into Lake Crockett, Wash.

The amendment was agreed to.

The next amendment was, on page 71, line 10, after the name "Port Gamble Harbor," to insert "and vicinity," so as to read:

Port Gamble Harbor and vicinity, Washington.

The amendment was agreed to.

The next amendment was, on page 72, line 7, after the word "from," to insert "Northeast Bight," and in line 8, after the word "to," to insert "Sanborn Harbor," so as to make the paragraph read:

Isthmus south of Wedge Cape, Nagai Island, Alaska, with a view to dredging a channel from Northeast Bight, East Nagai Strait, to Sanborn Harbor, West Nagai Strait.

The amendment was agreed to.

The next amendment was, on page 72, after line 22, to strike out:

Survey for an interoceanic canal in Nicaragua.

Mr. JOHNSON. Mr. President, on line 23 the amendment was made under a misapprehension by the Commerce Committee. I should like to have that amendment rejected, because I am advised by the engineers that there is a certain sum of money on hand at the present time that is being utilized in a Nicaraguan survey and that without this authorization they will be unable to utilize it. So I should like to have the amendment rejected.

Mr. McKELLAR. That is entirely true; and it is necessary that the authorization should be made.

Mr. DILL. What is this amendment?

The VICE PRESIDENT. Let the amendment be stated.

The CHIEF CLERK. On page 72, line 23, the committee proposes to strike out "Survey for an interoceanic canal in Nicaragua."

Mr. DILL. What is the necessity of any additional legislation. We had a great fight here last year about this matter.

Mr. JOHNSON. The only reason is that it is doubtful whether or not the small sum of money that is to be utilized in the survey there can be used without the authorization for its use.

Mr. DILL. We passed a bill through the Senate authorizing it.

Mr. JOHNSON. Quite true.

Mr. DILL. Is this an authorization to spend some more money on the survey down there?

Mr. JOHNSON. No; it is an authorization to spend the money that has already been appropriated; that is all.

Mr. DILL. But is it not a fact that the engineers are already down there at work?

Mr. JOHNSON. Yes; and the engineers fear that striking out this authorization might interfere with their ability to utilize the appropriation.

Mr. DILL. There has been no objection raised by the Comptroller General up to this time, has there?

Mr. JOHNSON. There has been the authorization, as I understand. Now we strike the authorization from the bill.

Mr. DILL. But the authorization never was a part of this bill. The authorization was put through in a special bill, reported here by the Interoceanic Canals Committee and urged by the then Senator from New Jersey, Mr. Edge. I do not see why it needs to be dragged into this bill.

Mr. JOHNSON. That is quite true, and we thought exactly the same thing; but after this language was stricken out the engineers feared that they would be stopped in the use of the money that had been appropriated, and asked that it be reinserted.

Mr. DILL. But the fact is——

Mr. JOHNSON. I have not any interest in the matter, and if the Senator wants to continue to strike it out I am perfectly willing. I am simply suggesting what has been suggested to me by the United States engineers.

Mr. DILL. The objection I have is that I do not want to put in this bill an additional authorization to appropriate money in the future. The original authorization was made by a special bill that came out of the Interoceanic Canals Committee.

Mr. JOHNSON. I quite agree; and there is no intention of an additional authorization.

Mr. DILL. But in fact there is an additional authorization by this language. I think it is a serious mistake to attempt now to cover into this bill an authorization for more work on the Nicaragua canal when we have not had a report from the special authorization of the bill that was passed here last spring.

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

Mr. DILL. I yield.

Mr. JOHNSON. Will the Senator let the matter pass until to-morrow? Then doubtless we can bring out an adequate explanation of the matter?

Mr. DILL. Very well.

The VICE PRESIDENT. Without objection, the amendment will be passed over.

Mr. McKELLAR. Mr. President, just one moment. I think this is the proper time to state what the facts are.

That survey is being made now. The engineers are all down there. That appropriation will lapse after July 1, in the view of the engineers, unless there is an authorization to use it. That is their opinion. I have my doubts about it; but surely the Senator would not want to bring those engineers back home before they have finished their job. They have not spent all the money that has been appropriated. This language merely authorizes the expenditure of that money. It ought to be done; and I hope the Senate will vote down this amendment.

Mr. JONES. Mr. President, I desire to suggest to the Senator that this is not an appropriation at all.

Mr. McKELLAR. Why, no; of course, not.

Mr. JONES. And this does not lapse with the 1st of July.

Mr. McKELLAR. This does not lapse; but the appropriation already made would lapse on the 1st of July unless there is an authorization.

Mr. JONES. But this would not prevent the appropriation from lapsing at all. The appropriation would lapse unless reappropriated.

Mr. DILL. Why, of course.

Mr. JONES. This would not stop its lapsing at all.

Mr. McKELLAR. No; it would probably have to be reappropriated in the deficiency bill.

Mr. DILL. There is not anything in this bill about the appropriation that has already been made. The truth of the matter is that this is an authorization for the survey of the Nicaraguan canal under this new bill. It has nothing to do with the bill we passed last spring. We passed a bill authorizing that this investigation and survey be made, and an appropriation was made. If that appropriation is going to lapse, nothing we put into this authorization bill would continue it, and that is not the purpose of it at all. The purpose of it is to get the survey of the Nicaraguan canal under the rivers and harbors bill. It does not belong there, and it ought not to be put into this bill.

The VICE PRESIDENT. Without objection, the amendment will go over.

Mr. McNARY. Mr. President, I ask unanimous consent to recur to page 70, where there is provision for a survey, which was like all the others, which I think the Senator from Michigan misunderstood. I think the Senator asked that the vote be reconsidered.

The VICE PRESIDENT. The Senator simply entered a motion to that effect.

Mr. COUZENS. Mr. President, with respect to the amendment on page 70, referred to by the Senator from Oregon, I withdraw my motion to reconsider the vote by which the amendment was agreed to.

Mr. McNARY. I thank the Senator.

The VICE PRESIDENT. Is there objection to the withdrawal of the motion? The Chair hears none, and the motion is withdrawn.

The next amendment was, on page 80, line 6, after the word "appropriations," to insert "heretofore or hereafter," and in line 9, after the word "law," to insert "and with section 8 of the merchant marine act, approved June 5, 1920," so as to make the paragraph read:

The Chief of Engineers is hereby authorized to have printed a further edition of the report entitled "Transportation in the Mississippi and Ohio Valleys," prepared by the Board of Engineers for Rivers and Harbors in cooperation with the United States Shipping Board under authority of section 500 of the transportation act approved February 28, 1920 (to be brought down as nearly as possible to date), to be paid for from appropriations heretofore or hereafter made by Congress for the improvement of rivers and harbors; and the cost of printing such other reports and data as are prepared in compliance with that law and with section 8 of the merchant marine act, approved June 5, 1920 (not exceeding $35,000 in any one year), may be paid from similar appropriations.

The amendment was agreed to.

Mr. FESS. Mr. President, I call the attention of the chairman of the committee to page 63, line 23, where the phraseology is "Miami River." There are two Miami Rivers in Ohio. This refers to the Great Miami, and it ought to be amended by the insertion of the word "Great."

Mr. JOHNSON. I have no objection.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 63, line 23, before the word "Miami," to insert the word "Great," so as to read:

Great Miami River, Ohio.

The amendment was agreed to.

Mr. GEORGE. Mr. President, I submit an amendment to the amendment found on page 54, line 9, to complete the sentence.

The VICE PRESIDENT. Without objection, the vote by which the amendment was agreed to is reconsidered and the amendment to the amendment will be stated.

The CHIEF CLERK. On page 54, line 9, after the word "Ocean" and before the period, to insert the words "waterway for barge traffic to connect with the proposed Gulf intracoastal waterway by the most practicable route."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. SHEPPARD. Mr. President, I desire to offer an amendment.

The VICE PRESIDENT. The amendment will be stated.

Mr. McNARY. The Senator does not desire to have the amendment considered this afternoon, does he?

Mr. SHEPPARD. It is an amendment to the survey section.

Mr. McNARY. An individual amendment?

Mr. SHEPPARD. An individual amendment.

Mr. McNARY. The Senate gave its consent to the consideration of committee amendments only, and the chairman of the committee would rather complete consideration of one amendment that has gone over until to-morrow before taking up individual amendments.

Mr. SHEPPARD. I was under the impression that we had finished with the committee amendments. I withdraw my amendment for the present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 9110) for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TEMPLE, Mr. FISH, and Mr. LINTHICUM were appointed managers on the part of the House at the conference.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 420. An act for the relief of Charles E. Byron, alias Charles E. Marble;

S. 969. An act for the relief of Edna B. Erskine;

S. 1447. An act for the relief of Pasquale Iannacone;

S. 1469. An act to quitclaim certain lands in Santa Fe County, N. Mex.;

S. 2371. An act to provide for the appointment of two additional justices of the Supreme Court of the District of Columbia;

S. 3784. An act for the relief of John Marks, alias John Bell;

S. 3866. An act for the relief of Joseph N. Marin;

S. 3939. An act to authorize the appointment of two additional justices of the Court of Appeals of the District of Columbia;

S. 4050. An act to confer full rights of citizenship upon the Cherokee Indians resident in the State of North Carolina, and for other purposes;

S. 4140. An act providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes;

S. 4583. An act to amend the act entitled "An act authorizing the construction of a bridge across the Missouri River opposite to or within the corporate limits of Nebraska City, Nebr.," approved June 4, 1872; and

S. J. Res. 127. Joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to William Jennings Bryan.

REORGANIZATION OF THE FEDERAL POWER COMMISSION

Mr. COUZENS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3619) entitled "An act to reorganize the Federal Power Commission," 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 amendments as follows:

Page 3, line 7, of the engrossed House amendment, change the word "session" to read "sessions."

Page 3, line 14, of the engrossed House amendment, insert the words "a solicitor," after the comma following the word "counsel."

Page 3, line 18, of the engrossed House amendment, change the word "classificaton" to read "classification."

Page 5, section 4, of the engrossed House amendment, strike out said section 4 and insert in lieu thereof the following:

"SEC. 4. This act shall be held to reorganize the Federal Power Commission, created by the Federal water power act, and said Federal water power act shall remain in full force and effect, as herein amended; and no regulations, actions, investigations, or other proceedings under the Federal water power act existing or pending at the time of the approval of this act shall abate or otherwise be affected by reasons of the provisions of this act."

And the House agree to the same.

JAMES COUZENS,
JAMES E. WATSON,
KEY PITTMAN,
Managers on the part of the Senate.

JAMES S. PARKER,
HOMER HOCH,
SAM RAYBURN,
Managers on the part of the House.

Mr. DILL. Mr. President, what is the meaning of the agreement?

Mr. COUZENS. The meaning of this conference report is that the Senate conferees receded from the position of the Senate in providing for three commissioners and agreed to the House provision for five commissioners. The House receded from its provision for a solicitor.

Mr. DILL. Has the Senator conferred with the junior Senator from Montana [Mr. WHEELER] about this matter?

Mr. COUZENS. I have not. I have received no request that I confer with any Senator.

Mr. DILL. I do not want to object, but I take it that if in the morning the Senator from Montana should have any objection the Senator from Michigan would not object to a reconsideration?

Mr. COUZENS. That is satisfactory.

The report was agreed to.

AMERICA'S SERVICE

Mr. SHEPPARD. Mr. President, I ask to have printed in the RECORD a poem by Robert Baker, a former Member of Congress.

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

AMERICA'S SERVICE

O'er Atlantic's billowed waters,
Though the way was dark and drear,
Came the Pilgrim sons and daughters,
Led of God, untouched by fear.

This America's beginning,
Here her glorious work began.
Through great sacrifices winning
Broader love for God and man.

With the centuries that followed
Came the strength to serve the world,
And when men for freedom struggled
Stars and Stripes were then unfurled.

Freedom's torch held ever higher,
With its far-flung world-seen light,
The brave and noble does inspire
To end tyranny's dark night.

Then all peoples, nations, brothers,
Freed now from oppression's rod,
Live in peace and love with others,
Children of one Father—God.

—ROBERT BAKER,
Democratic Member of the Fifty-eighth Congress.

THE TARIFF

Mr. SIMMONS. Mr. President, I ask unanimous consent for the printing in the RECORD of a thorough study of all the items in the Hawley-Smoot bill relating to agriculture, showing the possible or probable effect upon agriculture of the increases or decreases.

This study is one made by one of the most outstanding experts in the United States, a man who is acknowledged by the Committee on Finance to be a reliable and thoroughly competent and trustworthy expert and man.

I have not had opportunity myself to look over this study, which is rather lengthy, but I wish to have it printed in the RECORD.

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

Duties upon principal agricultural articles increased by new tariff

Item	Tariff No.	Present duty	New duty	Production, 1928	Imports, 1928	Exports, 1928	Import value, 1928	Effect
Soybean oil	54	7½¢ lb	3½¢ lb.; not less than 45% ad valorem.	4,715,908 lbs	12,587,150 lbs	7,142,097 lbs	6.2¢ lb	As this oil is too dear for soapmaking, and not good enough as a substitute for linseed oil, its use will be much decreased, and instead of being dearer, will be excluded from import. (No benefit to agriculture).
Olive oil, entering with weight of container, less than 40 lbs.	53	do	9½¢ lb	1,438,017 lbs	49,265,513 lbs		18.5¢ lb	If this oil is imported in bulk, the duty is only 6½¢ per lb. There is no competition with the California oil, and the effect will be to bring more in in bulk, and to add to the consumer's cost. (No benefit to agriculture.)
Turpentine:								
Spirits of	90	Free	10% ad valorem	35,396,471 gals	342,528 gals $170,756	13,549,570 $7,199,460	49.8¢ gal	There is no competition. (No benefit to agriculture.)
Gum	90	do	do	1,200,000,000 lbs	108,890 lbs $9,119	Not available	12.5¢ lb	
Rosin	90	do	5%	1,052,740,000 lbs	2,087,601 lbs $83,462	589,096,500 $17,616,680	4.0¢ lb	No competition. (No effect on agriculture or price.)
Wood tar and pitch of wood and tar oil from wood.	97	do	1¢ lb	8,900,347 gals	14,577 bbls	21,067 bbls		Production has increased materially from 1921. Imports have decreased very much from 1926. The source of supply: Poland and Danzig. Price decreased in 1928. No real competition and no effect upon agriculture.
Maple sugar	503	4¢ lb	8¢ lb	2,388,000 lbs	6,954,530 lbs		17.1¢ lb	Tariff commission made an investigation as to the cost of production in U. S. and in Canada in 1925. To equalize this cost, a duty of 5½¢ per lb. on sugar and 3.55¢ a pound on sirup was needed. The imports for 1928 seem to agree with this as the imports of sugar were large and of sirup small. The probable effect will be to increase the cost to the consumer.
Maple sirup	503	do	5½¢ lb	3,013,000 lbs	398,644 lbs		13.3¢ lb	
Wrapper tobacco (unstemmed).	601	$2.10 lb	$2.27½ lb	11,166,000 lbs	5,879,104 lbs. (195,986 lbs. Cuba).		$2.13 lb $2.13 lb	The present duty is from twice to four times the total cost of production of the domestic wrapper. The effect will be to reduce the manufacture of the 5¢ cigar and to reduce the price of the poorer grade of domestic wrapper, as well as the price and amount grown of the domestic filler and binder tobacco, as there will be fewer cigars used, so less tobacco used.
Cattle:								
Weighing less than—								
700 lbs	701	1½¢ lb	2½¢ lb	12,425,000 cattle slaughtered. On farms, cattle and calves, 55,696,000.	528,989 head, cattle and calves.	11,267 head	$38.70	This increase will bear heaviest upon our imports of cattle from Canada, which are heavier and better than the small inferior cattle from Mexico. The increased price of cattle has reduced the consumption and this will still further reduce the number consumed, with very little profit, if any, to agriculture. Since 1919 the production has not kept pace with the consumption, despite large increases in cost. About 25% to 30% of the beef consumed comes from dairy herds as does practically all of the veal.
700 lbs. to 1,050		1½¢ lb	3¢ lb					
Weighing 1,050 lbs. or more.		2¢ lb	3¢ lb					
Sheep, lambs, and goats	702	$2 ea	$3 ea	Sheep and lambs slaughtered: 1927, 16,589,000 on farms. 1928, 44,545,000.	21,802 sheep and lambs.	Average 1922 to 1928, 14,863.	$8.62 ea	The number on farms in the United States has slowly increased from 37,452,000 in 1921 to 44,545,000 in 1928. The price also has slowly increased from $5.10 per 100 lbs. in 1921 to $6.80 in 1927, for sheep. The effect of the tariff will be small, probably the price will continue to increase slightly with inferior meat, as the duty on wool will tend to increase the wool sheep at the cost of food sheep.
Meat, fresh, chilled or frozen:								
Mutton	702	2½¢ lb	5¢ lb	645,000,000 lbs	834,699 lbs	Average 1919–1928, 2,389,322 lbs.	8.4¢ lb	
Lamb	702	4¢ lb	7¢ lb		2,447,729 lbs		17.9¢ lb	
Swine	703	2¢ lb	2¢ lb	Slaughtered 1927, 69,250,000; on farms 1928, 58,969,000.	10,170,916 lbs. Estimated number 50,855.	Average number, 1919 to 1928, 60,000.	9.8¢ lb	The increase in duty will have no effect whatever upon the domestic industry. Our imports are of high-grade pigs and pork, and certain products desired by our people because of taste. The effect upon agriculture will be nil.
Fresh pork	703	2½¢ lb	2½¢ lb	1927, 8,533,000,000 lbs	7,681,653	Average 10 yrs., 28,800,000 lbs.	19.2¢	
Pork, prepared or preserved (hams, etc.).	703	2¢ lb	3¼¢ lb	3,296,000,000 lbs. (1925)	2,536,750 lbs	289,834,000 lbs	35.5¢ lb	
Lard	703	1¢ lb	3¢ lb	2.356,000,000 lbs. (1927)	Average, 1923 to 1927, 34,274 lbs.	783,000,000 lbs		
Lard compounds	703	4¢ lb	5¢ lb	1,129,000,000 lbs. (1925)	137,098 lbs	5,000,000 lbs		
Meats, n. s. p. f.	706	20%	6¢ lb. but not less than 20%.	1,838,000,000 lbs. (1925)	880,834 lbs	58,000,000 lbs	11.4¢ lb	The only change made was to increase the duty from 20% ad valorem to over 52%, based upon 1928 imports, and over 69% on 1927 imports. The principal imports are of canned or prepared meats, sausage, etc. The effect upon agriculture will be nil, while the packers may benefit to some degree by a prohibitive rate.
Milk	707							The only possible source of fresh milk importation is Province of Ontario and Quebec. The Tariff Commission information is that it costs from 25¢ to 26¢ per gallon to produce milk in New York and Vermont; and 21.2¢ in Canada. The import price of our milk from Canada in 1927 was 16.7¢ per gallon and in 1929, 17.4¢, never as much as 20¢ since 1921. Our imports in 1928 were about 1 gallon out of every 2,400 gallons produced, or about 1/24 of one per cent, and less in 1929. About 60% of this enters the United States during the 5 months beginning with May. About 60% is used for condensed milk; 37% goes to New York City, and 3% to Boston—places in the greatest need of fresh milk.
Whole—								
Fresh		3½¢ gal	6½¢ gal	14,070,000,000 gal. (1926)	5,499,424 gals	124,610,000 gals	17.4¢ gal	
Sour		1¢ gal	do		4,165,000 gals., 1929			
Skimmed		2½¢ gal	2½¢ gal		132,213 gals		30.4¢ gal	
Buttermilk		1¢ gal	do		3,620,903 gals		162.9¢ gal	
Cream		30¢ gal	56 9/10¢ gal					In June, 1929, the President increased the rate upon whole milk from 2½¢ to 3¼¢ per gallon, and upon cream from 20¢ to 30¢ per gallon, an increase of 30% upon milk and 50¢ upon cream. The new rates, however, are an increase upon the 1922 rates of 160% and 183% respectively. The effect of this upon agriculture will not be felt. The only effect will be to cripple the condensers in the region now supplied by imported milk, placing them at a disadvantage as compared with other domestic condenseries.

Milk	708							
Condensed—								
Unsweetened		1¢ lb	1 3/10¢ lb	1,570,000,000 lbs	1,192,849 lbs	76,788,833 lbs	73¢ lb	The statistics of imports of these forms of prepared milk seem large, but they are in fact very small as compared with our industry. The total value of the imports for 1928 were $871,035, while our direct exports were valued at $15,130,492, or over $14,000,000 more than our imports, or over seventeen times as valuable as our imports. The imports seldom reach the consumer directly, only through candy or cakes.
Sweetened		1½¢ lb	2¾¢ lb	343,000,000 lbs	1,309,600 lbs	38,762,549 lbs	8.2¢ lb	
Other		1⅜¢ lb	2 39/100¢ lb	(Included above)	1,105,315 lbs	(Included above)	9.2¢ lb	
Milk, dried:								
Whole		3¢ lb	6½¢ lb	11,464,000 lbs	2,998,754 lbs	4,015,975 lbs	17.5¢ lb	The effect upon agriculture will not be felt, nor will the consumer be touched unless as an excuse for higher prices.
Cream		7¢ lb	12½¢ lb	338,000 lbs	11,425 lbs		16¢ lb	
Skim and buttermilk		1½¢ lb	3¢ lb	118,123,000 lbs; 38,435,000 lbs	3,296,893 lbs. (1927)		7.2¢ lb	
Malted milk, etc		20%	35%	22,116,000 lbs	1,809 lbs		25.6¢ lb	
Butter	709	8¢ lb	14¢ lb	2,097,712,000 lbs. (1927)	4,334,684 lbs	3,898,157 lbs	36¢ lb	In spite of the fact that our imports of butter in 1927 were 0.4 of 1 per cent of our production, and in 1928 were only one-fourth of 1 per cent, and only 436,000 pounds greater than our exports, the President, in 1926, increased the duty on butter, after the Senate in 1924 had requested an investigation as to the cost of production, from 8¢ to 12¢ per pound. The result seems discouraging. The present price of butter is lower than for years, and the Farm Board, this winter has been loaning money to large creameries so as to enable them to withhold their product so as to increase the price of butter made from cream purchased from the farmers at low prices—a help to the manufacturer and not to agriculture. This new rate will not affect agriculture a particle.
Oleo. and butter substitutes.		do	do	257,157,000 lbs. (1927)	None	644,565 lbs		
Cheese	710	5¢ lb.; not less than 25%.	8¢ lb.; not less than 40%.	406,686,000 lbs. (1927)	79,944,234 lbs		30.4¢ lb	At one time the United States produced an enormous surplus of cheese, especially New York, which State supplied immense quantities to the British consumer. In a spirit of retaliation for high duties imposed by the United States on her products, she instructed her farms in dairying, and especially in cheese making. The United States was driven out of the British market. Our dairymen now find it more profitable to send their milk to the cities or to the creameries and condenseries. This high duty on cheese means nothing whatever to our farmers nor even to our manufacturers, who are imitating the special varieties of European cheeses. The native and the connoisseur will not use the domestic product at any price, while to others cheese is cheese, and they will buy the ordinary varieties at low prices.
Do		President proclamation 1927, Swiss 7½¢; not less than 37½%.		18,141,000, all Swiss	18,584,304 lbs	2,599,944 lbs	30.4¢ lb	
Birds	711							Our imports are decreasing under the present law, and average about one-half of 1 per cent of our present kill. Exports are about 40% of our imports. The further increase of 5¢ per pound is uncalled for and will be of no possible aid to the farmer. The only possible effect will be to give the dealers a further excuse for increasing prices to the consumer.
Live (chickens, ducks, geese, guineas and turkeys).		3¢ lb	8¢ lb	230,000,000 birds (1927)	1,497,187 lbs	621,346 lbs. (average 1922 to 1925).	25.3¢ lb	
Baby chicks		4¢ each						
Birds, dead	712							We imported through the port of New York, during a recent year, over 2,500,000 lbs. of dressed turkeys, about 70% from Argentina, 13% from Austria, 10% from Hungary, 4% from Great Britain, 3% from Uruguay. This increase of 66% in duty will not affect the farmer, and means nothing to the consumer.
Poultry, fresh, etc		6¢ lb	10¢ lb	575,000,000 (1927)	$5,811,742	4,773,611 lbs. (average 1922 to 1927).	26.7¢ lb. fresh poultry. 34.3¢ lb. fresh geese.	
Prepared or preserved.		35%	10¢ lb		$304,024		61.2¢ lb. prepared poultry. 20.8¢ lb. prepared geese.	
Eggs	713							The domestic production of eggs is steadily increasing, especially the fall and winter production. During three seasons, the fresh eggs are gradually driving the storage ones from the market. The surplus is now being converted into frozen eggs which are in great favor with bakeries. The duty increase will not be felt by the farmers. We export high-grade eggs in the shell, and import cheaper frozen and dried eggs. The farmer or poultry man will not be affected by this increase in duty.
In shell		8¢ doz	10¢ doz	2,162,000,000 doz. (1927)	286,631 doz	20,192,000 doz	29.0¢ doz	
Frozen, or otherwise prepared, n. s. p. f.								
Whole eggs		6¢ lb	8¢ lb		5,349,827 lbs	129,000,000 lbs. (egg products).	17.7¢ lb	
Egg yolks		do	do		2,298,936 lbs	Evaporated, 303,000 lbs.	20.1¢ lb	
Albumen, egg		do	do		606,435 lbs		15.8¢ lb	
Buckwheat	723	10¢ per 100 lbs.	25¢ per 100 lbs	13,163,000 bu., of 48 lbs.	66,000 bu	160,545 bu	$1.81 per 100 lbs	This product needs no protection, often the price is higher in Canada than the United States. It is used largely on the farm and milled locally, small quantities reaching the markets. The 150% increase in duty means nothing, as our imports are about one-half of 1 per cent of our production, and about 40% of our exports.
Corn:	724							This is one of the major crops of the United States, and is about 70% of the world's crop. We export about 50 times as much as we import. Any duty thereon can only affect price when the farmer has none to sell. When he has a surplus, or any to sell, the duty can not possibly help him.
(Grain, whole or cracked.)		15¢ bu. (56 lbs.).	25¢ bu	2,839,959,000 bu	574,120 bu.; 9,258 bu.	25,799,000 bu	$1.075 bu	
Meal and grits, etc		30¢ per 100 lbs.	50¢ per 100 lbs	About 4% of crop	22,689 lbs	72,000 lbs	$1.45 per 100 lbs	
Oats	726	15¢ bu. (32 lbs.).	16¢ bu	1,449,531,000 bu	489,368 bu	10,421,056 bu	65.5¢ bu	About 93% of our imports are from Canada, and 7% from Sweden. The Canadian price of oats is often higher than the United States price. Our exports are over 20 times our imports, and our imports are less than 0.04 of 1 per cent of our production. The increase means nothing but a claim that the duty was increased.
Rice	727							Our total imports for 1928 were valued at $1,212,190, while our total exports were valued at $13,235,000, or over ten times our imports. The total value of the production of our rice-cleaning establishments for the season 1926-27 was $54,000,000, or nearly 50 times our imports. This increased duty is meaningless, except as to uniformity in increasing our duties on all farm products.
Paddy		1¢ lb	1¼¢ lb	1,232,000,000 lbs	3,423,646 lbs	288,702,000 lbs	4.9¢ lb	
Brown rice		1¼¢ lb	1½¢ lb		2,205,862 lbs		5.3¢ lb	
Milled rice		2¢ lb	2½¢ lb		20,121,361 lbs		4.3¢ lb	
Broken, etc		½¢ lb	⅝¢ lb		1,496,470 lbs	90,257,000 lbs	3.7¢ lb	

Duties upon principal agricultural articles increased by new tariff—Continued

Item	Tariff No.	Present duty	New duty	Production, 1928	Imports, 1928	Exports, 1928	Import value, 1928	Effect
Wheat	729	30¢ bu.; President's proclamation, April, 1924, 42¢ bu.	42¢ bu	871,691,000 bu. (including hard spring wheat, 243,152,000 (1927).	224,133	96,290,418 bu	$1.25	The duty was increased 40% by the President in 1924, to 42¢ per bushel. This is a prohibitive rate, and the price of wheat is lower now than it has been for several years. In other words, a duty on wheat affects very little the price. No change has been made in the new tariff over the present duty.
Bran, shorts, etc	730	15%	10%	4,526,736 tons (1925)	572 tons	5,077 tons (1927)	$31.40	The cost of production of these by-products are practically the same in Canada as in the United States, as found by the Tariff Commission. Our imports cost more per ton than our exports, and were very small. The change means nothing.
Apricots	735	½¢ lb	2¢ lb	50,000,000 lbs. (1927)	61,978 lbs. (includes all apricots).	20,913,280 lbs. (1927)	8.3¢ lb	California practically produces all our dried apricots. The imported are valued at about $5,000, and are negligible. The 300% increase in duty is meaningless and silly. It will not affect price or benefit the farmer. It may be used as an excuse for increasing the price by the dealer.
Cherries	737							
Dried		2¢ lb	6¢ lb	Not known. Statistics as to California for fresh cherries alone available; 34,000,000 lbs. (1927).	Not known. General imports of cherries, 225,169 lbs. (1927).	Not available	8.8¢ lb	The duty upon dried cherries was increased 200% without any knowledge of the production or importation. This duty was increased solely in the supposed interest of California, although New York, California, and Washington are known to dry cherries. The production and imports are relatively insignificant. This duty is meaningless and will have no effect upon anything other than sentiment.
Sulphured, or in brine		3¢ lb	5½¢ lb. or 9½¢ lb	6,000,000 lbs. (est.)	10,955,345		14.2¢ lb	Our imports of prepared cherries are small compared with our production. The duty was more than doubled without any reason or knowledge of the existing conditions and will have no effect whatever upon farmers.
Prepared in any manner, including Maraschino.		40%	9½¢ lb. plus 40%	20,000,000 lbs. (est.)	744,693 lbs. (est.)		21.2¢ lb	
Peels, candied, etc	739							Without knowing any facts about the other peels included in the new duties; in spite of our vast production of oranges and lemons, very little of the domestic peel is candied or prepared. The imported peel in brine is used. The new duty will not aid the farmer or orchardist in the least, but will increase the price to the consumer materially.
Citron		4½¢ lb	6¢ lb	1,066,944 lbs. (1927)[1]	2,952,066 lbs		12.8¢ lb	
Orange and lemon		5¢ lb	8¢ lb	1,089,954 lbs. (1927)[1]	1,747,034 lbs		10.4¢ lb	
Other peel—								
Crude		10%	2¢ lb	Not known				
Candied, etc		20%	8¢ lb					
Figs	740							The acreage of bearing figs in California in 1920 was 11,023 acres; in 1927 it was 45,000 acres. In 1930 it is estimated to reach 58,300 acres. This shows that under the present rates of duty this is a very profitable business. The increase of 150% in the duty is not warranted in any way, and will not stimulate the business at all, as it now is growing very rapidly. The poor consumer will suffer at the hands of the dealer. The statistics as to fig paste is not known, but as it is used in our cheapest cakes, the duty must be raised.
Fresh, dried or in brine		2¢ lb	5¢ lb	California only 24,000,000 lbs. (1927).	30,573,354 lbs		7.6¢ lb	
Fig paste		35%	5¢ lb					
Preserved, n. s. p. f.		do	40%	Texas alone; 22,000,000 lbs.	1,363,661 lbs		5.6¢ lb	
Dates:								
Pitted	741	do	2¢ lb	500 acres bearing; 2,500 acres not bearing (1928); 1,250,000 lbs. (1927).	46,422,501 lbs		5¢ lb	
In packages; less than 10 lbs. each.		1¢ unpitted; 35% pitted.	7½¢ lb		Included above			The principal criticism of our imported dates is their sanitary condition. An industry has arisen here, principally in New York, cleaning, grading, and packing imported dates. This must be protected, and this is the only industry, although not agricultural that is protected by the new tariff. Although our imports of pitted dates and small packages is negligible, the duty on such is made prohibitive. Agriculturists growing dates and the consumer must pay for this increase in duty.
Lemons	743	2¢ lb	2½¢ lb	525,400,000 lbs	69,747,436 lbs	18,570,744 lbs	3.1¢	The citrus fruit industry is in little need of higher protection. The domestic fruit dominates the market. As far as lemons are concerned, we produce more than our ordinary consumption, many being used for by-product purposes. The increases in duty are meaningless and will not aid the growers. Limes have been tried, and other fruits found more profitable.
Limes		1¢ lb	2¢ lb	2,051,650 lbs. (1919), 888,000 lbs. (1926).	5,162,446 lbs		2.6¢	
Grapefruit		do	1½¢ lb	Florida only, 58,400,000 lbs.	7,252,297 lbs 391,215 lbs	Cuban Elsewhere, 49,601,867 lbs.	5.9¢ lb	
Olives	744							California produces our domestic olives, but her crop is of ripe olives. She dominates the market with her ripe olives in brine, and any increase in duty thereon is meaningless, and will have no effect upon her producers. The imports of dried ripe olives during the last two years have increased enormously. The increase in duty of 25% will have little effect upon the industry.
Ripe—								
In brine		20¢ gal	30¢ gal	California alone, 4,350,000 gals. (1927).	237,716 gals		68.1¢ gal	
Dried ripe		4¢ lb	5¢ lb	1929 production; California, estimated, 1,198,000 lbs.	5,123,252 lbs		10.9¢ lb	
N. s. p. f.		do	5¢ lb					
Mangoes	746	35%	15¢ lb	Florida, 11,197 crates, (1927).	1925; 889 lbs.; none since.			Our imports are negligible, while in 8 years our production has more than doubled. The duty is meaningless and can have no possible effect.
Pineapples	747							The increase in duty is about 78% in crates and about 56% in bulk. It will give Porto Rico an advantage over Cuba in all that she can produce. Florida formerly produced large quantities, but on account of plant disease, her industry had almost ceased. The large increase of duty means nothing to the American producer, although the consumer will surely feel the effect.
In crates		22½¢ per 1.96 cu. ft.	50¢ per 2.45 cu. ft.	Florida, 31,016 crates (1926). Porto Rico, 641,518 crates (1927).	Cuba: 1,201,987 crates; 142,732 number estimated.		$1.504 crate; 27¢ each.	
In bulk		¾¢ each	1⅙¢ each		25,032 crates; 8,231 number.		$1.59 crate; 9.6¢ each.	

See footnote at end of table.

Plums, prunes, and prunelles.	748							Prunes are produced principally in California and Oregon. We export about 340 times as many prunes as we import, and are now driving foreign prunes out of the market. The increase in duty of 300% is a sample of the new tariff idea. We import less than one-fiftieth of 1 per cent of our production, yet the producers are given this immense, but absolutely futile, increase of 300% in duty. It will of course have no effect upon the producer.
Dried, etc.		½¢ lb.	2¢ lb.	386,000,000 lbs.	616,000 lbs.	200,000,000 lbs.	6.7¢ lb.	
Avocados	750	35%	15¢ lb.	5,500,000 lbs. (California, 4,000,000; Florida, 1,500,000).	2,300,000 lbs. (reduced by hurricane, from 5,000,000 lbs.)			This is another meaningless duty; 98% of our imports came from Cuba, and are very inferior to the domestic production and sell for less. By treaty these are free. The California industry will more than double under present conditions as the acreage planted in 1928 exceeded the old acreage. In the last four years the California production increased 1,500 per cent.
Fruits, candied, etc.	752	do	40%	No data	No data	No data	No data	Nothing is known as to this industry, other than that California and Oregon, as well as five other States, have factories producing it. It is not a farm product but is really confectionery and the new duty taxes it as such. It will not affect the farmers in any way, but the consumer will, of course, pay more for it.
Flower bulbs	753							The imports of these bulbs is under the authority of the Department of Agriculture. Many are restricted to importation for propagation. The increase of 200% in duty, with these restrictions, means little, although in many lines these bulbs can not be produced in quality equal to the foreign inportation. A duty will not affect the quality of domestic production, so this increase under existing conditions is futile.
Tulip		$2 per M	$6 per M	Number: 10,000,000–12,000,000.	Number: 241,790,545 (tulip, lily, narcissus, and lily of the valley).	No data, included in "all other," 4,862,364 (number).	2.2¢ ea.	
Lily		do	do	15,000,000				
Narcissus		do	do	140,000,000				
Crocus (corms)		$1 per M	$2 per M	1,000,000	18,838,599		1.2¢ ea.	
Lily of the valley (pips).		$2 per M	$6 per M	10,000,000				
Almonds	756							The California almond has practically taken the domestic market for unshelled nuts. The confectioners claim that the shelled nuts dry out too quickly, and are unsuitable for their use. They pay more for the imported nuts than is the price for the domestic nuts. The California industry is increasing rapidly. The duty upon peanuts, flavored as almonds, is increased enormously. These increases will not be felt by the farmer.
Not shelled		4¾¢ lb.	5½¢ lb.	27,400,000 lbs. (val. 17¢ lb.).	1,138,840 lbs.	No data	13.9¢ lb.	
Shelled		14¢ lb.	16½¢ lb.	5,000,000 lbs.	17,483,470 lbs.		35.8¢ lb.	
Almond substitute		35%	18½¢ lb.	No data	No data; included in n. s. p. f., 358,381 lbs.	No data		
Chestnuts, candied, etc.		Free	25¢ lb.	Practically nil	No data	do	10.5¢ lb.	The domestic chestnut industry ended with the life of the trees, which were killed by the blight. The increase in duty from free to 25% will not cure this blight nor restore the trees.
Brazil nuts	757							Brazil, or cream nuts, are not produced in this country. They are very oily and will not keep well if shelled. The duty is increased 50% on the unshelled nuts and 350% upon the shelled. They do not compete directly with any other nut. The increased duty without helping agriculture in the slightest will increase the cost of these nuts to the consumer.
Not shelled		1¢ lb.	1½¢ lb.	Not produced in United States.	21,077,042 lbs.		10.2¢ lb.	
Shelled		do	4½¢ lb.		2,959,820 lbs.		35.1¢ lb.	
Filberts								Hazel nuts, or filberts, are not much of a crop in the United States, a few being grown in Washington and Oregon. Nevertheless the duty is increased 100%. This will not aid the farmer or grower, but will tend to reduce consumption.
Not shelled		2½¢ lb.	5¢ lb.	400,000 lbs.	12,743,669 lbs.		10.2¢ lb.	
Shelled		5¢ lb.	10¢ lb.		5,714,665 lbs.		17.1¢ lb.	
Peanuts	759							The increase of duty upon unshelled peanuts of 50% will not be felt by the producers. The new duty is about 94% of the 1928 import price, while the 7¢ duty is over 127% on the shelled nuts. Again, the duty, if really effective, would help the manufacturer at the expense of the producing farmer. This is the case in general with this schedule. The protection to the manufacturer of the agricultural product is greater than to the farmer.
Not shelled		3¢ lb.	4¼¢ lb.	866,822,000 lbs. (1927).	10,636,643	5,419,177 lbs.	4.5¢ lb.	
Shelled		4¢ lb.	7¢ lb.		38,891,599		5.5¢ lb.	
N. s. p. f.		4¢ lb. or 35%.	do		Included above	No data		
Walnuts	760							California produces much the largest part of our crop. She specializes in the unshelled nuts, shelling only the inferior and damaged nuts for market. Their cooperative marketing is of much more advantage than is the tariff to the producer. This 25% increase in duty will not be felt by the producer, being absorbed by the dealers if felt at all.
Not shelled		4¢ lb.	5¢ lb.	California crop: 102,000,000 lbs. (1927); 50,000,000 lbs. (1928).	14,603,239 lbs.	No data	12.1¢ lb.	
Shelled		12¢ lb.	15¢ lb.		18,561,984 lbs.		27.5¢ lb.	
Pecan nuts								About 1% of our consumption of pecans is imported, and these principally wild seedlings of inferior quality. The increase of 66⅔% in duty will not affect the producer, as his nut now sells for more than the foreign nut plus the new duty.
Unshelled		3¢ lb.	5¢ lb.	41,972,000 lbs., farm price 17¢ lb.	476,002		9.2¢ lb.	
Shelled		6¢ lb.	10¢ lb.		24,568		35.8¢ lb.	
Edible nuts, n. s. p. f.	761							The bulk of these nuts are cashew nuts, something that is very poisonous until treated. The increase of 400% on these nuts means nothing to our agriculture, but will necessarily be felt by the consumer.
Not shelled		1¢ lb.	2½¢ lb.	Not produced in United States.		None		
Shelled		do	5¢ lb.		3,883,000 lbs.		22.2¢	
Flaxseed	762	40¢ lb.	65¢ lb.	About 16.5% of world's production, 27,583,000 bushels (1927).	17,578,609 bu.	39,475 bu.	$1.777 bu.	About 50% of our consumption is imported, chiefly from Argentina and to a less degree from Canada. The average price for the 1927 crop was:

	Duty to even price
Buenos Aires, $1.67 per bu. 56 lbs.	57¢
Winnipeg, Canada, $1.95 per bu. 56 lbs.	29¢
Minneapolis, $2.24 per bu. 56 lbs.	

The August, 1928, quotations were as follows:

	Duty needed
Buenos Aires, $1.63	42¢
Winnipeg, $1.82	23¢
Minneapolis, $2.05	

The duty was made 65¢, much higher than the amount needed to equalize prices. It is doubtful whether the farmer will receive any more aid from the new duty.

Duties upon principal agricultural articles increased by new tariff—Continued

Item	Tariff No.	Present duty	New duty	Production, 1928	Imports, 1928	Exports, 1928	Import value, 1928	Effect
Soybeans	762	½¢ lb	2¢ lb	8,688,000 bu. (60 lb.)	70,929 bu	Small	$2.18	China produces about 167,000,000 bushels per annum. The uses are so great that this bean will be produced in the United States in increasing quantities. It is already displacing cowpeas, because of easier cultivation and handling. The increase in duty of 300% will mean very little, if anything, to the farmer.
Grass seeds, etc., alfalfa	763	4¢ lb	8¢ lb	51,200,000 lbs. (average, 50,000,000 lbs.).	650,000 lb	826,000 lbs. (1929)	17¢ lb	Exports exceed imports. Very few farms produce these seeds as compared with the very large number who plant them for hay, forage, and soiling crop. The most good to the largest number of farmers would really mean the free importation of most of these seeds.
Clover:								
Alsike		do	do	25,000,000 (1929)	6,786,228 lb		19.6¢ lb	These increases of from 100% to as high as 3,800% (on bent grass) means an additional burden on over 300 farms for every one farmer growing the seed, and it is very doubtful whether it will help this one. A study of our import statistics of grass seed, despite the much lessened demand for hay and forage due to automobiles, show that actually more such seeds are imported at the present high rates of duty than when they were on the free list.
Crimson	183	1¢ lb	2¢ lb	300,000 lbs. (1927)	2,868,870 lbs		9.4¢ lb	
Red		4¢ lb	8¢ lb	95,000,000 lbs. (1929)	5,931,465 lbs	455,738	19.3¢ lb	
White		do	6¢ lb	1,200,000 lbs	2,483,146 lbs		19.1¢ lb	
Sweet		2¢ lb	4¢ lb	60,780,000 lbs	1929, 1,494,000 lbs			
N. s. p. f		do	3¢ lb	Not stated	Not stated			
Orchard		do	5¢ lb	3,150,000 lbs	1,251,547		12.4¢ lb	
Rye grass		do	3¢ lb	2,500,000 lbs	1,195,801		7.2¢ lb	The exports of other grass seeds, not including alfalfa, clover, and timothy, for 1927, was 5,659,642 lbs. and for 1928, 5,257,668 lbs.
Vetches—								
Hairy		do	do	2,500,000 to 4,000,000 lbs.	3,794,373 lbs		6.4¢ lb	
Other		1¢ lb	1½¢ lb		274,846 lbs		4.6¢ lb	
Bent grass		2¢ lb	40¢ lb	150,000 lbs	533,900 lbs			
Blue grass		do	5¢ lb	4,500,000 lbs	1,085,815 lbs		11¢ lb	
Tall oat grass		do	do					
Garden and field seeds	764							About one-fourth of seed used is grown by home gardens. About 35% of seed used is grown noncommercially. Noncommercial seed, or home grown or home-used seed, amounts to from 30 to 35% of total consumption. This duty will not aid the few western farmers growing these seeds commercially.
Cabbage		10¢ lb	12¢ lb	447,000 lbs. (1923)	244,675 lbs		50.7¢ lb	
Radish		4¢ lb	6¢ lb	743,000 lbs. (1922)	588,766 lbs	404,000 (1919)	16.2¢ lb	
Turnip		do	5¢ lb	15,000 lbs. (1922)	1,526,870 lbs		10.7¢ lb	
Rutabagas		do	do	46,000 lbs. (1922)	234,201 lbs		9.2¢ lb	
Beans, n. s. p. f	765							The imports of green beans are only seasonable. That is, during the winter, chiefly from Cuba, and are as a rule noncompetitive, until Florida begins to market her early beans. This increase in duty of 600% means nothing. The increase of duty on dried beans will have little or no effect as we import about 8% of our consumption.
Green, etc		½¢ lb	3½¢ lb	294,400,000	517,687 lbs 3,112,572 Cuba		4.6¢ lb 3.2¢ lb	
Dried		1¾¢ lb	3¢ lb	995,880,000 lbs	112,564,380 lbs	About 50% of imports.	4.5¢ lb	
In brine, or preserved		2¢ lb	do					
Black-eyed cowpeas:								
Green		25%	3½¢ lb					We are now including as dried beans, the dark-eyed cowpeas, produced chiefly in California for human consumption. In 1926 black-eyed cowpeas were removed from the free list and made dutiable at 3½¢ per pound. In 1927, Mexico, the source of our import of these beans, prohibited the export of cowpeas.
Dried		1¾¢ lb	3¢ lb					
Preserved		35%	do					
Sugar beets	766	80¢ per 2,240 lbs.	80¢ per 2,000 lbs	7,040,000 tons of 2,000 lbs.	37,238 tons of 2,240 lbs.		$6.34 per long ton	Imported from Canada adjacent to the United States beet-sugar factories. The duty means little to the domestic producer and the factories are the gainers by the increased rates.
Mushrooms	768							The principal form of use of the domestic production is in the fresh form. The domestic canning industry is increasing, and now the domestic canned brings higher prices than does the imported article. Dried are not produced. The duty will not affect the industry.
Fresh or dried		45%	10¢ lb. plus 45%	30,000,000 lbs. annually	707,245 lbs. dried		19.4¢ lb	
Prepared, etc		do	do		5,511,284 canned		76.4¢ lb	
Peas	769							The green or unripe peas imported are seasonable imports, from Mexico or a few from Canada, before we can produce them in the winter or spring, or after our production is ended in the hot summer. The duty as imposed means nothing to our producers, simply increasing the cost to the consumer. Our imports of dried peas are small as compared with our production.
Green or unripe		1¢ lb	3¢ lb	554,000,000 lbs	14,325,528 lbs		5¢ lb	
Dried		do	1¾¢ lb	3,660,000 bu. 60 lbs	203,790 bu. (60 lbs.)		$2.31 bu	
Split		1½¢ lb	2½¢ lb	189,700 bu. (1923)	20,305 bu		$2.60 bu	
Onions	770	do	do	1,084,425,000, value 21¢ lb.	125,311,910 lbs	31,500,000 lbs	2.1¢ lb	The Tariff Commission made an investigation of the cost of production of onions, and based thereon the President, January 21, 1929, increased the duty to 1½¢ per lb. to equal this difference. The new tariff rate, notwithstanding, is made 2½¢, or an increase of 67%. It will have no effect upon the United States producer.
Garlic		2¢ lb	1½¢ lb	Very small	5,930,296		4.6¢ lb	There is no commercial domestic production of garlic. Used practically all by foreigners. Duty means nothing and reduction means loss.
Potatoes: White or Irish	771	50¢ per 100 lbs.	75¢ per 100 lbs	462,943,000 bu. (60 lbs. to the bu.) or 277,765,800 100 lbs.	1,872,959 (100 lbs.)	1,618,990 (100 lbs.)	$1.485 per 100 lbs	Potatoes are a bulky crop, and our imports are chiefly from Canada. The imports fluctuate, depending upon our crop. If this is large, we import very small quantities, while if it is small, we import large quantities. That is, the duty works the wrong way. When we have plenty, the duty is ineffective; when we have none to protect, the duty, of course, protects nothing and simply adds to the cost to the consumer. The duty means nothing. Under the present rate we collected duty as low as $127,285 in 1924, and as high as $8,200,000 in 1926.
Tomatoes	772							Our imports are seasonable, when we have none or only a few from the extreme South. Mexico sends 80%; Cuba, 12%; and Bahamas, 7% of our total imports. The duty again acts the wrong way, working when we produce none and not needed when we are producing. It means nothing and will not aid the producers except to a small extent in Florida, Mississippi, California, and Texas.
Natural state		½¢ lb	3¢ lb	885,920,000 lbs. Average price 3.1¢ lb.	96,076,245 lbs 23,932,290 lbs	No data Cuba	3.2¢ lb 3.3¢ lb	
Prepared or preserved		15%	40%					

Turnips (and rutabagas)	773	12¢ per 100 lbs.	20¢ per 100 lbs	No record, but about 1,500 car loads are shipped annually, or about 60,000,000 lbs. The total production is immeasurably great.	150,425,232 lbs		60¢ per 100 lbs	Our principal imports are rutabagas or Swedish turnip, from Canada. They do not come into our market in large quantities at the same time as the domestic production. Again, they are a bulky and cheap article, transportation is expensive and acts as an additional duty. Millions of bushels are grown by our farmers of which no record is kept. The duty means nothing to the farmer.
Vegetables in their natural state.	774							These fresh vegetables are chiefly imported during winter and early spring, and can not be said to be really competitive. The increase as a rule is much over 50% and can not aid our farmers or gardeners except possibly in the extreme South. The reason for the imposition of such a duty was the difficulty to find the cultural articles upon which a duty can be imposed, so these duties, immaterial of their futility, were chosen.
Peppers		25%	3¢ lb	4,418,000 bu	United States imports of all fresh vegetables, except cabbage.			
Egg plant		do	do	896,000 bu	40,235,311 lbs		3.7¢ lb	
Cucumbers		do	do	8,535,000 bu	13,417,431 lbs. (Cuba).		do	
Squash		do	2¢ lb					
Celery		do	do	7,173,000 crates				
Lettuce		do	do	18,589,000 crates				
Cabbage		do	do	19,538,000 lbs	3,198,175 lbs		1.4¢ lb	
Horseradish		Free	3¢ lb					
All other, n. s. p. f.		25%	50%					
Vegetables, etc	775							There are no statistics of the trade in these two articles, and without any information as to imports, prices, or competition, the duties were much increased, about 45% on sauerkraut, and materially upon pimentos. Sauerkraut is made largely from unsalable or surplus cabbage, and not commercially by the farmers. These increases of duty are meaningless.
Sauerkraut		35%	50%	$2,974,000	Small			
Pimentos (in brine, oil, or preserved, etc.).		do	6¢ lb	1925, $4,573,844				
Chicory	776							Chicory is used as an adulterant for coffee, and coffee so adulterated is labeled and is sold principally in the Southern States, especially Louisiana. The duty means nothing to the farmer. The imports are decreasing.
Crude		1½¢ lb	2¢ lb	18,196,000 lb	197,830 lbs., including acorns and dandelion root.		10.8¢ lb	
Acorns, chicory, and dandelion root, ground or prepared.		3¢ lb	4¢ lb	No statistics	1,090,860		4.4¢ lb	
Chocolate		777						This is not an agricultural product, as none is produced in the United States. It is a purely manufactured product, made from imported cocoa beans, and imported sugar. Any duty can not aid the farmer, as he is merely a consumer of these products. Our production of both cocoa and chocolate is steadily increasing. The only change is that the pound cans of cocoa are being produced in slightly decreasing numbers, but at increasing prices. which explains the decrease in number. The duty on unsweetened chocolate of 3¢ per lb. as a whole, is a reduction, while on cocoa, it is about the same as the 17½% ad valorem. The same may be said of the 4¢ per pound duty, but the increase of 128% upon other sweetened cocoa and chocolate is without warrant. These duties mean nothing but increased cost to the consumers of sweetened chocolate and cocoa in small packages.
Unsweetened		17½%; not less than 2¢ lb.	3¢ lb. net	1927: 10,805,121 lbs	9,063 lbs. min. rates; 323,531 lbs. adv. rates.	903,076 lbs	9.7¢ lb	
Sweetened—								
In bars or blocks; 10 lbs. or more.		2¢ lb	4¢ lb	142,015,557 lbs	191 lbs. min. rate 4,001,374 lbs. ad valorem rates.		28.6¢ lb 10.5¢ lb	
Other		do	40%				31.6¢ lb	
Cocoa:								
Unsweetened		Same as on chocolate.		90,910,156 lbs	2,763,607 lbs. min. duty; 1,253,367 lbs. ad. v. duty.	2,133,140 lbs	7.7¢ lb 18.4¢ lb	
Sweetened		do			178,136 lbs. min. duty. Ad valorem duty, 765,336 lbs.		9.3¢ lb 22.3¢ lb	
Chocolate coatings				1927: 235,389,648				
Hay	780	$4 long ton	$5 per short ton	93,031,000 short tons	62,384 long tons	14,471 long tons	$9.04 long ton	The long ton has always been the customs ton, corresponding to the British ton and to a certain extent to the kilogram of the metric system. This ton is 12% larger than the short ton. In order to increase duties without seeming to, the short ton is being substituted in this act for the long ton. The increase in duty on hay is 40% and on straw 68%. This increase of duty is purely local, and to 60 to 90% of our farms it will mean nothing. Again, it helps those who need no help, while to those far from market it means nothing.
Straw		$1 long ton	$1.50 short ton	85,386,750 tons	19,186 long tons	(1922) 705 tons	$5.63 long ton	
Broom corn		Free	$20 short ton					
Rice straw and fiber		do	$10 short ton	No data	No data	No data	No data	The duty on broom straw is really ludicrous. We produce 45,500 tons of which we have record, and many more of which we have no record in 1928, and imported, under rigorous and expensive quarantine inspection only 172 tons for the 2 years, 1927 and 1928. Rice straw and fiber was removed from the free list and made dutiable at one-half cent per pound without any authentic information or statistics thereof. It will not aid any farmer.
Lupulin	780	75¢ lb	$1.50 lb		37,213 lbs		$1.13 lb	Lupulin is the yellow resinlike pollen found on hops. From 2,000 to 3,000 lbs. are collected annually by our western hop growers. This increases the duty 100% upon something that is merely a by-product of the hop grower, upon something used principally in brewing. It will not aid the hop growers.

Duties upon principal agricultural articles increased by new tariff—Continued

Item	Tariff No.	Present duty	New duty	Production, 1928	Imports, 1928	Exports, 1928	Import value, 1928	Effect
Spices								These are all spices that are not produced in the United States, and were first made dutiable in 1913 as a revenue producer. The duty is here imposed upon the ground spices and curry on account of the plea that it helps American labor, which is disingenuous, as machines do this work.
Mustard seed—								
Unground		1¢ lb	2¢ lb		15,443,216 lbs		5.4¢ lb	
Ground, etc		8¢ lb	10¢ lb		1,987,782 lbs		56.1¢ lb	
Red pepper—								
Unground		2¢ lb	5¢ lb		2,818,616 lbs		15.4¢ lb	
Ground		5¢ lb	8¢ lb		32,640 lbs		23.2¢ lb	
Paprika—								
Unground		2¢ lb	5¢ lb		8,262 lbs		27.7¢ lb	
Ground		5¢ lb			4,974,493 lbs		18.5¢ lb	
Curry, and curry powder.		Free	do	No data	35,875 lbs.		31¢ lb	
Cotton, with staple of 1⅛ inches or more.	783	do	7¢ lb	660,526 bales, of which 28,313 bales was Pima, or Egyptian.	315,225 bales	Pima only available; 1929, 4,545 bales, 37.3¢.	28.45¢ lb	The long-stapled cotton of Egypt is the competitor of our long-staple cotton. There is in Egypt from 600,000 to 700,000 bales of this cotton available for the world's markets. The yield of this cotton is about 300 pounds per acre. The long-stapled cotton grown in Louisiana yields only 175 pounds per acre, while upper average about 500 pounds. The objection to domestic production of long staple is the smaller yield is not made up fully by the price. Also the western-grown Egyptian is claimed to be inferior to the native Egyptian. This duty is hoped to encourage the growth of the more expensive less yielding long staple.
Flax straw	1001	$2 ton	$3 ton	Not produced for fiber.	41 tons		$50.44 ton	The production of flax for fiber requires so much labor of a kind that our farms dislike that it is not and never has been produced here. During the war the demand for hemp increased and we produced it. This demand disappeared and now we produce enough to satisfy the demand and produce no more. The increase of duty by 50% is not made with any idea of assisting our producers, and will not affect them.
Flax, not hackled		1¢ lb	1½¢ lb		1,819 tons		$593.24 ton	
Hackled and dressed lin.		2¢ lb	3¢ lb		2,136 tons		$1,043.04 ton	
Flax tow		do	do		1,180 tons		$410.93 ton	
Noils and crin vegetal		¾¢ lb	1¢ lb		374 tons		$186.45 ton	
Hemp:								
Tow		1¢ lb	2¢ lb	Less than 1,000 tons	1,356 tons		$302.51 ton	
					18 tons		$285.06 ton	
Hackled		2¢ lb	3½¢ lb		316 tons		513.11 tons	
Wool	1101							There is no industry among the farmers producing this grade of wool. The increase in duty is meaningless as a protection measure. A small quantity of the finer carpet wools are used in very coarse textured suiting, and overcoatings, and certain coarse, heavy footwear for winter lumbermen.
[1] Carpet wools		12¢ lb. grease 18¢ lb. washed, 24¢ lb. scoured.	24¢ lb. clean content.	A few hundred thousand pounds produced by Indians of the Southwest, United States.	11,346,797 lbs. dutiable.		33.6¢ lb	
					99,661,981 lbs. bonded.		23.1¢ lb	
					130,182 dutiable		34.6¢ lb	
					27,440,239 bonded		28.6¢ lb	
					54,537 lbs. dutiable		40.6¢ lb	
					16,200,077 bonded		30.2¢ lb	
On the skin		11¢ lb	22¢ lb. clean content.		14,320 dutiable		21.6¢ lb	
					339,487 lbs. bonded		14.0¢ lb	
Sorted or matchings		11¢, 12¢, or 18¢ lb.	Not scoured, 25¢ clean content.					
Total carpet wools					155,187,620 lbs		25.6¢	
Dutiable					11,545,836 lbs			
Under bond					143,641,784 lbs			
Wools and hair, etc., improved.	1102						Clean content	Owing to the rapid growth in production of improved wools and mohair in the United States, the imports for 1928 and 1929 were only 25% of the total available for consumption. The wool industry flourished very much under the rates of the 1922 act, and there was no evidence that further increases in duty would be advisable. Sheep raising is a dual industry—meat and wool. The only trouble is that the finest wool is from sheep that are the poorest for food. It is doubtful whether the increases made by the new tariff will aid the woolgrower more than the present rates. There is no doubt that it will be used in order to increase prices to the consumer.
N. s. p. f., not finer than 44s grease or washed.		31¢ lb. clean content.	29¢ lb. clean content.	Wools improved: 347,600,000 lbs.	Wool, clean content; average 1923-29.		59¢ to 66¢ lb	
Scoured		31¢ lb. c. c.	32¢ lb. clean content.	Or 13% of world's production.	92,700,000 lbs		67¢ lb	
On the skin		30¢	27¢ lb. clean content.	Mohair, U. S., 13,470,000 lbs.	Mohair, 3,000,000 lbs.		86¢ lb	
Sorted or matchings.		31¢	31¢ lb. clean content.	Turkey, 10,000,000 lbs. S. Africa, 8,788,000 lbs.				
N. s. p. f. grease or washed.		do	34¢ lb. clean content.			Very little		
Scoured		do	37¢ lb. clean content.				72¢ to 73¢ per lb.	
							68¢ lb	
							53¢ lb	
On the skin		30¢	32¢ lb					
Sorted etc		31¢	35¢ lb					

[1] Practically all made from imported peel.

EXECUTIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

CAPT. CHARLES H. HARLOW, UNITED STATES NAVY, RETIRED

Mr. HALE, from the Committee on Naval Affairs, reported the nomination of Capt. Charles H. Harlow, United States Navy, retired, to be a commodore on the retired list of the Navy, from the 29th day of May, 1930, in accordance with a provision contained in an act of Congress approved on that date, which was placed on the Executive Calendar.

EXTRADITION TREATY WITH AUSTRIA

The Chief Clerk proceeded to read Calendar No. 14, extradition treaty with Austria, signed at Vienna, January 31, 1930, which was considered as in Committee of the Whole and is as follows:

The United States of America and Austria desiring to promote the cause of justice, have resolved to conclude a treaty for the extradition of fugitives from justice, between the two countries and have appointed for that purpose the following Plenipotentiaries:

The President of the United States of America:

Mr. Albert Henry Washburn, Envoy Extraordinary and Minister Plenipotentiary to Austria,

and

The Federal President of the Republic of Austria:

Mr. Johann Schober, Federal Chancellor,

who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I

It is agreed that the Government of the United States and the Federal Government of Austria shall, upon requisition duly made as herein provided, deliver up to justice any person, who may be charged with, or may have been convicted of any of the offenses specified in Article II of the present Treaty which are designated in the laws of the surrendering state as crimes other than misdemeanors and which were committed within the jurisdiction of one of the High Contractings Parties, whenever such person shall seek an asylum or shall be found within the territories of the other; provided that such surrender shall take place only upon such evidence of criminality, as according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial if the offense had been there committed.

ARTICLE II

Persons shall be delivered up according to the provisions of the present Treaty, who shall have been charged with or convicted of any of the following offenses:

1. Murder, comprehending the crimes designated by the term parricide, assassination, manslaughter when voluntary, poisoning or infanticide.

2. Rape, abortion, carnal knowledge of children under the age of fourteen years.

3. Abduction or detention of women or girls for immoral purposes.

4. Bigamy.

5. Arson.

6. Wilful and unlawful destruction or obstruction of railroads, which endangers human life.

7. Crimes committed at sea:

a) Piracy, as commonly known and defined by the law of nations, or by statute.

b) Wrongfully sinking or destroying a vessel at sea.

c) Mutiny or conspiracy of two or more members of the crew or other persons on board of a vessel on the high seas, for the purpose of rebelling against the authority of the Captain or Commander of such vessel, or by fraud or violence taking possession of such vessel.

d) Assault on board ship upon the high seas with intent to do bodily harm.

8. Burglary, defined to be the act of breaking into and entering the house of another in the night time with intent to commit a felony therein.

9. The act of breaking into and entering the office of the Government and public authorities or the offices of banks, banking houses, savings-banks, trust-companies, insurance and other companies, or other buildings not dwellings with intent to commit a felony therein.

10. Robbery, defined to be the act of feloniously and forcibly taking from the person of another goods or money by violence or by putting him in fear.

11. Forgery or the utterance of forged papers.

12. The forgery or falsification of the official acts of the Governments, or public authority, including Courts of Justice, or the uttering or fraudulent use of any of the same.

13. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, created by National, State, Provincial, Territorial, Local or Municipal Governments, bank notes or other instruments of public credit, counterfeit seals, stamps, dies and marks of State or public administrations, and the utterance, circulation or fraudulent use of the above mentioned objects.

14. Embezzlement or criminal malversation committed within the jurisdiction of one or the other party by public officers or depositaries, where the amount embezzled exceeds one hundred dollars or the Austrian equivalent.

15. Embezzlement by any person or persons, hired, salaried or employed, to the detriment of their employers or principals, when the crime is punishable by imprisonment or other corporal punishment by the laws of both countries, and where the amount embezzled exceeds one hundred dollars or the Austrian equivalent.

16. Kidnapping of minors or adults, defined to be the abduction or detention of a person or persons, in order to exact money from them, their families or any other person or persons, or for any other unlawful end.

17. Larceny, defined to be the theft of effects, personal property, or money, of the value of one hundred dollars or more or the Austria equivalent.

18. Obtaining money, valuable securities or other property by false pretenses or receiving any money, valuable securities or other property knowing the same to have been unlawfully obtained, where the amount of money or the value of the property so obtained or received exceeds one hundred dollars or the Austrian equivalent.

19. Perjury or subornation of perjury.

20. Fraud or breach of trust by a bailee, banker, agent, factor, trustee, executor, administrator, guardian, director or officer of any company or corporation, or by any one in any fiduciary position, where the amount of money or the value of the property misappropriated exceeds one hundred dollars or the Austrian equivalent.

21. Crimes against the laws of both countries for the suppression of slavery and slave trading.

22. Wilful desertion or wilful non-support of minor or dependent children.

The extradition is also to take place for participation in any of the aforesaid crimes as an accessory before or after the fact or for any attempt to commit any of the aforesaid crimes; provided such participation or attempt be punishable by imprisonment by the laws of both Contracting Parties.

ARTICLE III

The provisions of the present Treaty shall not import a claim of extradition for any offense of a political character, nor for acts connected with such offenses; and no person surrendered by or to either of the High Contracting Parties in virtue of this Treaty shall be tried or punished for a political offense committed before his extradition.

The State applied to or Courts of that State shall decide whether the offense is of a political character or not.

When the offense charged comprises the act either of murder or assassination or of poisoning, either consummated or attempted, the fact that the offense was committed or attempted against the life of the Sovereign or Head of any State or against the life of any member of his family, shall not be deemed sufficient to sustain that such offense was of a political character; or was an act connected with offenses of a political character.

ARTICLE IV

No person, except with the approval of the surrendering State, shall be tried for any crime committed before his extradition other than that for which he was surrendered, unless he has been at liberty for one month after having been tried for that offense, to leave the country, or, in case of conviction, for one month after having suffered his punishment or having been pardoned.

ARTICLE V

A fugitive criminal shall not be surrendered under the provisions hereof, when, from lapse of time or other lawful cause, either according to the laws of the country within the jurisdiction of which the crime was committed or according to the laws of the surrendering State, the criminal is exempt from prosecution or punishment for the offense for which the surrender is asked.

ARTICLE VI

If the person whose extradition has been requested, pursuant to the stipulations of this Convention, be actually under prosecution for a crime in the country where he has sought asylum, or

shall have been convicted thereof, his extradition may be deferred until such proceedings be terminated, or until such criminal shall be set at liberty in due course of law.

ARTICLE VII

If a fugitive criminal claimed by one of the parties hereto, shall be also claimed by one or more powers pursuant to treaty provisions, on account of offenses committed within their jurisdiction, such criminal shall be delivered to that State whose demand is first received, unless its demand is waived. This Article shall not affect such treaties as have already previously been concluded by one of the Contracting Parties with other states.

ARTICLE VIII

Under the stipulations of this Treaty, neither of the High Contracting Parties shall be bound to deliver up its own citizens.

ARTICLE IX

The expense of transportation of the accused shall be paid by the Government which has preferred the demand for extradition. No claim other than for the board and lodging of an accused prior to his surrender arising out of the arrest, detention, examination and surrender of fugitives under this Treaty shall be made against the Government demanding the extradition; provided, however, that any officer or officers of the surrendering Government, who shall in the course of their duty, receive no salary or compensation other than specific fees for services performed, shall be entitled to receive from the Government demanding the extradition the customary fees for the act or services performed by them, in the same manner and to the same amount as though such act or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

These claims for board and lodging and for fees are to be submitted through the intermediary of the respective Government.

ARTICLE X

Everything found in the possession of the fugitive criminal at the time of his arrest, whether being the proceeds of the crime, or which may be material as evidence in making proof of the crime, shall so far as practicable, according to the laws of either of the High Contracting Parties, be delivered up with his person at the time of surrender. Nevertheless, the rights of a third party with regard to the articles referred to, shall be duly respected.

ARTICLE XI

The stipulations of the present Treaty shall be applicable to all territory wherever situated, belonging to either of the High Contracting Parties or in the occupancy and under the control of either of them, during such occupancy or control.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the High Contracting Parties. In the event of the absence of such agents from the country or its seat of Government, or where extradition is sought from territory included in the preceding paragraph, other than the United States or Austria, requisitions may be made by superior consular officers. Requisitions for surrender with accompanying documentary proofs shall be required to be translated by the Government which has preferred the demand for extradition into the language of the surrendering Government.

The arrest and detention of a fugitive may be applied for on information, even by telegraph, of the existence of a judgment of conviction or of a warrant of arrest.

In Austria the application for arrest and detention shall be addressed to the Federal Chancellor, who will transmit it to the proper department.

In the United States, the application for arrest and detention shall be addressed to the Secretary of State, who shall deliver a mandate certifying that the application is regularly made and requesting the competent authorities to take action thereon in conformity to statute.

In case of urgency, the application for arrest and detention may be addressed directly to the competent magistrate in conformity to the statutes in force.

The person provisionally arrested shall be released, unless within three months from the date of commitment in the United States—or from the date of arrest in Austria, the formal requisition for surrender, with the documentary proofs hereinafter described, be made as aforesaid by the diplomatic agent of the demanding Government, or in his absence, by a consular officer thereof.

If the fugitive criminal shall have been convicted of the crime for which his extradition is asked, a copy of the sentence of the court before which such conviction took place, duly authenticated, shall be produced. If, however, the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime was committed, and of the depositions upon which such warrant may have been issued, shall be produced, with such other evidence or proof as may be deemed competent in the case.

ARTICLE XII

In every case of a request made by either of the High Contracting Parties, for the arrest, detention or extradition of fugitive criminals, the appropriate legal officers of the country where the proceedings of extradition are had, shall assist the officers of the Government demanding the extradition before the respective judges and magistrates, by every appropriate legal means within their power.

ARTICLE XIII

The present Convention shall be ratified by the High Contracting Parties, in accordance with their respective constitutional method and shall take effect on the thirtieth day after the date of the exchange of ratifications, which shall take place at Vienna as soon as possible, but it shall not operate retroactively.

On the day when the present Convention takes effect, the Convention of July 3, 1856, shall cease to be in forces except as to crimes therein enumerated and committed prior to the date first mentioned.

The present Convention shall remain in force for a period of six months after either of the two Governments shall have given notice of a purpose to terminate it.

In witness whereof the above named Plenipotentaries have signed the present Treaty and have hereunto affixed their seals.

Done in duplicate at Vienna this 31st day of January, nineteen hundred and thirty.

ALBERT HENRY WASHBURN. [SEAL.]
SCHOBER. [SEAL.]

Mr. BORAH. Mr. President, I have no suggestion to make with regard to this treaty further than to say that it is the ordinary extradition treaty.

There are no terms in the treaty I know of different from those which ordinarily appear in an extradition treaty, with this possible exception, about which the Senate might like to know something.

The laws of Austria do not provide for capital punishment. Therefore, in the exchange of notes, we find this:

VIENNA, *January 31, 1930.*

His Excellency Dr. JOHANN SCHOBER,
Austrian Federal Chancellor.

EXCELLENCY: At the moment of signing the treaty of extradition between the United States of America and the Republic of Austria, I have the honor to state that I have been duly authorized to inform your excellency that in the event of the conviction in the United States of a person extradited from Austria where such conviction is followed by a sentence of death, the Government of the United States will undertake to recommend to the appropriate authorities the exercise of mercy by way of the commutation of the sentence to life imprisonment.

Accept, excellency, the renewed assurances of my highest consideration.

ALBERT H. WASHBURN.

The effect of that, through the exchange of notes, is to engage the United States, when a party is convicted under a law which imposes the death sentence, to recommend to the State life imprisonment.

The treaty was reported to the Senate without amendment, and the resolution of ratification was read, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive H, Seventy-first Congress, second session, a treaty with Austria for the extradition of fugitives from justice, signed at Vienna on January 31, 1930.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to, two-thirds of the Senators present voting in the affirmative.

ARBITRATION TREATY WITH ICELAND

The Chief Clerk proceeded to read Calendar No. 15, arbitration treaty with Iceland, signed at Washington, May 15, 1930, which was considered as in Committee of the Whole, and is as follows:

The President of the United States of America and His Majesty the King of Iceland and Denmark

Determined to prevent so far as in their power lies any interruption in the peaceful relations that have always existed between the United States and Iceland;

Desirous of reaffirming their adherence to the policy of submitting to impartial decision all justiciable controversies that may arise between the two countries; and

Eager by their example not only to demonstrate their condemnation of war as an instrument of national policy in their mutual relations, but also to hasten the time when the perfection of international arrangements for the pacific settlement of international disputes shall have eliminated forever the possibility of war among any of the Powers of the world;

Have decided to conclude a new treaty of arbitration enlarging the scope and obligations of the arbitration convention signed at Washington on May 18, 1908, which expired by limitation on March 29, 1914, and for that purpose they have appointed as their respective Plenipontentiaries

The President of the United States of America: Henry L. Stimson, Secretary of State of the United States; and

His Majesty the King of Iceland and Denmark: Mr. Constantin Brun, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Who, having communicated to one another their full powers found in good and due form, have agreed upon the following articles:

ARTICLE I

All differences relating to international matters in which the High Contracting Parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, which it has not been possible to adjust by diplomacy, which have not been adjusted as a result of reference to the Permanent International Commission constituted pursuant to the treaty signed at Washington April 17, 1914, and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Arbitration established at The Hague by the Convention of October 18, 1907, or to some other competent tribunal, as shall be decided in each case by special agreement, which special agreement shall provide for the organization of such tribunal if necessary, define its powers, state the question or questions at issue, and settle the terms of reference.

The special agreement in each case shall be made on the part of the United States of America by the President of the United States of America by and with the advice and consent of the Senate thereof, and on the part of Iceland in accordance with its constitutional laws.

ARTICLE II

The provisions of this treaty shall not be invoked in respect of any dispute the subject matter of which

(a) is within the domestic jurisdiction of either of the High Contracting Paries,

(b) involves the interests of third Parties,

(c) depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe Doctrine,

(d) depends upon or involves the observance by Iceland, in the event that Iceland becomes a Party to the Covenant of the League of Nations, of its obligations in accordance with the Covenant.

ARTICLE III

The present treaty shall be ratified. The ratifications shall be exchanged at Washington as soon as possible, and the treaty shall take effect on the date of the exchange of the ratifications. It shall thereafter remain in force continuously unless and until terminated by one year's written notice given by either High Contracting Party to the other.

In faith whereof the respective Plenipotentiaries have signed this treaty in duplicate in the English language and hereunto affixed their seals.

Done at Washington the 15th day of May, one thousand nine hundred and thirty.

For the United States of America:

[SEAL] HENRY L. STIMSON

For Iceland:

[SEAL] C. BRUN.

Mr. BORAH. This is the ordinary arbitration treaty.

The treaty was reported to the Senate without amendment, and the resolution of ratification was read, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive J, 71st, 2nd, an arbitration treaty with Iceland signed at Washington on May 15, 1930.

The resolution was agreed to, two-thirds of the Senators present voting in the affirmative.

HANFORD MACNIDER

The Chief Clerk read the nomination of Hanford MacNider, of Iowa, to be envoy extraordinary and minister plenipotentiary, Canada.

Mr. BORAH. At the request of the senior Senator from Iowa [Mr. STECK], in a letter which I have in my desk, the nomination may go over.

The VICE PRESIDENT. Without objection, the nomination will be passed over.

EDWARD T. FRANKS

The Chief Clerk read the nomination of Edward T. Franks to be a member of the Federal Board for Vocational Education.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

MISS BESS GOODYKOONTZ

The Chief Clerk read the nomination of Miss Bess Goodykoontz, of Iowa, to be Assistant Commissioner of Education.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. PHIPPS. I ask that the postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed, and the President will be notified.

THE JUDICIARY

Mr. JONES. Mr. President, my colleague earlier in the day reported the nomination of Charles E. Allen to be United States marshal for the western district of Washington, and I ask that the nomination be acted upon at this time.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified. The Senate resumes legislative session.

ADJOURNMENT

Mr. McNARY. As in legislative session, I move that the Senate adjourn until to-morrow at 12 o'clock.

The motion was agreed to; and the Senate (at 5 o'clock p. m.) adjourned until to-morrow, Tuesday, June 17, 1930, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 16, 1930

UNITED STATES MARSHAL

Charles E. Allen, western district of Washington.

MEMBER FEDERAL BOARD FOR VOCATIONAL EDUCATION

Edward T. Franks.

ASSISTANT COMMISSIONER OF EDUCATION

Miss Bess Goodykoontz.

POSTMASTERS

MISSOURI

Fred M. Meinert, O'Fallon.

PENNSYLVANIA

Jennie Larkins, Ford City.

SOUTH DAKOTA

Samuel G. Mortimer, Belle Fourche.

VIRGINIA

David A. Sergent, Big Stone Gap.

WASHINGTON

William C. Black, Lowell.

HOUSE OF REPRESENTATIVES

MONDAY, *June 16, 1930*

The House met at 12 o'clock noon and was called to order by the Speaker.

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

Our Father, we wait a moment to acknowledge Thee as God over all. We desire to thank Thee for looking down from Thy sovereign throne, concerned for our welfare. We would take heed to ourselves and to Thy law. We are grateful to Thee that we are not solitary and alone. In the hour of temptation, in the stern discharge of duty, and when the burdens bend low Thou art our Father, touched with a feeling of our infirmity.

Thou art the blessed guaranty of our security here and forever. We praise Thee for the eye that is fixed on earth's multitudes, for the arm that upholds the skies, for the ear that is filled with the angels' songs, and for the abiding love that is enthroned for ever and ever. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, June 14, 1930, was read and approved.

PRIZE FIGHTING AND BOXING, DISTRICT OF COLUMBIA

The SPEAKER. The Clerk will read the Consent Calendar.

The first business on the Consent Calendar was the bill (H. R. 9182) to prevent professional prize fighting and to authorize amateur boxing in the District of Columbia, and for other purposes.

The title of the bill was read.

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

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I reserve the right to object.

Mr. LAGUARDIA. I would like to ask the gentleman if he has anything specific to suggest with reference to an amendment?

Mr. McCLINTIC of Oklahoma. I will say to the gentleman that I have turned over certain amendments to the gentleman from Mississippi [Mr. COLLINS]. I ask unanimous consent, Mr. Speaker, to pass over this bill temporarily without prejudice.

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

There was no objection.

AMENDMENT OF THE NATIONAL PROHIBITION ACT

The next business on the Consent Calendar was the bill (H. R. 11199) to amend sections 22 and 39, Title II, of the national prohibition act.

The title of the bill was read.

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

Mr. BOYLAN. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

TITLE OF CERTAIN LANDS IN MINNESOTA

The next business on the Consent Calendar was the bill (H. R. 5178) ratifying and confirming the title of the State of Minnesota and its grantees to certain lands patented to it by the United States of America.

The title of the bill was read.

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

Mr. CRAMTON. Reserving the right to object, Mr. Speaker, since this bill was passed over the last time it was up, I have had further time to examine it. I have gone over it with the officials of the Interior Department as well as with the gentleman from Minnesota [Mr. SELVIG]. I have a statement from the gentleman from Minnesota, which I will ask unanimous consent to make part of my remarks. I ask unanimous consent to extend as part of my remarks on this bill a letter from the gentleman from Minnesota, and in view of that letter I shall not press any objection to the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan to extend his remarks in the manner indicated?

There was no objection.

Mr. CRAMTON. The letter is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 11, 1930.

Hon. LOUIS C. CRAMTON,
House of Representatives.

MY DEAR MR. CRAMTON: The item of $125,000 for timber cut on lands claimed by Minnesota was asserted by the State in the pending suit not as a counterclaim for which affirmative recovery was sought, but merely as a set-off against any amount that might be recovered by the Federal Government from the State. The disposal of the pending suit merely leaves the matter in statu quo.

The claim has existed for many years. No statute exists under which Minnesota could bring suit against the United States. Only Congress can act upon it.

As far as I can learn, there is no disposition on the part of Minnesota's present administration to seek any relief from Congress, and in view of the fact that the claim is now a stale one, I have no reason to believe that such relief will be sought in the future.

Yours very truly,

C. G. SELVIG.

The SPEAKER. The Clerk will report the bill.

Mr. SELVIG. Mr. Speaker, I ask unanimous consent to substitute the Senate bill S. 4283 for the House bill.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

S. 4283

A bill ratifying and confirming the title of the State of Minnesota and its grantees to certain lands patented to it by the United States of America

Be it enacted, etc., That the title of the State of Minnesota and its grantees and assigns be, and the same hereby is, ratified and confirmed in respect of all lands included within the following-described patents issued by the United States of America to the State of Minnesota, to wit: Patent No. 1, dated May 14, 1877; patent No. 3, dated August 5, 1880; patent No. 4, dated November 20, 1880; patent No. 5, dated April 13, 1881; patent No. 6, dated March 27, 1885; patent No. 7, dated March 10, 1888; patent No. 28, dated September 20, 1893; patent No. 41, dated March 15, 1895; patent No. 59, dated April 30, 1896; patent No. 65, dated September 15, 1896; patent No. 72, dated January 18, 1897; patent No. 73, dated February 11, 1897; patent No. 77, dated May 6, 1897; patent No. 82, dated October 20, 1897; patent No. 84, dated January 15, 1898; patent No. 92, dated February 21, 1899; patent No. 95, dated March 15, 1899; patent No. 106, dated October 23, 1899; patent No. 110, dated April 20, 1900; patent No. 126, dated August 26, 1901; patent No. 127, dated August 28, 1901; patent No. 139, dated August 17, 1903; patent No. 163, dated October 14, 1904; patent No. 167, dated January 12, 1905; patent No. 169, dated March 27, 1905; patent No. 170, dated April 8, 1905; patent No. 174, dated October 17, 1905; patent No. 176, dated November 23, 1905.

SEC. 2. This act shall take effect and be of force only when and after the State of Minnesota shall by legislative act have waived and relinquished any and all right and claim that it may by virtue of the provisions of the act of Congress of March 12, 1860 (12 Stat. L. 3), have in or to swamp and overflowed lands lying within the White Earth Indian Reservation in Minnesota which have heretofore been conveyed by the United States by patent in trust or in fee to any Indian whether of full blood or of mixed blood.

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

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

CHIPPEWA INDIANS IN WISCONSIN

The next business on the Consent Calendar was the bill (H. R. 10932) for the relief of homeless and destitute Chippewa Indians in Forest, Langlade, and Oneida Counties, Wis.

The title of the bill was read.

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

Mr. LAGUARDIA. Reserving the right to object, Mr. Speaker, I took this matter up with the Commissioner of Indian Affairs and called his attention to the fact that there have been several investigations of these particular 141 Indians. Apparently they are destitute, and the commissioner informs me that he will detail an inspector this summer and obtain this information without the necessity of passing the bill. There is no need, therefore, for the passage of the bill, inasmuch as the end will be accomplished. Therefore I object, because I have that assurance from the Commissioner of Indian Affairs.

The SPEAKER. Objection is heard.

WALKER RIVER INDIAN RESERVATION

The next business on the Consent Calendar was the bill (H. R. 5057) to provide for the construction of a gravel road in the Walker River Indian Reservation.

The title of the bill was read.

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

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

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

ALASKA GAME LAW

The next business on the Consent Calendar was the bill (H. R. 11285) to amend the Alaska game law.

The title of the bill was read.

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

Mr. McCLINTIC of Oklahoma. Reserving the right to object, I think we should have some information on this bill.

Mr. STAFFORD. Mr. Speaker, I think this bill should be passed over without prejudice.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. LAGUARDIA. I have studied the bill since the gentleman made his observations before, and the particular points to which he objected are in the law now.

Mr. STAFFORD. I have not studied it anew, and in view of the statement of the gentleman from New York I will study it anew, and I ask unanimous consent that the bill be passed over without prejudice, Mr. Speaker.

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

There was no objection.

CLASSIFICATION AND PAY OF CLERKS IN IMMIGRATION SERVICE

The next business on the Consent Calendar was the bill (H. R. 10881) to amend section 24 of the immigration act of 1917, as amended.

The Clerk read the title of the bill.

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

Mr. SABATH. Mr. Speaker, reserving the right to object, I would like to know what this bill really means.

Mr. JENKINS. Will the gentleman yield?

Mr. SABATH. I yield.

Mr. JENKINS. This bill was reported by the Immigration Committee. I think that report was made at the time the gentleman from Illinois [Mr. SABATH] was a member of the committee. It provides for an increase in the salaries of clerks in the Immigration Service. It puts them on the same basis as clerks in the Customs Service. At the present time, as the gentleman knows, there is great disparity between these two classes of clerks, and both do the same type of work, exactly. This bill provides a system of increases for them, just as the bill that was passed two years ago, which provided for an increase in the salaries of inspectors. I think the gentleman from Illinois was very much in favor of the bill at that time.

Mr. SABATH. This will increase the salaries of the office force?

Mr. JENKINS. Yes; the clerks. The increase is very insignificant. It classifies them and places them under a system of promotion just like the bill relating to inspectors. This bill has been very much sought after for a great many years.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. SABATH. I yield.

Mr. LAGUARDIA. I served at Ellis Island 22 or 23 years ago, and the system of promotions for clerks at Ellis Island is in a most deplorable situation. I think this classification would give them at least a ray of hope. I think the bill should be passed.

Mr. SABATH. Can the gentleman state what will be the approximate increases?

Mr. JENKINS. It has been estimated that the total increase would not exceed $60,000 a year. There are 585 clerks.

Mr. SABATH. I think that is reasonable, and I will not object.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, in going over this bill I find that the Immigration Service is attempting to give to its clerks a preferential grade in the salaries that are to be paid to their field clerks, in contradiction to the salaries paid to the field clerks in the Customs Service. There is rivalry between the respective services. Clerks in the Customs Service to-day, I believe, receive a maximum salary of $2,100.

Mr. JENKINS. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. JENKINS. I will say that the object of this bill is to bring about parity. There is no intention to work a rivalry or surpass anybody anywhere.

Mr. STAFFORD. The report shows that under the act——

Mr. HOWARD. Regular order, Mr. Speaker.

Mr. STAFFORD. The regular order has been demanded, and I will ask that this bill be passed over.

Mr. LAGUARDIA. Will the gentleman from Nebraska withhold that for a moment?

Mr. HOWARD. Very well.

Mr. STAFFORD. In the report, at the bottom of page 2 and the top of page 3, the salaries of clerks in the Customs Service, as provided by the act of May 29, 1928, stop at $2,100. By this bill it is attempted to advance the salaries from $1,600 to $2,300. The salaries are raised $200 more. The same applies again in class B, where they are to be boosted to $2,500. I really think there should be some uniformity in the salaries paid to our field service irrespective of the service, but this is no way to go about it—each department vieing with the other to try to raise the salaries of their respective departments.

Mr. JENKINS. Will the gentleman yield?

Mr. STAFFORD. Certainly, I yield.

Mr. JENKINS. Two years ago this same proposition was advanced in connection with the inspectors. Everybody knows that when Mr. Coolidge was President economy was his watchword. This bill was passed providing for an increase of salaries for the inspectors. As I said, the increase is inconsequential. The system of promotion is the important thing. In spite of the fact that the Bureau of the Budget at that time found it inconvenient to recommend that inspectors' bill, President Coolidge did take it upon himself to take an interest in it, at my insistence and the insistence of the chairman, Mr. JOHNSON, and that he did approve of that bill and sign it. It has worked wonders, and the Department of Labor has gone on record in recommending this system. I will say to the gentleman from Wisconsin [Mr. STAFFORD] that there is absolutely no intention to work a disparity.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent to have this bill passed over without prejudice, because a disparity could be provided, as evidenced by the report.

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

There was no objection.

EXTRA COMPENSATION, EMPLOYEES OF IMMIGRATION SERVICE

The next business on the Consent Calendar was the bill (H. R. 3309) to provide extra compensation for overtime service performed by immigrant inspectors and other employees of the Immigration Service.

The Clerk read the title of the bill.

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

Mr. GREENWOOD. Mr. Speaker, reserving the right to object——

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

Mr. LAGUARDIA. If the gentleman will permit, if this goes over without prejudice at this time, in all likelihood it will not receive action at this session of Congress.

Let me point out from my own experience that very often, for the accommodation of the steamship companies and not for the accommodation of the Government, a ship is passed quarantine just in time. It comes to the harbor, and the immigration officers are required to work late hours. I have seen instances myself where the immigration officers were working at the same time with the customs officials, and the customs officials received payment for overtime, this payment being direct from the steamship company but through the Government.

Mr. CRAMTON. Mr. Speaker, this bill is so far-reaching that I feel it should not be here without a definite departmental report and due consideration by hearings in committee and otherwise of the various angles. For instance, this not only applies to an ocean liner in such emergencies as my friend from New York spoke of, but it applies to every international ferry and every international bridge. I have not had an opportunity to go into it at any length. It is a matter that should be gone into at length in committee. I have been told, for instance, that at international bridges there is great strife among the employees to get on the overtime shift; that for eight hours which they spend in overtime, or on the night shift, they will get three days' pay, two from the bridge company and one from the Government.

It is not an emergency, but it is a regular thing. The bridge is open every night; it is known it will be, and the fellow who gets a night shift receives three days' pay for eight hours' work. There are two things to be considered. First, whether they are entitled to that compensation; and, second, if they are, whether it ought to be paid out of the Treasury or whether it should be paid by the bridge owners. There is some question as to whether we have an equitable right to impose that heavy burden of $50,000 or $100,000 a year on an international bridge. I think it ought to be gone into carefully.

Mr. JENKINS. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. JENKINS. I will say to the gentleman that this bill has been given great consideration by the Committee on Immigration in previous years.

Mr. CRAMTON. Have there been any hearings?

Mr. JENKINS. Yes; in previous years.

Mr. CRAMTON. How long ago?

Mr. JENKINS. Two years ago, when we had up this other proposition.

Mr. CRAMTON. Were people interested in these carriers and in these bridges given a chance to be heard?

Mr. JENKINS. They were given a chance to be heard, but whether they were actually heard or not I do not know. However, I can say this to the gentleman: This bill does not carry a single departure over the customs law. It is identical with the customs law.

Mr. CRAMTON. Well, there is quite a question about the customs situation, whether that is the way it ought to be or not.

Mr. JENKINS. That is true, and because of that it is thought wise to insert an amendment in this bill restricting and controlling immigration across the international bridges. I have such an amendment prepared, and if that is the only objection the gentleman has I will be glad to introduce the amendment, because I think it will clarify the whole situation.

Mr. GREENWOOD. If the gentleman will permit, the shipping interests do not have to accept this overtime service unless they desire to do so.

Mr. CRAMTON. But what is a bridge going to do?

Mr. GREENWOOD. I am speaking of the shipping interests. The suggestion is made that it applies to bridges, and if that is true they can be taken care of by the amendment suggested by the gentleman from Ohio. However, if the shipping interests desire this overtime service they can ask for it, and if they ask for it they pay for it.

Mr. CRAMTON. What about these international ferries? They run regularly; it is not an emergency but it is a regular thing.

Mr. GREENWOOD. The point I am making is that these interests do not have to accept the service unless they want it. If they petition for it, then it will be given to them and they will pay for the service.

Mr. CRAMTON. At Port Huron, Mich., there is a ferry running across a river of about 1,500 feet in width. The ferry is rendering an important public service and under this bill they would have to give this overtime service or else deny service to the public.

Mr. LAGUARDIA. If the gentleman will permit, where there is a permanent ferry it can work on schedule, and the gentleman from Ohio has an amendment ready which will cover the situation.

Mr. CRAMTON. Which will take care of ferries running on regular schedules?

Mr. LAGUARDIA. Yes.

Mr. CRAMTON. The bill as it stands does not provide that.

Mr. GREENWOOD. I think the bill should be amended, but the point I am making is that if these interests desire this service they can ask for it and then they pay for it and not the Treasury.

Mr. STAFFORD. As the gentleman from Ohio well knows, I requested on the last call that this bill be passed over without prejudice. I notice the gentleman is all pervasive in his attempt to extend the scope of the bill. I am unwilling, from my acquaintance with transportation problems, to have this extra compensation applied to extra services rendered on trains, airplanes, or other vehicles. I am strongly opposed to that, because that would cover the case of the Peace Bridge at Buffalo, the Ambassador Bridge at Detroit, and every other bridge across the international border. On those bridges the men are working on regular time and should not be given two and a half times overtime at the expense of the bridge companies.

Mr. JENKINS. The amendment I propose will cover that.

Mr. STAFFORD. The amendment which the gentleman proposes does not make that plain.

Mr. CRAMTON. Let me ask the gentleman just what his amendment means. The amendment reads:

> *Provided, however,* That the provisions of this act relating to extra compensation shall not apply to international bridges, or to ferries and railroad trains operating on regular schedules.

To that point the amendment is definite, but it proceeds:

> But nothing contained in this provision shall be construed in any manner to affect or alter the length of a working day for immigration employees or the overtime pay herein fixed.

Mr. JENKINS. I can explain that to the gentleman.

Mr. CRAMTON. That seems to put back that which you have eliminated.

Mr. JENKINS. I will explain what that is. These international trains run on regular schedules. Sometimes they want to run excursions or want to run two or three sections of a train, and, especially if they want to run an excursion, their policy is to ask the immigration inspector to go up into Canada and meet the train about fifty or a hundred miles away and work the train as it comes down. If they want to run these extra trains and want extra service, they ought to pay for it.

Mr. STAFFORD. The gentleman is unacquainted with the conditions between the United States and Canada on the regular trains of the Michigan Central.

Mr. JENKINS. If the gentleman wants to strike that out, I am willing.

Mr. CRAMTON. I very much fear the last three lines of the language entirely nullify the first five lines. If the gentleman is willing to eliminate the last three lines, I withdraw any objection.

Mr. JENKINS. I am willing to do that. I raised the same question that the gentleman has raised here, and it was explained to me just as I have stated here.

Mr. CRAMTON. Perhaps, I could see it in the same way if I had longer time to consider it.

Mr. GREENWOOD. Let us have the amendment read now, as modified.

Mr. STAFFORD. I wish to say that unless amendment No. 1, suggested by the gentleman from Ohio, a copy of which he did me the courtesy of submitting, and amendment No. 2, with an amendment I wish to suggest, are adopted I shall object. The amendment I intend to suggest to the gentleman's amendment No. 2 is "on the land and water border of the United State where 18 hours' or more inspection service is maintained." This is to take care of the conditions at the ferry at Detroit with which I am cognizant.

Mr. LAGUARDIA. Will the gentleman repeat his proposed amendments.

Mr. STAFFORD. These are not my amendments. They are amendments submitted to me by the courtesy of the gentleman from Ohio.

Mr. HUDSON. I trust the gentleman will accept the offer of the gentleman from Ohio and withhold any objections. I know something of the conditions involved here.

Mr. STAFFORD. I intend to withhold any objection upon the condition that the amendments offered by the gentleman from Ohio are incorporated in the bill to meet conditions which I think are exigent.

Mr. LAGUARDIA. May we have stated the gentleman's proposed amendments?

Mr. STAFFORD. These are not my amendments. They are amendments proposed to be offered by the gentleman from Ohio

Mr. HUDSON. The gentleman has stated he expects to offer the amendments.

Mr. CRAMTON. As I understand, they are alternate propositions.

Mr. STAFFORD. No; to my mind they are supplementary.

Mr. JENKINS. They are not altogether in the alternative, but it seems to me that either one of the three would answer.

Mr. STAFFORD. I think all three are necessary to meet my objections.

Mr. JENKINS. I will say to the gentleman that our object is to meet the emergency which exists, and I shall be pleased to accept any reasonable amendment.

Mr. STAFFORD. Amendment No. 2, suggested by the gentleman, provides in line 7, page 2, after the word "duty," insert "*Provided*, That at those posts on the land border of the United States where 24-hour inspection service is maintained, no overtime shall be charged." I wish to have this read "on the land-and-water border of the United States where 18 hours' or more inspection service is maintained."

Mr. JENKINS. I will accept that.

Mr. STAFFORD. And the purpose of the 18-hour provision is to provide for the ferry between Windsor and Detroit, with which I am familiar.

Mr. LAGUARDIA. Then the purpose of the gentleman's amendment is to cover cases where there is continuous and regular 18-hour ferry service?

Mr. STAFFORD. That is it exactly; or bridge service.

Mr. LAGUARDIA. It would not apply to ocean steamers?

Mr. STAFFORD. No. I wish this law to apply to ocean steamers, and I want to limit it to ocean traffic conditions.

Mr. CRAMTON. Let me ask my friend from Wisconsin a question. If we have an amendment that the provisions of this act relating to extra compensation shall not apply to international bridges or to ferries or railroad trains operating on regular schedules, it would seem to me that would reach the whole thing.

Mr. JENKINS. I think that would meet the gentleman's objection, but I do not, of course, want to supplant his judgment with mine or to interpret what he has in mind.

Mr. STAFFORD. Not only the railroad train crossing the border is concerned but any regular established service across the border, and these men should not be privileged to exact two and a half times their salary for just an hour's additional work. It is only intended to apply to ocean service, and that is the main consideration.

Mr. JENKINS. Will the gentleman again suggest his amendment?

Mr. STAFFORD. First, I accept the gentleman's amendment No. 1, which the gentleman suggested to me.

Mr. SABATH. What is that amendment?

Mr. STAFFORD. Insert in line 7, page 2, after the word "duty," the following:

In those ports where the customary working hours are other than those heretofore mentioned, the Secretary of Labor is vested with authority to regulate the hours of immigration employees so as to agree with the prevailing working hours in said ports, but nothing contained in this section shall be construed in any manner to affect or alter the length of a working day for immigration employees or the overtime pay herein fixed.

Many of these amendments, I will say, that were suggested by the gentleman from Ohio, are parts of the law applying to the Customs Service.

Mr. JENKINS. Yes; exactly.

Mr. SABATH. That was the intention, I understand.

Mr. STAFFORD. Amendment No. 2 I have already referred to. It should apply not only to the land but the water border, where 18 hours or more service is maintained.

Then, here are some amendments I suggest, which I think are fundamental, and I would like to have the attention of the gentleman.

In line 10, page 1, strike out "trains, airplanes, or other vehicles."

I want this limited to steamships.

Mr. JENKINS. How about the border?

Mr. STAFFORD. There are no exigent conditions about the border. There is no trouble on the Michigan Central with the regular employments. I have traveled on that line time and time again.

Mr. CRAMTON. Mr. Speaker, I see that we are quite in harmony as to views, but I am not at all certain, if we accept amendment No. 3——

Mr. STAFFORD. The others are part of the present law, which I examined yesterday.

Mr. CRAMTON. I am not sure but what then No. 2, which my friend from Wisconsin has in mind, applying only to other posts than ferries and trains, might be held to apply to ferries and trains, and might complicate the matter.

Mr. JOHNSON of Washington. There are so few of them that they get caught in work at all hours.

Mr. STAFFORD. These three amendments are taken more or less from the law applicable to the Customs Service.

Mr. CRAMTON. I will say this: That I have no disposition to stand in the way. Gentlemen have expressed their willingness to accomplish the things I have referred to. It is difficult to be sure what the language will do, but I am willing to let the bill go through with the amendments as agreed upon, and if it proves necessary to make some change to accomplish what we have agreed upon I will not object.

The SPEAKER. Is there objection?

Mr. STAFFORD. There is no objection with the understanding that the amendments I have referred to are agreed to.

The SPEAKER. If there is no objection the Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of Labor shall fix a reasonable rate of extra compensation for overtime services of inspectors and employees of the Immigration Service who may be required to remain on duty between the hours of 5 o'clock postmeridian and 8 o'clock antemeridian, or on Sundays or holidays, to perform duties in connection with the examination and landing of passengers and crews of steamships, trains, airplanes, or other vehicles arriving in the United States from a foreign port by water, land, or air, such rates to be fixed on a basis of one-half day's additional pay for each two hours or fraction thereof of at least one hour that the overtime extends beyond 5 o'clock postmeridian (but not to exceed two and one-half days' pay for the full period from 5 o'clock postmeridian to 8 o'clock antemeridian) and two additional days' pay for Sunday and holiday duty.

SEC. 2. The said extra compensation shall be paid by the master, owner, agent, or consignee of such vessel or other conveyance arriving in the United States from a foreign port to the Secretary of Labor, who shall pay the same to the several immigration officers and employees entitled thereto as provided in this act. Such extra compensation shall be paid if such officers or employees have been ordered to report for duty and have so reported, whether the actual inspection or examination of passengers or crew takes place or not.

Mr. STAFFORD. Mr. Speaker, I offer the following amendments.

The Clerk read as follows:

Page 1, line 10, strike out the words "trains, airplanes, or other vehicles."

Line 1, page 2, strike out the words "land, or air."

On page 2, lines 9 and 10, strike out the words "or other conveyance."

Mr. LAGUARDIA. Mr. Speaker, I want to ask the gentleman from Wisconsin if the purpose of the gentleman's amendment is to eliminate the extra time, particularly on the border, where the regular schedule is in operation?

Mr. STAFFORD. That is the purpose.

Mr. LAGUARDIA. There is nothing in the amendment which in any way changes the purpose of the bill in its application to general steamship lines?

Mr. STAFFORD. No.

Mr. BRIGGS. These amendments will allow the immigration officers where they are serving overtime to accommodate the steamers to receive overtime pay.

Mr. STAFFORD. Yes; and to eliminate the land-and-air service.

Mr. BRIGGS. I understand the steamships pay for the extra service, and so there is no charge against the Government.

Mr. JENKINS. The gentleman is correct.

The SPEAKER. The question is on the amendments offered by the gentleman from Wisconsin.

The amendments were agreed to.

Mr. JENKINS. Mr. Speaker, I want to ask the gentleman from Wisconsin if he thinks these other amendments are necessary.

Mr. STAFFORD. I think they are.

Mr. JENKINS. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

In line 7, on page 2, after the word "duty," strike out the period and insert a semicolon and the following: "In those ports where the customary working hours are other than those heretofore mentioned, the Secretary of Labor is vested with authority to regulate the hours of immigration employees so as to agree with the prevailing working hours in said ports, but nothing contained in this section shall be construed in any manner to affect or alter the length of a working day for immigration employees or the overtime pay herein fixed."

The amendment was agreed to.

Mr. JENKINS. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

In line 7, on page 2, after the word "duty," strike out the period and insert a semicolon and the following: "*Provided*, That at those posts on the land and water border of the United States where 18 hours or more inspection service is maintained no overtime shall be charged."

The amendment was agreed to.

Mr. JENKINS. I offer the following amendment.

The Clerk read as follows:

In line 7, on page 2, after the word "duty," strike out the period and insert a semicolon and the following: "*Provided further*, That the provisions of this act relating to extra compensation shall not apply to international bridges or to ferries and railroad trains operating on regular schedules."

The amendment was agreed to.

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

A motion to reconsider was laid on the table.

FORMER SENATOR CHARLES S. THOMAS ON OUR PUBLIC DOMAIN POLICY

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the public-land policy of the country, and to include therein a brief statement from former Senator Thomas, of Colorado.

The SPEAKER. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker, under leave to extend my remarks in the RECORD I include a letter and statement by Hon. Charles S. Thomas, of Colorado, upon the past and present status of the public domain in the 11 Western States, and our future national policy in relation thereto.

Senator Thomas was formerly governor of our State and was twice elected to the United States Senate, and has had a great many other high honors conferred upon him; and from our early Territorial days to this hour he has always been a most faithful son and an honor to our State and to the West; and Colorado has always been and always will be proud of him.

He was an exceedingly efficient governor under desperately trying conditions, and he made a distinguished and most brilliant record in the Senate, as every one familiar with congressional proceedings from 1913 to 1921, inclusive, knows.

Colorado has always had a large and very exceptionally able bar, and he has been its outstanding leader for nearly 60 years.

I doubt if that record has ever been paralleled in any other State in this Union.

While his devotion to Jefferson principles, his defiant refusal to ever trim his sails to any current breeze, his absolutely fearless expression at all times of his candid judgment on public affairs, and courageous action accordingly, utterly regardless of personal consequences, at times temporarily estranged many members of his party; nevertheless he has been the leading Democrat of the State practically all the time since Colorado was admitted into the Union 54 years ago.

He has succeeded Senator Henry M. Teller in the sincere and genuinely affectionate distinction of being Colorado's Grand Old Man.

Besides being a great and very successful lawyer and creditably filling every position of honor or trust he has ever held, he has during all that period been a most potent influence and public-spirited factor in shaping the destiny and in developing and upbuilding that great western empire during all the last half century.

He vividly pictures the pathetically deplorable lack of development of that great inland western region during the past 30 years and valiantly offers his services to help revive those States. His sublime courage and heroic spirit ought to be an inspiration to this and succeeding generations.

He has certainly one of the most keen, analytic, and brilliant minds the West has ever produced. No one has ever had to do any thinking or talking or writing for him. His entire career has been a great and exemplary success.

With the full and marvelous possession of all that superb mentality and intense interest in public affairs, he has reached the fourscore hilltop of life and can calmly, proudly, and gratefully look down the western slope into the declining years without the slightest personal ambition or motive other than his loyal, pioneer, and indomitable western spirit and earnest and patriotic determination to be of as much further service as possible to the people and that great Rocky Mountain empire that he has loved and so loyally toiled for from his boyhood days.

No one ever has or does know the West better than he, and I know his shrewd analysis and mature and profound judgment upon this far-reaching and tremendously important subject will be of universal interest and widespread benefit to the entire western half of our country.

His letter and statement are as follows:

JUNE 8, 1930.

MY DEAR SIR: I am inclosing a brief outline of the conditions confronting the public-domain States, which seem to justify the need for dealing with them as an economic problem.

I perhaps appreciate the difficulty of doing this as fully as anyone, since we are prone to regard all public problems as political, and therefore creating party divisions is obviously true as a rule. But there are exceptions to all rules, and this is emphatically one of them.

So long as the national administration, whatever its political complexion, perceives that a section of the country is politically divided upon one or more features of its policy which directly affects it, just so long will it persist in that policy, however obnoxious or injurious to both opponents and supporters. Hence, no substantial relief is obtainable under such conditions. But when the differences are for the time submerged in a common movement grounded upon a common conviction justified by the existence of a public grievance affecting the inhabitants of eight States, and growing more and more burdensome, the need for unanimity of action, whatever its character, becomes too obvious and too imperative for discussion.

The procedure for accomplishing this object involves nothing new. Each party organization adopts its own platform and nominates its own ticket as usual. But their declarations as to the administration of the public domain should be identical in substance, however they may differ in phraseology.

Such a course would eliminate the importance of election results as to the object in hand, since all successful candidates for both Houses of the National Congress would be committed to the same land policy and would cooperate for its attainment. Such a front presented at Washington by our respective delegations would, in my judgment, prove speedily effective all along the line.

Should the views herein expressed command your approval, I would suggest an informal conference in the near future for the formulation of a resolution upon the subject, reasonably acceptable to those whose leadership in both parties commands the confidence and support of their respective organizations. No one man is, I think, competent for this task and no one State would feel justified in undertaking it alone.

Having outlived all personal ambitions, and therefore conscious of no selfish purpose in taking the initiative on this tremendously important subject, I beg to assure you that my one object is to contribute, although in a small degree, to the enforcement of a public-land policy devoted to the welfare and betterment of the people where it is located and among whom I have lived for more than half a century, who have honored me far beyond my deserts and who need whatever assistance I may be able to give them in this crisis of their existence.

Very sincerely yours,

C. S. THOMAS.

Hon. E. T. TAYLOR, M. C.,
House Office Building, Washington, D. C.

UNCLE SAM, LANDLORD

Since 1900 something has been wrong with the public-domain States. Their growth in wealth and population up to that time was in step with the rest of the country. Their future seemed quite as promising. They were just beginning the development of a new industry to which their soil and climate was peculiarly adapted. Notable advances in metallurgy cheered them with the prospect of a long lease of gainful mining activity. Millions of acres of public domain whose resources craved development still awaited the miner and settler. Opportunity beckoned both as of yore. The horizon was clear and western ambitions as alert as ever.

Then our energies began to atrophy. Its earlier symptoms were scarcely noticed or suspected even when observed. They were mistaken for growing pains, and therefore of transient concern. But they became progressive in a double sense and under President Roosevelt's administration soon reached the dimensions of an organic disease. That aggressive ruler took the credit for announcing its appearance and baptized it as a reform. He even praised it as the antidote for a myth which he mistook for a malady. His successors avidly welcome his diagnosis and amplified his methods with improvements of their own. Under their treatment western growth has been practically arrested, and the atmosphere is dark with portents of graver misfortune.

The source of our troubles is the public domain, and the governmental agency for their infliction is the Interior Department, whose ruinous policy is camouflaged under the seductive name of conservation. This policy ostensibly designed to cure abuses developed under the former one, has succeeded only in developing new and graver ones, while expanding itself into a huge bureaucracy inspired with the ambition to extend its jurisdiction, increase its numbers, and perpetuate its power. Thus far its success has been most flattering, as the unhappy denizens of the Rocky Mountain States can testify.

When the original States transferred their land claims to the National Government and the Northwest Territory was established, it was assumed that this domain should be disposed of to the public, under regulations liberal in character and designed to encourage its settlement and occupation by the individual citizen. The acquisition of the Louisiana and Oregon Territories, the Mexican domain acquired by the treaty of Guadaloupe-Hidalgo, and the purchase of Alaska were defended and justified by that supreme consideration. The Nation became custodian of the title and of the land for the benefit of the population present and future, charged with the duty of conveying both as and when the statutes relating to the subject should be complied with. This was done for more than a century and under that policy the frontier advanced within eight decades from the Alleghenies to the Pacific Ocean, peopled the waste spaces, and added 24 Commonwealths to the galaxy of the Union.

The act of March 3, 1807, providing for the leasing of the lead mines of Indiana Territory, and made operative in 1822, was the only departure from that beneficent policy during this period. But the act was denounced by President Polk in his message of December, 1845, as unprofitable, unsatisfactory, fraught with much future difficulty between lessees and the Government, and fruitful of litigation between the United States and its citizens. He urged the repeal of the statute and due provision made for the sale of the lands with a percentage of proceeds to the Government. Congress promptly complied with the President's request for its repeal, and the experiment ceased with the act of July 11, 1846. This wisely removed the one disfiguring feature of the national land policy.

Yet, 74 years later it was unhappily revised, reenacted, and applied to the entire public mineral domain, exclusive of that containing, or supposed to contain, metallic ores. But this having been previously included within the multitudinous forest reserves administered under an elaboratae code of regulations by a bureau of adequate proportions, had previously been effectually excluded from private ownership. The forest-reserve acts were among the first fruits of conservation, and designed to shield the forest lands against the depredations of the despoiler. Yet that wily breed, consisting of great corporations, and operating entirely within the provisions of the acts, summarily acquired title to nearly all the remaining valuable timber reserves of the country. Reacting to this and similar practices relating to coal lands, the Government displayed its resentment by enacting legislation penalizing the individual citizenship of the western States by withdrawing most of its remaining land from location and purchase, and enormously increasing the difficulties and expense of acquiring title to that filed upon and occupied under older and unrepealed statutes.

Thus far our "conservation" policy has woefully miscarried. Official exactions and sectional resentments are its immediate offspring.

Leases of oil reservations by a "faithless" secretary in exchange for "loans and gifts," and sales of royalty oils to privileged purchasers, followed by indictments, suits for rescission and damages, have vindicated President Polk's criticisms of the leasing policy, scandalized one administration and wholly condemned the system. Its minor evils, while not so spectacular, have been more widely distributed, and, therefore, much more disastrous.

These enactments, and their methods of enforcement, have completely reversed our popular and universally accepted national-land policy. The Government, through them, has repudiated its trusteeship for the people, and is now the adversary of the individual seeking to avail himself of his legal right to acquire a part of the public domain. It no longer encourages but thwarts as far as it can his laudable efforts in that regard. He is no longer considered by his Government as a valuable citizen ambitious to become a freeholder and taxpayer, but a fraud and a cheat, committed to a scheme of land piracy. So the hand of his Government is raised against him in pretended self-protection. To effectually shield itself against these unworthy men and women, it has determined to become a perpetual landholder and lease its dominions to its own people instead of selling them as heretofore.

Uncle Sam has thus converted himself into a landlord of continental dimensions. His erstwhile nephews of the West are now his tenants, mostly at sufferance. His Secretary of the Interior has necessarily undergone a sinister transformation. He is now the landlord's agent, and has long since absorbed all the heartless qualities of that justly abhorred character wherever he has been developed. He knows no interest save that of his employer, and holds the tenant to the rigid letter of the bond, if there be one. If not, he is warned not to trespass, under penalty of the law.

Hon. Hubert Work, while Secretary of the Interior, with characteristic candor, said: "When I came in here I learned I was to be trustee of the public lands, and had to keep these lands for the United States Government, and that has been the basis of the United States policy. I believe it to be my duty to so interfere with these applications for patents that they will become discouraged."

The Secretary spoke either by the sanction or with the acquiescence of his Government when he made this astounding announcement. He has ceased to be the official and impartial administrator of the land laws between the Nation and the citizen. He has become the governmental trustee of the public lands, charged with the duty of keeping them for it, although in defiance of the laws. That duty, however unwarranted, must be discharged, not by an honest consideration of applications for patents and leases but "by so interfering with them they will be discouraged."

It must be conceded that the department forces have recognized and applied this policy to unfortunate applicants seeking titles, and that his successors have bettered their instructions. They are sworn to execute the laws without fear or favor. Confessedly they use their power to destroy them.

For some years applicants for patents were required to abandon their claims and accept leases in lieu of them under the provisions of the leasing act. The right of the citizen to apply for permits to search for oil and gas under the same act was also grudgingly recognized. But even these rights have been arbitrarily ignored by Executive announcement. Eight days after his inauguration, President Hoover calmly informed a group of reporters that no more such applications would be received, and no more leases or permits would be granted. This bald act of repeal was not even dignified by the form of an Executive order. Two courts have since condemned it as an act of Executive usurpation and therefore unlawful, but the department has appealed and the ukase stands until the Supreme Court shall have disposed of it. Even should that tribunal sustain the decisions we have no positive assurance of relief. On the contrary, if we are to judge of a recent experience, we may be worse off with such a declaration than we were before.

I refer to the Kruschnic case, which flatly decided against the department ruling that delinquency in annual assessments automatically destroyed the claim, and returned the premises to the Government. The Supreme Court emphatically declared that the provision of section 2324 Revised Statutes applied to the claim just as it did prior to the leasing act.

That decision cost the owners of the premises many times the value of the premises involved. It required two extensive hearings before department officials, including the Secretary of the Interior, and three trials before as many courts. The attorneys for the owners went five times to Washington from their Denver homes, spent weeks at these trials, and were finally sustained in their contentions, only to have the fruits of their triumph turned by the Secretary to ashes on their lips.

For the department determined to possess itself of every mining claim which in its judgment had become delinquent in assessment work, and force the owner to proceed against it or give up the struggle. To this end it has scattered an army of its subordinates throughout the public-domain States, converted the force into lawbreakers, declared thousands of claims delinquent without hearing, ousted their owners by its ipse dixit, notified them of its action, and told them they could do what they pleased about it, provided they did it within 30 days.

Thus has the Department of the Interior become a vast convocation of claim jumpers, lawbreakers by order of the Government, which is now the avowed, as it has long been, the all-powerful antagonist of the individual citizen, albeit he is acting wholly within and pursuant to the laws of his country.

Thus does our overlord now proceed against the legitimate occupants of the public land, who are forcibly deprived of their property without due or any process of law by their own Government, whose Secretary of the Interior proceeds against them in the triple rôle of owner, accuser, and judge. He tries, condemns, and punishes at one stroke, without the needless formality of notice and trial.

The West is overrun with an army of Federal land agents, field inspectors, examiners, detectives, investigators, ejectment squads, deputies, subdeputies, and emergency men, conducting a campaign under orders from Washington against all claimants and occupants of unpatented land. The object is the wholesale ouster of the citizen from his holdings and the extinction of his locations. This army is on the national pay roll and sustained by the taxes levied upon and paid by the victims of the lawless crusade.

We have no legal redress against the department by actual appeal to the courts. Our resources having been exhausted by scores of dilatory and expensive controversies before the Secretary and his commissioners, many of them inaugurated by that official, we can not wage additional ones, because we can no longer bear the burden and the heat of conflict. We can not sue in forma pauperis, because our overlord and Secretary has no authority to permit it, and would not do so if he could. But we have a precedent for collective action.

The revolt of our forbears against King George in 1776 was due to a series of "repeated injuries and usurpations," one of which was that "he has erected a multitude of new offices and sent hither swarms of officers to harass our people and eat out their substance." The Rocky Mountain States have long suffered from this identical injustice, enlarged and revised by their own Government, and there is no sign that it will either modify or abandon its conduct until compelled to do so.

We must endure this condition or fight it. There is no other alternative. Our appeals to Congress and the courts have brought us no substantial relief and nothing less than united and persistent effort will. Our plight is a common one. It does not possess a single partisan feature. It is political only in the sense that it is public. Its proper solution is vital to the permanent well-being of our section. Hence its aspects and issues are fundamentally economic.

The Government applies its present policy impartially. It distinguishes not at all between Republicans and Democrats. It serves its supporters and its opponents alike. This is its sole virtue. It has the right to assume from past experience that we of the West will continue to extend our partisan differences into all such matters of public concern, thus keeping them immune to a final reckoning. If that assumption proves to be a sound one hereafter there seems but little prospect for relief from these intolerable conditions. If on the other hand we can make common cause for their overthrow, if the two great parties can at their coming assemblies take the same attitude and make the same declarations upon the subject, commit their candidates to the same cause of action regarding it, leaving each free to pursue its own course as to all other subjects of public or local concern, then it will matter not at all what the result of the public poll may be.

Determination to free ourselves from an abuse of continental dimensions involving the just and the unjust in common misfortune will then admit neither of division nor delay. We can not stop to discuss the law of self-preservation when resort to it is imperative. The hour is at hand when we must act together if we are to act at all.

The only effective weapon for inducing legislation whether good or bad is a lively apprehension of consequences. This has been so for 50 years. The powers that be will little heed the grievance of Utah or of Colorado, but eight States committed to a single purpose and convinced of its supreme importance to their people, their section, and their future, will be respected alike by official and politician. We have many examples which demonstrate the fact. Let us profit by them without delay.

C. S. THOMAS.

COPYRIGHT REGISTRATION OF DESIGN

The next business on the Consent Calendar was the bill (H. R. 11852) amending the statutes of the United States to provide for copyright registration of design.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BOYLAN. Mr. Speaker, the gentleman from New York [Mr. DICKSTEIN] is interested in this bill, and is not present in the Chamber at the moment. I ask unanimous consent that the bill may be temporarily laid aside pending his arrival.

The SPEAKER. Is there objection?

There was no objection.

FALSE REPORT RESPECTING CONDITION OF NATIONAL BANKS

The next business on the Consent Calendar was the bill (H. R. 10560) to amend section 22 of the Federal reserve act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the gentleman from Georgia [Mr. BRAND], the author of this bill, favored me with a copy of a letter that he sent to the gentleman from Iowa [Mr. RAMSEYER]. When the bill was last under consideration at the suggestion of the gentleman from Iowa [Mr. RAMSEYER] I asked that the bill be passed over without prejudice. This is the bill that was the subject of considerable controversy in the House on Calendar Wednesday, when the Committee on Banking and Currency had the call. I believe it was defeated or was laid aside. If the House took that position after thorough consideration, why should the bill be now taken up on the Consent Calendar? Has all the membership of the House changed front in respect to the propriety of passing the legislation?

Mr. McFADDEN. The bill has been entirely revamped, and I believe now would meet with the approval of the House.

Mr. STAFFORD. In what particular has it been revamped? I have read the bill carefully.

Mr. McFADDEN. The objectionable features which were in the previous bill I think have been removed. It gives jurisdiction, however, to the Federal courts, which is the main point in the matter.

Mr. COLLINS. How can the Federal Government invade the police powers of the States and undertake to punish crimes committed in the States?

Mr. McFADDEN. I am not a lawyer, and the gentleman is, but I say to the gentleman that certain States have their own laws to protect their institutions in cases of this kind. The Federal Government has certain laws. Certain States, however, do not have such laws to protect cases like this.

Mr. COLLINS. If the Congress can enact legislation to punish for this particular offense, then the Federal Government can enact statutes against murder and larceny and invade the jurisdiction of the States. I believe it is a very bad idea for the Federal Government to attempt to take over such jurisdiction. I do not think the Federal Government can do it. It is without power to do so.

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

Mr. STAFFORD. Yes.

Mr. BLANTON. I will say to the gentleman from Mississippi [Mr. COLLINS] that if we had had such a law as this a few months ago the Texas National Bank of Fort Worth, with $5,000,000 of deposits from little country banks, would have been saved from being closed up, and it would have saved the country banks also, as their failures followed. It was just such malicious reports as are sought to be punished in this bill that caused the bank to be closed, and it caused lots of little State banks all over west Texas to close, as they had deposits in this Texas National Bank of Fort Worth.

Mr. COLLINS. As a legal proposition this bill is on all fours with the Dyer antilynching bill, and if the gentleman can vote for this bill he can vote for the Dyer antilynching bill. They both undertake to invade the police powers of the States.

Mr. BLANTON. No; I do not so agree. I think the Government has a right to protect its own national banks.

Mr. STAFFORD. Will the gentleman elucidate further as to whether the courts of Texas were powerless and unable to meet the condition that he speaks of?

Mr. BLANTON. They have not met it yet, although Texas can protect its own State banks. This Texas National Bank of Fort Worth closed and lots of little Texas banks are closed, and the farmers with two, five, or ten thousand dollars deposits each, everything they had, were wiped out.

Mr. STAFFORD. I am amazed that any Member coming from the great State of Texas would admit that the State courts were powerless to meet that situation.

Mr. BLANTON. The gentleman ought to know that there are Federal laws that protect the national banks and State laws that protect the State banks, and it takes the Government of the United States to protect its national banks.

Mr. STAFFORD. In Wisconsin there is no such distinction. The remedy is with your legislature to give the same protection to national banks as to State banks.

Mr. BLANTON. I hope the gentleman will not object, as such a law is needed badly.

Mr. McFADDEN. The State laws have no jurisdiction over national banks.

Mr. STAFFORD. The State laws have jurisdiction to punish crimes committed within their borders.

Mr. McFADDEN. In those States where we have no such law we should have Federal protection.

Mr. STAFFORD. The gentleman is attempting to justify this because of the lack of effort on the part of the States. That is what I heard years ago from the representatives of the banks of Illinois in favor of nationalization, because their legislature had not done its full duty in supervising their banks. I believe in local supervision and not in national, Federal, bureaucratic supervision. For the time being I shall ask that the bill be passed over without prejudice.

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

Mr. STAFFORD. Yes.

Mr. COLLINS. I understand that the Attorney General has sent an opinion on this subject to some Member, in which he says that the Congress does not have the power to enact this legislation.

Mr. STAFFORD. I am not acquainted with any such information.

Mr. BRAND of Georgia. When?

Mr. COLLINS. I was just told that.

Mr. McFADDEN. There is no such letter that I have knowledge of as chairman of the committee. It is the first time that I have heard the question raised.

Mr. COLLINS. I have since been advised that the opinion of the Attorney General related to the larceny bill introduced by Mr. LAGUARDIA, but the principle in both bills, in my opinion, is the same.

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

Mr. BRAND of Georgia. Mr. Speaker, will the gentleman reserve his request?

Mr. STAFFORD. I will withdraw my request temporarily out of courtesy to the gentleman from Georgia.

Mr. BRAND of Georgia. Mr. Speaker, I want to say, in the first place, that I have never before heard of the statement from any human source like the one the gentleman from Mississippi [Mr. COLLINS] has just given utterance to. I do not believe the Attorney General of the United States has written any such letter.

The gentleman's statement was "that he understood the Attorney General had sent some Member an opinion wherein he says that Congress does not have the power to enact this legislation." One should not quote the Attorney General of the United States upon an important legal question without knowing what he is talking about.

Hearings upon such legislation as is proposed in this bill were had to a limited extent by the Banking and Currency Committees of the Senate and House when the McFadden bill was up for consideration, and then approved by both committees. The bill approved by these committees was practically in the same language as the bill which I first introduced. However, all the objections made against this original bill by the gentleman from Iowa [Mr. RAMSEYER] and others are eliminated from the present bill.

I want to call your attention to this information: The Comptroller of the Currency has recommended this legislation in his last two annual reports to Congress.

Hon. Ogden Mills, Undersecretary of the Treasury, a former distinguished Member of this House—and who will in all probability succeed Mr. Mellon when he resigns—I have every reason to believe is in favor of this legislation. Governor Young, of the Federal Reserve Board, in a letter to Chairman McFADDEN has approved and recommended enactment of this proposed legislation. Mr. Mellon, Secretary of the Treasury, in a letter to Mr. McFADDEN, has also indorsed this legislation. It has the hearty indorsement of the American Bankers' Association. If this bill is passed, it will have a strong deterrent effect on those who might desire to issue false and malicious reports concerning national banks. Besides, this bill deals with national banks, whereas all the State laws can deal, of course, with State banks. It has become a matter of common occurrence in various sections of the country, frequently reported by the press, that banks have been forced to close their doors due to false and malicious reports made and circulated relative to the financial standing of banks. I hold in my hand a special dispatch appearing in the New York Herald Tribune from Hartford, Conn., under date of May 26, 1930:

[From the New York Herald Tribune, May 27, 1930]

FALSE REPORT STARTS RUN ON HARTFORD BANK—300 ITALIAN CLIENTS WITHDRAW $300,000 BEFORE CONFIDENCE IS RESTORED—PRIESTS HELP ALLAY FEARS—CITY BANK & TRUST CO. HAS $30,000,000 IN DEPOSITS

HARTFORD, CONN., May 26.—As a result of a groundless rumor circulated throughout the Italian section here, more than 300 persons took part in a run on the City Bank & Trust Co. this afternoon and withdrew approximately $300,000 before officials could convince them that the institution was on a sound basis. A squad of police reserves worked inside the bank and in the adjoining street to keep the deposi-

tors in line. Catholic priests from Hartford's east side mingled with the crowd and aided in restoring confidence in the bank.

Lester E. Shippee, State banking commissioner, said the action was stimulated by a "vicious report." He added that the bank, which is one of the strongest in Connecticut, with deposits aggregating $30,000,000, was in excellent condition. State investigators and city detectives were ordered to trace the rumor to its source and to arrest the guilty persons.

The rush of the depositors began after an Italian who could not speak English was told by a clerk in the bank that he would have to be identified before he could cash a check there. Bank officials were of the opinion that the Italian misunderstood the teller and spread the baseless rumor concerning the funds on hand.

The report was accepted more readily because of the failure here last month of P. M. D'Esope, a private banker. Many of the residents of Hartford's Italian section lost all of their savings in that crash.

Laborers dropped their picks and shovels, and owners of small shops locked their doors to join the crowd that was hurrying to the City Bank & Trust Co. One of the first of them withdrew $32,000.

The Rev. Andrew J. Kelly, pastor of St. Anthony's Catholic Church, pleaded with his parishioners in the crowd to halt the run. He said that he had inspected the statement of the bank and found it to be in the best of condition. As the result of Father Kelly's efforts and similar activities by other priests, some of the depositors returned their money to the institution.

Mr. STAFFORD. What prevents the State authorities from prosecuting for a libelous attack on a bank?

Mr. BRAND of Georgia. The gentleman is one of the able and seasoned legislators in this House, and he ought to know that there is a difference of opinion among good lawyers in the United States as to whether these State laws can be invoked in a case where such malicious and false reports are uttered against a national bank.

Mr. STAFFORD. Ergo, if a citizen of a State should murder a national officer the State would have no authority to take jurisdiction of that crime.

Mr. BRAND of Georgia. I do not subscribe to such doctrine. Only last week three Florida banks closed. The account of these failures appeared in last Friday's issue of the Daily News of this city. Let me read this newspaper item:

THREE FLORIDA BANKS CLOSED AFTER HARMFUL "TALK"

MIAMI.—Three affiliated banks, one of them among the largest in Florida, closed their doors yesterday. After failure of the Bank of Bay Biscayne to open, the Bank of Coral Gables and the Miami Beach Bank & Trust Co. closed.

The Bank of Bay Biscayne was capitalized at $1,000,000 and had deposits of $11,000,000. The other two had aggregated deposits of nearly $2,000,000.

Frozen assets and harmful "talk around the State" were blamed by the office of State Comptroller Amos, at Tallahassee.

Just a month ago—and I want to call this to the attention of the gentleman from Mississippi [Mr. COLLINS]—according to a news item, a bank at Ittabena, Miss., closed its doors on account of false reports being circulated against the bank which was solvent. I read:

FALSE GOSSIP CAUSES BANK TO CLOSE DOORS

ITTABENA, MISS., May 11.—Dr. C. C. Moore, president of the First Savings Bank & Trust Co. of Ittabena, announced to-day that, because of "gossip and false statements" the bank would not open its doors to-morrow, although "absolutely solvent."

"Gossip and false statements caused the First Savings Bank & Trust Co. of Ittabena to close its doors for business Saturday, May 10," Doctor Moore said in a statement issued to-day. "The bank is absolutely solvent and not a depositor will lose one dollar. It is just a question of a few people becoming determined to close the institution. To be sure that no one would be hurt, it was decided to close up and pay off, which will be done with as little delay as possible."

The First Savings Bank & Trust Co. was the outcome of a merger last January 1 of the First Savings Bank and the First National Bank of Ittabena, the new institution operating as a State bank. It was capitalized at $100,000. Deposits were said to total approximately $500,000, with resources of about $850,000.

All this occurred within the last six weeks.

At one of the meetings of the Banking and Currency Committee of the House the gentleman from South Carolina [Mr. STEVENSON], one of the ablest Members of this House, stated that two banks in his State had closed their doors because of false and malicious reports in regard to the financial condition of the bank during the last three months. During this year a bank located in Congressman VINSON's district had to close its doors, and I have been informed that it was largely due to false reports made by two persons. The failure of this bank was followed by two of its branches in one of the counties of my district. It is a well-known fact the Georgia National Bank of Athens had to close its doors in 1925 on account, as I have been informed, of the false and malicious reports uttered relative to the financial condition of this bank made by one man.

From my experience as a lawyer of several years' practice, I am of the opinion that State laws can not be invoked in cases where false reports are uttered against a national bank, and therefore I think it becomes necessary to enact a Federal statute to take care of national banks.

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

Mr. BRAND of Georgia. Yes.

Mr. KVALE. When the bill was last before the House one of the objections made by the gentleman from Iowa [Mr. RAMSEYER] was that the provisions of the bill if enacted into law might operate against the interests of the independent banks which are engaged in a fight with the chain banks. In this fight some rather extreme statements are made in their advertising. Until that safeguard can be insured, I wish that the gentleman from Georgia would not press this bill under the consent rule. The House should be given an opportunity to consider the legal phases more fully, to see how the bill will affect this bank advertising by both conflicting groups.

Mr. BRAND of Georgia. This proposed legislation has been considered for several years both in the House and the Senate.

An answer to the situation set forth by the gentleman from Minnesota [Mr. KVALE] relating to his State, is this: That the provisions of the bill under discussion will apply alike to both of the conflicting groups of people referred to by him; that the provisions of the bill will not affect the attitude of either one of these conflicting groups. If the contrary is true it will affect both alike. There is absolutely nothing in the provisions of this bill which aids or injures the conflicting views of either one of the groups of banks referred to by the gentleman, and the provisions of this bill will not become applicable to either one or both of these groups and therefore not material to the situation set forth by the gentleman, unless some person connected with one of the groups issues false and malicious statements with intent to deceive relative to the financial condition of the banks and not then unless such false and malicious reports cause a general withdrawal of deposits.

In view of the fact that I have had so much opposition from time to time in my efforts to have the House to pass the bank-slander legislation first proposed by me four years ago, and particularly in view of the objections raised to the passage of the last bill—10560—on last Consent Calendar day, which bill eliminates all the objections raised, I have been wondering if any Congressmen entertain the conviction that I have a personal or individual interest in the passage of this bill. Whether this is true or not I wish to submit the following observations:

(a) No person, in or out of Congress, ever requested me to introduce any of the bills I have drafted upon this subject.

(b) No living person ever knew that I was going to introduce these bills.

(c) I consulted no banker before I introduced the same.

(d) I consulted no Member of Congress relative to introducing these bills.

(e) No person ever suggested to me to introduce this proposed legislation.

(f) I have no personal interest in sponsoring the proposed legislation.

My only interest in the passage of the present bill has been, and is, to afford further protection, if possible, to the depositors of banks throughout the Nation. This bill is primarily helpful and important to every person who has money deposited in the banks of the country. This is the sole purpose and object of the bill. For this reason it is inconceivable to me that any Member of Congress should oppose the passage of the bill. Confidence needs to be restored in the banks of the country and this bill will tend to bring about this result.

The original bill, known as H. R. 9683, introduced on February 19, 1930, and recommitted on March 5, 1930, which was referred to the Banking and Currency Committee, is as follows:

A bill to amend section 22 of the Federal reserve act

Be it enacted, etc., That section 22 of the Federal reserve act be amended by adding at the end thereof the following language:

"(g) Whoever maliciously, with intent to deceive, makes, publishes, utters, repeats, or circulates any false report concerning any national bank, or any State member bank of the Federal reserve system, which causes a general withdrawal of deposits from such bank, shall be deemed guilty of a misdemeanor and shall upon conviction in any court of competent jurisdiction be fined not more than $1,000 or imprisoned for not more than one year, or both.

"(h) If two or more persons conspire to violate the above provision, and one or more of such parties do any act which effects the object of such conspiracy, each of the parties to such conspiracy shall be deemed guilty of a misdemeanor and shall upon conviction in any court of

competent jurisdiction be fined not more than $1,000 or imprisoned for not more than one year, or both.

"(i) Any bank official who maliciously, with intent to deceive, makes, publishes, utters, repeats, or circulates any false report concerning any individual which imputes or tends to impute insolvency, or unsound financial condition, or financial embarrassment to such individual, shall be deemed guilty of a misdemeanor and shall, upon conviction in any court of competent jurisdiction be fined not more than $1,000 or imprisoned for not more than one year, or both."

I call the attention of the House to an act of the General Assembly of the State of Iowa, contained in the Acts of 1928–29 of Iowa, page 64, section 28, the same being very close kin to the above bill, which reads as follows:

False reports against banks and trust companies. Whoever maliciously, or with intent to deceive, makes, publishes, utters, repeats, or circulates any false report concerning any bank or trust company which imputes, or tends to impute, insolvency or unsound financial condition or financial embarrassment, or which may tend to cause or provoke or aid in causing or provoking a general withdrawal of deposits from such bank or trust company, or which may otherwise injure or tend to injure the business or good will of such bank or trust company, shall be guilty of a felony and shall be fined not more than $5,000 or imprisoned for not more than five years in the penitentiary or be punished by both such fine and imprisonment.

I also call attention to an act of the General Session of the State of Wisconsin, contained in the Wisconsin Statutes, 1927, page 2355, section 348.411, which is as follows:

Slandering commercial or financial standing: Any person who shall willfully and maliciously make, circulate, or transmit to another or others any false statement, rumor, or suggestion, written, printed, or by word of mouth, which is directly or by inference derogatory to the financial condition or affects the solvency or financial standing of any bank, savings bank, banking institution, building and loan association, investment company organized under section 216.04, or trust company doing business in this State, or who shall counsel, aid, procure, or induce another to start, transmit, or circulate any such statement or rumor, shall be punished by a fine of not more than $1,000 or by imprisonment for a term of not more than one year, or both.

I also call attention to an act of the State of New York contained in Gilbert's Annotated Criminal Code and Penal Law, 1929, page 100, section 303, which reads as follows:

False statements or rumors as to banking institutions: Any person who willfully and knowingly makes, circulates, or transmits to another or others any statement or rumor, written, printed, or by word of mouth, which is untrue in fact and is directly or by inference derogatory to the financial condition or affects the solvency or financial standing of any bank, private banker, savings bank, banking association, building and loan associations, or trust company doing business in this State, or who knowingly counsels, aids, procures, or induces another to start, transmit, or circulate any such statement or rumor is guilty of a misdemeanor punishable by a fine of not more than $1,000 or by imprisonment for not more than one year, or both.

The original draft of "Slander and libel of bank act" as recommended by the American Bankers' Association in 1925, is as follows:

An act to punish derogatory statements affecting banks or trust companies

Be it enacted, etc., Any person who shall willfully and maliciously make, circulate, or transmit to another or others, any statement, rumor, or suggestion, written, printed, or by word of mouth, which is directly or by inference derogatory to the financial condition or affects the solvency or financial standing of any bank, savings bank, banking institution, or trust company doing business in this State, or who shall counsel, aid, procure, or induce another to start, transmit, or circulate any such statement or rumor, shall be guilty of a felony or misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than $5,000 or by imprisonment for a term of not more than five years, or both.

The new bill, known as H. R. 10560, which was introduced on March 6, 1930, now pending before the House, is as follows:

A bill to amend section 22 of the Federal reserve act

Be it enacted, etc., That section 22 of the Federal reserve act be amended by adding at the end thereof the following language:

"(g) Whoever maliciously, with intent to deceive, makes, publishes, utters, repeats, or circulates any false report concerning any national bank, or any State member bank of the Federal reserve system, which causes a general withdrawal of deposits from such bank, shall be deemed guilty of a misdemeanor and shall upon conviction in any court of competent jurisdiction be fined not more than $1,000 or imprisoned for not more than one year, or both."

It will be observed that the bank slander act of the State of Iowa is not only practically the same as the bill I first introduced, to which many objections were urged when it was before the House for consideration, and much more stringent than the one I last introduced, but that the Iowa act makes the offense a felony whereas the bill under consideration only makes it a misdemeanor.

It will also be observed that the Wisconsin act is very similar to the original bill to which objections were urged, and that the penalty provided in the Wisconsin act is heavier than the penalty provided for in the bill now under consideration.

It will also be observed that the New York act is broader and more stringent than the bill under consideration, and that the penalty provided for therein is likewise much heavier than the penalty provided for in the pending bill.

In view of all these facts, and it being apparent that State laws are not available or invokable to punish one who utters and circulates false reports with intent to deceive, relative to the solvency of national banks, thereby causing a general withdrawal of deposits, which generally leads to a failure of the bank, and it being an indisputable fact that State laws can not be invoked to protect banks in one State against false and malicious reports circulated by one in another State, I respectfully submit, in the interest of innocent depositors of banks of this Nation, further objection to the passage of the pending bill should be discontinued.

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

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

There was no objection.

PRESIDENT HOOVER'S STATEMENT ON THE TARIFF BILL

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a statement made to-day by the President of the United States with reference to the new tariff law.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks by printing a statement made to-day by the President of the United States with reference to the new tariff law. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following statement issued by President Hoover on Monday morning June 16, 1930, stating his intention to and his reasons for approving the tariff bill:

STATEMENT BY THE PRESIDENT

I shall approve the tariff bill. This legislation has now been under almost continuous consideration by Congress for nearly 15 months. It was undertaken as the result of pledges given by the Republican Party at Kansas City. Its declarations embraced these obligations:

"The Republican Party believes that the home market built up under the protective policy belongs to the American farmer, and it pledges its support of legislation which will give this market to him to the full extent of his ability to supply it. * * *

"There are certain industries which can not now successfully compete with foreign producers because of lower foreign wages and a lower cost of living abroad, and we pledge the next Republican Congress to an examination and where necessary a revision of these schedules to the end that the American labor in these industries may again command the home market, may maintain its standard of living, and may count upon steady employment in its accustomed field."

Platform promises must not be empty gestures. In my message of April 16, 1929, to the special session of the Congress I accordingly recommended an increase in agricultural protection, a limited revision of other schedules to take care of the economic changes necessitating increases or decreases since the enactment of the 1922 law, and I further recommended a reorganization both of the Tariff Commission and of the method of executing the flexible provisions.

A statistical estimate of the bill by the Tariff Commission shows that the average duties collected under the 1922 law were about 13.8 per cent of the value of all imports, both free and dutiable, while if the new law had been applied it would have increased this percentage to about 16 per cent.

This compares with the average level of the tariff under the McKinley law of 23 per cent; the Wilson law of 20.9 per cent; the Dingley law of 25.8 per cent; the Payne-Aldrich law of 19.3 per cent; and the Fordney-McCumber law of 13.83 per cent.

Under the Underwood law of 1913 the amounts were disturbed by war conditions, varying 6 per cent to 14.8 per cent.

The proportion of imports which will be free of duty under the new law is estimated at from 61 to 63 per cent. This compares with averages under the McKinley law of 52.4 per cent; the Wilson law of 49.4 per cent; the Dingley law of 45.2 per cent; the Payne-Aldrich law of 52.5 per cent; and the Fordney-McCumber law of 63.8 per cent.

Under the Underwood law of 1913 disturbed conditions varied the free list from 60 to 73 per cent, averaging 66.3 per cent.

The increases in tariff are largely directed to the interest of the farmer. Of the increases, it is stated by the Tariff Commission that 93.73 per cent are upon products of agricultural origin measured in value, as distinguished from 6.25 per cent upon commodities of strictly nonagricultural origin. The average rate upon agricultural raw materials shows an increase from 38.10 per cent to 48.92 per cent in contrast to dutiable articles of strictly other than agricultural origin which show an average increase of from 31.02 per cent to 34.31 per cent. Compensatory duties have necessarily been given on products manufactured from agricultural raw materials and protective rates added to these in some instances.

The extent of rate revision as indicated by the Tariff Commission is that in value of the total imports the duties upon approximately 22.5 per cent have been increased, and 77.5 per cent were untouched or decreased. By number of the dutiable items mentioned in the bill, out of the total of about 3,300 there were about 890 increased, 235 decreased, and 2,170 untouched. The number of items increased was, therefore, 27 per cent of all dutiable items, and compares with 83 per cent of the number of items which were increased in the 1922 revision.

This tariff law is like all other tariff legislation, whether framed primarily upon a protective or a revenue basis. It contains many compromises between sectional interests and between different industries. No tariff bill has ever been enacted or ever will be enacted under the present system that will be perfect. A large portion of the items are always adjusted with good judgment, but it is bound to contain some inequalities and inequitable compromises. There are items upon which duties will prove too high and others upon which duties will prove to be too low.

Certainly no President, with his other duties, can pretend to make that exhaustive determination of the complex facts which surround each of those 3,300 items, and which has required the attention of hundreds of men in Congress for nearly a year and a third. That responsibility must rest upon the Congress in a legislative-rate revision.

On the administrative side I have insisted, however, that there should be created a new basis for the flexible tariff, and it has been incorporated in this law. Thereby the means are established for objective and judicial review of these rates upon principles laid down by the Congress, free from pressures inherent in legislative action. Thus, the outstanding step of this tariff legislation has been the reorganization of the largely inoperative flexible provision of 1922 into a form which should render it possible to secure prompt and scientific adjustment of serious inequities and inequalities which may prove to have been incorporated in the bill.

This new provision has even a larger importance. If a perfect tariff bill were enacted to-day, the increased rapidity of economic change and the constant shifting of our relations to industries abroad, will create a continuous stream of items which would work hardship upon some segment of the American people except for the provision of this relief. Without a workable flexible provision we would require even more frequent congressional tariff revision than during the past. With it the country should be freed from further general revision for many years to come. Congressional revisions are not only disturbing to business but with all their necessary collateral surroundings in lobbies, logrolling, and the activities of group interests, are disturbing to public confidence.

Under the old flexible provisions the task of adjustment was imposed directly upon the President, and the limitations in the law which circumscribed it were such that action was long delayed and it was largely inoperative, although important benefits were brought to the dairying, flax, glass, and other industries through it.

The new flexible provision established the responsibility for revisions upon a reorganized Tariff Commission, composed of members equally of both parties as a definite rate-making body acting through semijudicial methods of open hearings and investigation by which items can be taken up one by one upon direction or upon application of aggrieved parties. Recommendations are to be made to the President, he being given authority to promulgate or veto the conclusions of the commission. Such revision can be accomplished without disturbance to business, as they concern but one item at a time, and the principles laid down assure a protective basis.

The principle of a protective tariff for the benefit of labor, industry, and the farmer is established in the bill by the requirement that the commission shall adjust the rates so as to cover the differences in cost of production at home and abroad—and it is authorized to increase or decrease the duties by 50 per cent to effect this end. The means and methods of ascertaining such differences by the commission are provided in such fashion as should expedite prompt and effective action if grievances develop.

When the flexible principle was first written into law in 1922, by tradition and force of habit the old conception of legislative revision was so firmly fixed that the innovation was bound to be used with caution and in a restricted field, even had it not been largely inoperative for other reasons. Now, however, and particularly after the record of the last 15 months, there is a growing and widespread realization that in this highly complicated and intricately organized and rapidly shifting modern economic world, the time has come when a more scientific and businesslike method of tariff revision must be devised. Toward this the new flexible provision takes a long step.

These provisions meet the repeated demands of statesmen and industrial and agricultural leaders over the past 25 years. It complies in full degree with the proposals made 20 years ago by President Roosevelt. It now covers proposals which I urged in 1922.

If, however, by any chance the flexible provisions now made should prove insufficient for effective action, I shall ask for further authority for the commission, for I believe that public opinion will give wholehearted support to the carrying out of such a program on a generous scale, to the end that we may develop a protective system free from the vices which have characterized every tariff revision in the past.

The complaints from some foreign countries that these duties have been placed unduly high can be remedied, if justified, by proper application to the Tariff Commission.

It is urgent that the uncertainties in the business world which have been added to by the long-extended debate of the measure should be ended. They can be ended only by completion of this bill. Meritorious demands for further protection to agriculture and labor which have developed since the tariff of 1922 would not end if this bill fails of enactment. Agitation for legislative tariff revision would necessarily continue before the country. Nothing would contribute to retard business recovery more than this continued agitation.

As I have said, I do not assume the rate structure in this or any other tariff bill is perfect, but I am convinced that the disposal of the whole question is urgent. I believe that the flexible provisions can within reasonable time remedy inequalities; that this provision is a progressive advance and gives great hope of taking the tariff away from politics, lobbying, and logrolling; that the bill gives protection to agriculture for the market of its products and to several industries in need of such protection for the wage of their labor; that with returning normal conditions our foreign trade will continue to expand.

TRAFFIC IN POISONOUS OR DELETERIOUS FOOD, DRUGS, ETC.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 730, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the bill H. R. 730, with Senate amendments, disagree to the Senate amendments, and ask for a conference. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 730) 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.

The SPEAKER. Is there objection?

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. HAUGEN, Mr. PURNELL, and Mr ASWELL.

BUREAU OF LABOR STATISTICS, DIVISION OF SAFETY

The next business on the Consent Calendar was the bill (H. R. 995) to create in the Bureau of Labor Statistics of the Department of Labor a division of safety.

The Clerk read the title of the bill.

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

Mr. HOGG. Mr. Speaker, pending a report from the Labor Department, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. HOGG]?

There was no objection.

FORT HALL INDIAN IRRIGATION PROJECT

The next business on the Consent Calendar was the bill (H. R. 10880) authorizing the construction of the Michaud division of the Fort Hall Indian irrigation project, Idaho, an appropriation therefor, and the completion of the project, and for other purposes.

The Clerk read the title of the bill.

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

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

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

There was no objection.

PRELIMINARY EXAMINATION, FLOOD CONTROL

The next business on the Consent Calendar was the bill (H. R. 12190) to authorize preliminary examinations of sundry streams with a view to the control of their floods, and for other purposes.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, there was considerable conversation, conference, and debate on this bill when it was last considered. My main objection is that I fear we are going to have an annual omnibus preliminary examination of sundry streams for flood control. If this proposition is going to degenerate into a river and harbor proposition, I want to know it.

Mr. JENKINS. I understood the gentleman from California [Mr. SWING], the last time this bill was considered, to say that he did not expect that to happen.

Mr. LAGUARDIA. May I ask my colleague from Michigan [Mr. CRAMTON] what he thinks about these surveys?

Mr. CRAMTON. Personally I think it is a very dubious program.

Mr. LAGUARDIA. I am glad to hear the gentleman say that.

Mr. CRAMTON. I did not feel I had all the responsibility.

Mr. LAGUARDIA. These surveys will cost quite a little money, and in my experience once we start the survey we might as well appropriate for the work.

Mr. JENKINS. I happen to know about one of the items involved which is a really very meritorious proposition.

Mr. LAGUARDIA. One of them?

Mr. JENKINS. Yes.

Mr. LAGUARDIA. That is exactly it.

Mr. STAFFORD. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. STAFFORD. There is one in my State, I notice, the Fox River. If there is any occasion for flood control of the Fox River, there are 10 other rivers in my State that should have flood-control supervision.

Mr. LAGUARDIA. That is exactly the point.

Mr. STAFFORD. I have not introduced any bill for the control of the Milwaukee River, although it overflows and damage results, but I am considerate of the Treasury of the United States.

Mr. LAGUARDIA. That is the trouble of an omnibus proposition. There are some meritorious measures in it, but it has to be dragged in with many other propositions that do not have merit.

Mr. JENKINS. I wonder if the gentleman will permit it to go over?

Mr. LAGUARDIA. Every time some old woman throws a bucket of water out of the window I do not want a survey made for flood control.

Mr. STAFFORD. Perhaps some of these streams will result in a flood by the throwing of a bucket of water into them.

Mr. SWING. Will the gentleman yield?

Mr. LAGUARDIA. I am going to ask that this go over.

Mr. SWING. That is the same request which the gentleman made last time.

Mr. LAGUARDIA. Yes. I have not been converted to it yet. I do not want to object to it.

Mr. SWING. As I stated before, it is merely a request for information.

Mr. LAGUARDIA. Yes; a request for information, but we are not so young and innocent. We have been educated in the school of rivers and harbors, and hence my attitude. My objection is not toward the gentleman personally, and he knows that. It is bad practice. Let each one be taken up on its own merits. The gentleman from Ohio has a good project, he says. The gentleman from Wisconsin immediately points out one that has not any merit.

Mr. STAFFORD. I would not say it has not as much merit as the other proposition.

Mr. SWING. This is a practice that has been followed in other communities.

Mr. LAGUARDIA. Well, it is bad practice.

Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. LAGUARDIA]?

There was no objection.

BRIDGE ACROSS MISSOURI RIVER NEAR KANSAS CITY, KANS.

The next business on the Consent Calendar was the bill (H. R. 10376) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I have been informed by the gentleman from Kansas [Mr. GUYER] that there have been actual bona fide expenditures of money made, that soundings have been made, that the expense of the plans has been met, and that there is justification for the extension of time.

Mr. GUYER. The plans have already been filed with the War Department.

Mr. LAGUARDIA. I mean the detail plans, engineering plans?

Mr. GUYER. Yes, sir.

Mr. LAGUARDIA. And soundings have been made?

Mr. GUYER. Yes, sir.

Mr. LAGUARDIA. And the approaches completed?

Mr. GUYER. Yes.

Mr. LAGUARDIA. On that assurance, Mr. Speaker, I shall not object.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the 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, 1930.

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

With the following committee amendments:

Page 1, line 7, after the figures "1928," insert "heretofore extended by act of Congress approved March 2, 1929."

Page 1, line 8, after the word "hereby," insert the word "further."

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

NATURAL HISTORY BUILDING OF THE UNITED STATES NATIONAL MUSEUM

The next business on the Consent Calendar was the bill (H. R. 11094) to authorize the extension of the Natural History Building of the United States National Museum.

The Clerk read the title of the bill.

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

Mr. McCLINTIC of Oklahoma. Mr. Speaker, reserving the right to object, if I am correctly informed, the deficiency bill, which is now pending before this House, carries items for the construction of buildings in the District of Columbia that are clearly out of proportion to the needs of the country. In other words, that bill provides for the construction of buildings which, in my opinion, should not be authorized at the present time. If I am correctly informed, it is now the purpose to tear down the handsome District of Columbia Building. I venture to assert that if photographs were taken of that building and distributed in the congressional districts in which we have to run there is not a Member of the House who could be reelected if their constituents knew that such a building was to be torn down and destroyed in order to meet the wishes of a so-called commission.

Mr. STAFFORD. An æsthetic commission.

Mr. McCLINTIC of Oklahoma. I do not know. It is some kind of a special commission which, in my opinion, is about to commit one of the most dastardly acts that has ever been brought to my attention since I have been a Member of this House. Not only is that true, but I understand it is the purpose to tear down the handsome stone Post Office Building, one of the best-constructed buildings to be found in the entire United States. As long as that commission functions in this way, the balance of the country is not receiving fair and just consideration. I hope you Members, when you go down Pennsylvania Avenue, will take a look at that monstrosity there in the way of a new building erected to take care of the Internal Revenue Bureau. I hope you will look at the roof. The back end of it, as I said the other day, looks like the roof over a chicken house and the side exposed to the street looks like the back end of a barn. It is probably the most unsightly building ever constructed in Washington. If that is art, then certainly I know nothing about art.

Mr. STAFFORD. I do not ride in an automobile. I walk. I took occasion, since the gentleman made his scathing arraign-

ment of that mansard roof, to look at it. I found it conformed exactly with the roof on the new Commerce Building. The façade of that building is very appealing to me, with its columns and the like.

Mr. McCLINTIC of Oklahoma. Did the gentleman look at the National Museum on one side and this building on the other? If the gentleman is not in accord with my views on the subject, I hope the other Members of this House will take a peep at that building as it appears from the Pennsylvania Avenue side. If there ever was an unsightly spectacle it is this creation of the special commission.

Mr. STAFFORD. The National Museum Building is of the old style, while the new building is of the modernistic style. Of course, that building appeals to me, because I am old-fashioned in my tastes.

Mr. McCLINTIC of Oklahoma. Then if we have a fine arts commission that is supposed to be able to distinguish between fine buildings, why did not they look at this National Museum Building when they were making plans to construct a building adjacent thereto.

Mr. LAGUARDIA. If the gentleman will permit, of course, the bill before the House is not related to the post office, and I am not going to enter into a debate with the gentleman on his æsthetic views or any views he has with reference to any particular school of architecture.

Mr. McCLINTIC of Oklahoma. I want to say this, I am bringing this to the attention of the Members of the House, so they can look at this building as they go down Pennsylvania Avenue.

Mr. LAGUARDIA. I simply want to read a paragraph from the letter written by the chancellor of the Smithsonian Institution, now Chief Justice of the United States.

The United States National Museum is a treasure house of the products of the United States in fauna, flora, mineralogy, and archæology. The collections have cost $120,000,000, and could not be replaced for $400,000,000. In order to take advantage of opportunities which may not be long available expeditions are sent out and gifts are received every year, which add numerous objects soon to become irreplaceable.

The additions average nearly 500,000 specimens a year. It is not desirable to give to other institutions more than a small part of these accretions, for the National Museum has become a principal headquarters for study by experts from all over the world.

He makes an appeal for the passage of this bill, and we ought to consider this bill on its merits without injecting into it unrelated subjects.

Mr. McCLINTIC of Oklahoma. Who wrote that letter?

Mr. LAGUARDIA. The Chief Justice of the United States. I will put the entire letter in the RECORD.

The letter referred to follows:

SUPREME COURT OF THE UNITED STATES,
Washington, D. C., June 2, 1930.

MY DEAR MR. SPEAKER: Permit me, on behalf of the Board of Regents of the Smithsonian Institution, of which I am chancellor, to bring to your attention the bill authorizing the extensions of the Natural History Building of the United States National Museum. This bill (S. 3970) passed the Senate on May 8, 1930, and is now pending in the House of Representatives. We earnestly hope that you may see your way clear to promote the passage of this measure.

I understand the facts are these:

The United States National Museum is a treasure house of the products of the United States in fauna, flora, mineralogy, and archæology. The collections have cost $120,000,000, and could not be replaced for $400,000,000. In order to take advantage of opportunities which may not be long available expeditions are sent out and gifts are received every year, which add numerous objects soon to become irreplaceable.

The additions average nearly 500,000 specimens a year. It is not desirable to give to other institutions more than a small part of these accretions, for the National Museum has become a principal headquarters for study by experts from all over the world.

The Natural History Building is now crowded. Even corridors are filled with cases. Workrooms are too crowded to give adequate facilities to workers. For example, workers from the United States Department of Agriculture, whose duty it is to examine insect specimens microscopically, are now crowded four to a window, so that there is neither adequate space nor light for their studies. No storage is longer available for large objects.

In order to relieve this congestion it is proposed to erect wings to the east and west of the building, to be uniform with the existing structure. They have been approved in principle by the Regents and Secretaries of the Smithsonian Institution, by the Fine Arts Commission, and I understand by the Bureau of the Budget. Their cost has been estimated approximately at $6,500,000 by the Supervising Architect of the Treasury. The bill referred to above authorizes a future appropriation not exceeding $6,500,000.

This is an enabling act, not an appropriation, but the authorization at this time will permit detailed plans to be drawn. The building can not be completed, if now authorized, before 1933, and the present congested condition will become by that time much more serious.

If you desire I shall be glad to call at any time that may suit your convenience to give any further information that may be at my command.

With high esteem I am faithfully yours,

CHARLES E. HUGHES.

Hon. NICHOLAS LONGWORTH,
Speaker House of Representatives.

Mr. McCLINTIC of Oklahoma. I have a great deal of respect for any opinion that may be given by the Chief Justice, but it does occur to me that there is an enormous amount of construction provided for in the deficiency bill. I think there should be sufficient space provided to take care of everything that should be preserved. At present we can make temporary arrangements; then later, after the needs of the country have been taken care of to a certain extent, let us authorize a sufficient amount of appropriations to take care of the buildings that are needed in the District of Columbia.

I have no objection to constructing suitable quarters to take care of the needs of the Government. However, it seems to me to be a crime to authorize the expenditure of approximately $20,000,000 to tear down buildings like the District of Columbia Building, made out of beautiful marble, and the Post Office Building, constructed from probably the best building stone in America, which, if allowed to remain, would be in good condition for several hundred years. I dare say that the arches and the general style of architecture in front of the Post Office Building is not to be excelled in the United States. In fact, I doubt if there is a better building to be found in the entire Nation. Yet because of a mania rampanting in the minds of some persons who have certain power and authority, it is now proposed to tear down these buildings, which will mean the construction of edifices that will not be built nearly so substantial, and if built to conform with the Internal Revenue Building close by, it will not be but a few years until the same process of destruction will be put into effect, and more money will be squandered in the construction of new buildings to take their place. It is very evident that the building bought last year from the Southern Railway Co. at a cost of more than $1,000,000 will be the next to suffer this same verdict, as there is apparently a wild orgy of money spending for the purpose of constructing buildings in the District of Columbia regardless of whether or not they are needed.

Mr. LAGUARDIA. The gentleman understands that Mr. Hughes is writing this letter in his capacity as one of the chancellors of the Smithsonian Institution.

Mr. PATTERSON. And if the gentleman will yield, I may say that this need is immediate.

Mr. LAGUARDIA. I wish the gentleman would prevail on his colleague from Oklahoma.

Mr. McCLINTIC of Oklahoma. I may say to the gentleman that I do not have any objection to the construction of buildings that are needed, but I do not want it all done in one year. I want some of this money appropriated by the Congress to be expended in the various districts of the United States in order that our people may have some of the conveniences rather than authorizing so many to be constructed at one time in the District of Columbia.

Mr. LAGUARDIA. The gentleman knows that separate and distinct authorizations and appropriations are made for this purpose, and this has nothing to do with that question at all. It does not cut into the appropriations, and I hope the gentleman will not object.

Mr. GREENWOOD. If the gentleman will permit, I do not think we ought to enter into a controversy here over the different styles of architecture, which is a matter in the hands of a commission. There may be some merit in what the gentleman says, or there may not be, but the point at issue here is whether we are going to extend a building which will house a museum of natural history, which is one of the most important places in the District of Columbia in the way of education, and where the people who visit this Capital get more of educational value than any other institution here. I do not think we ought to enter into a controversy about side issues. We ought to undertake what Chief Justice Hughes has urged us to do, and that is to provide housing facilities for these specimens of natural history, which will make this a treasure house of the entire United States, and will be a matter of benefit to anyone who visits the Capital.

Mr. LAGUARDIA. And serve a scientific purpose as well.

Mr. McCLINTIC of Oklahoma. The position I take is that instead of paying $11,000,000 to construct a new post-office build-

ing to take the place of the handsome Post Office Building now on the Avenue——

Mr. LAGUARDIA. Keep the Post Office Building out of this.

Mr. McCLINTIC of Oklahoma. I am putting it in, and I think instead of spending a lot of money to tear down the splendid, lovely District of Columbia building, we should use that money for purposes of this kind rather than to so increase expenditures that there will not be a fair distribution, taking into consideration the various districts of the country.

Mr. STAFFORD. Æstheticism is running rampant and we are running wild in our expenditures along this line.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. ELLIOTT. I object.

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

Mr. LAGUARDIA. Mr. Speaker, I understand three objections are necessary.

Mr. McCLINTIC of Oklahoma and Mr. STAFFORD objected.

Mr. McCLINTIC of Oklahoma. I understand the bill was passed over without prejudice before.

Mr. ELLIOTT. No; it was objected to and went off the calendar.

The SPEAKER pro tempore. According to the calendar, the bill has been objected to.

Mr. LAGUARDIA demanded the regular order.

The SPEAKER pro tempore. The Chair hears only two objections. The Clerk will report the bill.

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that the Senate bill S. 3970, which is identical, may be substituted for the House bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Smithsonian Institution is hereby authorized to extend the Natural History Building of the United States National Museum by additions on the east and west ends thereof, in accordance with plans to be approved by the Commission of Fine Arts, and to engage, if necessary, architectural and inspection services, without regard to the restrictions of existing law governing such services. There is hereby authorized to be appropriated a sum not exceeding $6,500,000 for this purpose.

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

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

PAYMENT OF CERTAIN EMPLOYEES IN THE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the joint resolution (S. J. Res. 24) for the payment of certain employees of the United States Government in the District of Columbia and employees of the District of Columbia for March 4, 1929.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, it seems to me it is rather unseemly to come here with a bill to provide the payment of salary to some employees who took a holiday, just because they are not included in general law. By the time distribution is made, the cost of administering this bill will be almost as much as the benefits to be derived from it. It does no one person any particular good and I do not think it is a good precedent to establish.

Mr. COLTON. Mr. Speaker, Chairman WILLIAMSON could not be here to-day, and asked me to look after this bill. It will not cost much to administer the bill, I am sure. For a great many years these employees have been given a holiday on Inauguration Day.

Mr. LAGUARDIA. Yes.

Mr. COLTON. And it is held now that there is plenty of authority in law to pay them if an Executive order had been issued but in this particular case there was no Executive order issued. I understand this to be the first time an order has not been issued in many years. It was evidently an oversight.

Mr. LAGUARDIA. Can not the defect be cured permanently so that every four years we will not have a bill like this?

Mr. COLTON. That ought to be done, but it has not been done, and if we do not pass this resolution these men will be deprived of this pay. It is a good measure. These men ought not to be discriminated against.

Mr. LAGUARDIA. Does this resolution come up every four years?

Mr. COLTON. No; because heretofore an Executive order has been issued.

Mr. GREENWOOD. Reserving the right to object, are there not other groups of employees who took the day off and who are not coming in under this bill?

Mr. COLTON. No. I understand practically all others have been paid.

Mr. GREENWOOD. What group of employees is this?

Mr. COLTON. Mostly those who work at the navy yard. There are only a few others.

Mr. GREENWOOD. And this is because there was not an Executive order issued which was simply an oversight in conforming with the practice followed on previous inauguration days. Has it always been the rule to issue such an Executive order?

Mr. COLTON. That is my understanding.

Mr. GREENWOOD. And we are attempting to correct by this bill what ought to be have been covered by an Executive order?

Mr. COLTON. That is it exactly.

Mr. COCHRAN of Missouri. The hearings show that there are only a small number of these men.

Mr. GREENWOOD. How many men are involved?

Mr. COLTON. Four thousand five hundred at the navy yard and a few others.

Mr. GREENWOOD. And how much money is involved?

Mr. COLTON. It would be difficult to state. Probably $5 or $6 a day for this number of men.

Mr. BLANTON. Mr. Speaker, reserving the right to object, this bill sets a bad precedent, because if it is passed it will undoubtedly bring about eventually Inauguration Day as a holiday in the District of Columbia. I wish that every Member here would read the splendid speech made by our former colleague, Hon. James R. Mann, on this floor against the proposal to make Lincoln's birthday a holiday. It is one of the most logical and best speeches against additional holidays I ever heard on the floor of the House. He spoke of Lincoln's inclination to work rather than shirk. I object to this bill, because ultimately it would eventuate in creating a new holiday here in the District of Columbia. This would be unfair to the thousands of Government employees located in the 48 States of this Union.

AUTHORIZING THE MENOMINEE TRIBE OF INDIANS TO EMPLOY GENERAL ATTORNEYS

The next business on the Consent Calendar was the bill (H. R. 8812) authorizing the Menominee Tribe of Indians to employ general attorneys.

The Clerk read the title of the bill.

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

Mr. JENKINS. Reserving the right to object, it strikes me that this is a peculiar bill. It gives authority to some one in the Indian tribe to employ lawyers to see if the Government does not owe something to this tribe.

Mr. BLANTON. To the amount of $20,000 or more, if the original bill is passed instead of the amendment.

Mr. BROWNE. Let me say to the gentleman that the Menominee Indians occupy 10 townships in my district in Wisconsin. They have in the Treasury a fund of from one million and a half to two million dollars. They run an extensive lumber business in Wisconsin. They have a mill and plant there which is valued at something like a million and a half or two million dollars. They have certain claims against the Government.

Mr. JENKINS. Why, then, do they not employ lawyers and pay them?

Mr. BROWNE. Under the law they can not employ a lawyer without coming to and getting authority from Congress. They can not raise money even to send a delegate here. All they ask is for Congress to allow them to take the money out of their own fund and employ lawyers, subject to the approval of the Secretary of the Interior.

Mr. JENKINS. And none of this money will come out of the United States Government?

Mr. BROWNE. Not a cent.

Mr. JENKINS. Then I have no objection.

Mr. CRAMTON. Further reserving the right to object, does this include the handling of such claims, or simply to pay the lawyers for filing something that they may call a claim?

Mr. BROWNE. These Indians have claims against the United States Government. They have filed claims against the Government. I introduced a bill for them, but to prepare their case and present it to the Court of Claims they must have a lawyer.

Mr. CRAMTON. When a bill passes authorizing them to present a claim to the Court of Claims that will authorize the employment of lawyers and provide for their payment. This

bill has nothing to do with filing any claim in the Court of Claims.

Mr. BROWNE. Let me say that this tribe of Indians have around 2,000,000,000 feet of standing timber.

Mr. CRAMTON. I am perfectly familiar with that; I have visited their reservation and I know their financial condition; but that does not mean that we have to make a present of $20,000 to the Wisconsin lawyers.

Mr. BROWNE. I will say that they do not intend to employ Wisconsin lawyers. The attorneys will be employed under the advice and consent of the Secretary of Interior.

Mr. CRAMTON. No; I do not think so; this is an authorization of hiring by Congress, and it is not left in the discretion of the Secretary of the Interior.

Mr. BLANTON. This bill is going to be objected to, so why take up the time of the House?

Mr. BROWNE. I ask unanimous consent for a couple of minutes. I think if Members understand the matter that no one will object. This provides that the contract for attorneys shall be subject to the approval of the Commissioner of Indian Affairs and the Secretary of the Interior.

Now, they find it very difficult to conduct their business of running this large mill without being incorporated, and having to come to the Secretary of the Interior for everything they do. They can not make progress if they are compelled to do that.

Mr. CRAMTON. The Indians are not running that mill, but even granted that the matter the gentleman now urges is valid, they do not need any $20,000 pay roll for lawyers annually.

Mr. BROWNE. If the gentleman will permit me to make my explanation, I shall try to do it and see whether it meets his objection. They believe, and the Secretary of the Interior after explanation believes, that these Indians could run their own business, or at least have something to do with their own business if they are incorporated.

Mr. CRAMTON. I am 100 per cent opposed to all of these new-fangled incorporation ideas. That is the best scheme that has yet been devised to fritter away the assets of the Indians.

Mr. BROWNE. I want to explain for a minute or two, because I believe that if the gentleman understands what they intend to do he will not object. These Indians, in the first place, are one of the most intelligent tribes of Indians that we have. They not only enlisted in every war but more Menominee Indians have volunteered in proportion to the population than any like number of people in the United States. They were not subject to draft.

Mr. CRAMTON. That can be said of the Indians generally.

Mr. BROWNE. They are an intelligent tribe of Indians. They have been on this reservation ever since the first white man came to Wisconsin, which was about the year 1650. They have valuable property to administer. They have over a million and a half dollars in the Treasury, and yet they can not send a delegate under the present law to talk with their Congressman who represents them without getting permission from the Indian Department and being allowed out of their own funds enough money to come down here. When I brought the matter up before the Secretary of the Interior with Mr. Rhoads and Mr. Scattergood, they were opposed to the bill at first, as the gentleman is. We went over the matter very carefully. I told these Indians that if they needed attorneys they should get the best attorneys they could find. They consulted with the Hughes-Dwight firm, of New York. They seemed to think that they had a case against the Government, and they also thought that they could help them in incorporating or forming some sort of a cooperative organization so that they could do their business and learn to do business and have some initiative and improve their condition.

Mr. CRAMTON. When it comes to the matter of presenting a claim against the Government, if there is any valid and substantial claim, I am not disposed to get in the way of it; but when it comes to hiring attorneys to prepare papers of incorporation, to let some corporation be formed to administer the assets of these Indians, I am 100 per cent against it, and you can not pass any bill by unanimous consent that has anything to do with that.

Mr. BROWNE. They have a claim that they think is valid against the Government.

Mr. CRAMTON. But the report of the department talks about incorporation.

Mr. BROWNE. That is another matter, too. In presenting their claim they have got to get good legal advice as to whether the claim is good or not.

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

Mr. BROWNE. Yes.

Mr. BLANTON. If Wisconsin can send some of the strongest men we have here to sit on this floor who receive an annual salary of only $10,000, why can not these Indians get lawyers cheaper than $20,000 a year?

Mr. BROWNE. This provides for not to exceed $6,000 a year for two years, subject to the consent and approval of the Secretary of the Interior.

Mr. BLANTON. Yes; if the bill is adopted and not the amendment, it permits them to employ a general attorney at $20,000 per annum, or even more if they can get it approved by the Secretary of the Interior.

Mr. BROWNE. They pay it out of their own funds.

Mr. BLANTON. It is after all the Indians' money, and they ought to have it themselves, and greedy attorneys should not get it.

Mr. BROWNE. There are about 2,000 members of this tribe, and it would not amount to $10 apiece.

Mr. CRAMTON. But if this bill goes through, it gives the shadow of approval of Congress to the idea of incorporating the Indians. A bill of that kind was introduced for the Klamath Indians, and I guess everybody has abandoned it.

Mr. BROWNE. They do not know whether it is a good thing for them to incorporate or not.

Mr. CRAMTON. I think that Congress knows that it is not.

Mr. BROWNE. We do not know until we find out what they propose to do.

Mr. BLANTON. Mr. Speaker, I object.

CONSTRUCTION OF RURAL POST ROADS

The next business on the Consent Calendar was the bill (H. R. 7585) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, and I hope not to be obliged to do it, because I think it is a desirable bill, but as it stands the bill does not accomplish anything. It authorizes Congress hereafter to authorize an appropriation. To be effective it ought to at least authorize appropriations. I can understand that the legislative committee that has charge of public roads may very well desire to not present a permanent authorization for appropriations. They may desire to have it in shape so that when the general State aid and the forest road authorization is made next time this would be before them and would be included. In order to accomplish that I have prepared an amendment. On page 2, line 11, after the word "section," insert "including not more than two and a half million dollars for each of the fiscal years 1931, 1932, and 1933, hereby authorized to be appropriated," so that it will read:

> Such sums as the Congress may hereafter authorize to be expended under the provisions of this section, including not more than two and a half million dollars for each of the fiscal years 1931, 1932, and 1933, hereby authorized to be appropriated—

And so forth.

Mr. DOWELL. Mr. Speaker, in reply to the gentleman, the Committee on Roads has had this bill before it for about three years, and there has been a great deal of contention in various directions. Finally the committee has, with the departments, agreed upon legislation which will take care of the public-land situation as it has already taken care of the forest roads.

In other words, this is new legislation, so far as public lands are concerned. Up to date the Government has paid nothing for the construction of highways on the public lands. This is a new departure and the Government assumes the responsibility of building roads in the public lands of the public-land States. The committee did not investigate at this time the question as to how much this authorization should be, and it was agreed by all of those interested that at this time there should be no authorization in the bill at all, but that it should be followed next year by an investigation of the subject, and then the committee would have some backing for whatever legislation it desired to recommend.

Mr. CRAMTON. I understand the gentleman's committee has already brought in for passage at this session legislation authorizing Federal aid to the States for the next fiscal years 1931, 1932, and 1933.

Mr. DOWELL. 1931 was authorized at the last time.

Mr. CRAMTON. Yes; 1932 and 1933; and increased it?

Mr. DOWELL. Yes.

Mr. CRAMTON. And also they have brought in legislation authorizing appropriations for forest roads for these same three years.

Now, the passage of this bill, while it reads nicely, does not produce any money. Before any money could be appropriated

for this purpose another bill would have to pass Congress authorizing an appropriation.

As the gentleman knows, I have some contact with these problems. There is a law authorizing $250,000 for roads on Indian reservations. That was intended as a relief measure. The Senate increased that amount to three-quarters of a million dollars. In conference they agreed to recede on the promise I made to get this legislation through. I do not feel that I am keeping faith with those gentlemen to pass a bill which is authorizing that legislation. I am not insistent as to the amount, but I would like to see even a million dollars appropriated. But I am not insistent about 1931. The Budget feels the money is pretty well spent for 1931. But I suggest that in the fiscal years 1932 and 1933 there should be appropriated some given amount. Then thereafter the rest of the bill remains just as the gentleman's committee has recommended, so far as that feature is concerned.

Mr. DOWELL. The Committee on Roads has given this matter quite serious consideration. The Committee on Roads will be here, if this law is enacted, with an authorization.

Mr. CRAMTON. When?

Mr. DOWELL. In the next Congress.

Mr. CRAMTON. For the fiscal years 1932 and 1933?

Mr. DOWELL. I think so.

Mr. CRAMTON. I do not care to take part in some ceremony here that will not produce roads.

Mr. DOWELL. I can not give absolute assurance, but I will say that it is the intention of the Roads Committee to take this matter up and investigate the subject and report at the next session of Congress.

Mr. CRAMTON. The committee has already recommended such legislation as this—legislation authorizing definite appropriations—which was passed by Congress and unfortunately vetoed by the President. That was two years ago.

Mr. DOWELL. That was only temporary.

Mr. CRAMTON. This is not even temporary.

Mr. DOWELL. Yes; this provides permanent law for the distribution of this fund when it is authorized and appropriated, and that is as far as the committee desired to go.

Mr. CRAMTON. Will the gentleman give us assurance that if this bill goes through his committee will take up the preparation of an authorization?

Mr. DOWELL. It is the intention of the committee to take this up at the next session of Congress and make an investigation and report as to what should be done.

Mr. CRAMTON. Well, I am disappointed in that. I think it would be better to definitely dispose of it in this bill. As I understand, the gentleman from Iowa would not accept such an amendment as I have suggested?

Mr. DOWELL. I feel I could not do it, because the committee has not investigated the subject matter.

Mr. CRAMTON. Then, if the gentleman will not accept the amendment, and would rather have the bill fail than accept that amendment, I am not going to insist on the amendment. Aside from the gentleman's assurance, which is helpful, I do not think this bill means much. I suggest an amendment to the language, beginning page 2, line 18:

The roads constructed and maintained under the provisions of this section shall be the same standard as to width and character of construction as the Federal Government requires of the States under like conditions.

I think that ought to be eliminated because it is a purely Federal road matter, and it ought to be left to Congress and the department to provide the kind of road desired. I think they can build a cheaper road and find it satisfactory—cheaper than this would require.

Mr. DOWELL. I can not give the gentleman a definite assurance, but the committee has no desire that the department construct more expensive roads.

Mr. CRAMTON. Is that amendment agreeable to the gentleman?

Mr. DOWELL. I would not want to consent to that.

Mr. CRAMTON. Then I will have to object to the bill, because without the amendment, it will mean extravagant roads. If the amendment goes through it would not be a question of what the committee wanted. It would mean that Congress tied the hands of your committee as well as of the department. All I am asking is that the committee and the department have free hands. I shall have to object.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Will the gentleman from Iowa not accept the proposed amendment?

Mr. COLTON. I wish the gentleman from Iowa [Mr. DOWELL] would accept the amendment.

Mr. CRAMTON. I happen to know that the Director of Public Roads has made extensive studies in the West with a view to building roads sufficient for the traffic, but not up to the standard which this would require. I shall have to object to the bill unless the amendment is allowed.

Mr. STAFFORD. There are others who will have to object also because it is an impracticable provision. The width of roads over the mountains would be very different from the width of roads on the level.

Mr. DOWELL. Will the gentleman from Michigan state the amendment again, please?

Mr. CRAMTON. My proposed amendment is simply to strike out the language in the sentence just before the proviso. If that sentence goes out it leaves it up to the gentleman's committee and the future action of Congress and the department. I think they would get more roads for the same money if they do not have their hands tied in that way.

Mr. DOWELL. I am willing to consent to that amendment.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COLTON. Mr. Speaker, I ask unanimous consent to substitute Senate bill (S. 3258) for the House bill. It is a similar bill.

The SPEAKER pro tempore. Without objection, Senate bill S. 3258 will be substituted.

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Federal highway act, approved November 9, 1921 (42 Stat. L. 212), as amended or supplemented, be further amended by amending the second paragraph of section 3 of said Federal highway act to read as follows:

"The Secretary of Agriculture is authorized to cooperate with the State highway departments and with the Department of the Interior, in the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations. Such sums as the Congress may hereafter authorize to be appropriated under the provisions of this section shall be apportioned among those States having more than 5 per cent of their area in the lands hereinbefore described and shall be prorated and apportioned to said States in the proportion that said lands in each of said States is to the total area of said lands in the States eligible under the provisions of this section, and no contribution from the States shall be required in the expenditure thereof. The roads constructed and maintained under the provisions of this section shall be of the same standard as to width and character of construction as the Federal Government requires of the States under like conditions: *Provided*, That in the allocation of any such funds authorized to be appropriated under this section or any subsequent act preference shall be given to those projects which are located on the Federal-aid highway system as the same are now or may hereafter be designated.

"The Secretary of Agriculture shall prepare, publish, and distribute a map and other information, at least annually, showing the progress made in the expenditures of the funds authorized under this section."

SEC. 2. All acts or parts of acts in any way inconsistent with the provisions of this act are hereby repealed, and this act shall take effect on its passage.

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

The SPEAKER pro tempore. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 2, line 14, of the Senate bill, strike out the words "the roads constructed and maintained under the provisions of this section shall be of the same standard as to width and character of construction as the Federal Government requires of the States under like conditions."

The amendment was agreed to.

Mr. CRAMTON. Mr. Speaker, I want to call to the attention of the gentleman from Iowa another amendment. This road building will be chiefly across unreserved public lands and Indian reservations. The forests and parks are taken care of otherwise. When it comes to an Indian reservation I think Indian labor should be employed as far as possible. We have a general law of that kind. My suggestion is to put in the bill this sentence, "where such construction is upon an Indian reservation, Indian labor shall be used so far as possible."

Mr. COLTON. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. COLTON. Inasmuch as we are seeking to amend the basic law, I am wondering if it would not be better to put this language in the authorization bill when it is brought out instead

of this bill. I am thoroughly in sympathy with the policy of employing Indians where practical.

Mr. CRAMTON. Well, if it is not forgotten.

Mr. ARENTZ. The gentleman from Michigan is the one who will handle it.

Mr. CRAMTON. No; I will have nothing to do with it.

Mr. ARENTZ. When it comes to the appropriation I think the gentleman will have his ear and his eye upon it.

Mr. CRAMTON. No. I will not handle it when it comes to the appropriation.

Mr. COLTON. I will say to the gentleman that we will try not to overlook it, especially wherever it is practical.

Mr. CRAMTON. If it is in the law now we will know it is there. I offer the amendment.

Mr. ARENTZ. I think the basic law should be as concise as possible, and by putting that language in the bill it will enlarge the basic law. It will hamper the reading and study of it.

Mr. CRAMTON. There will be much grief with your bill if it is not put in there, when you come in with an authorization, because this is a fundamental policy which I am following. We are trying to help the Indians. When it comes to the construction of a road on an Indian reservation, why should you not use Indian labor as far as possible? I think it should be placed in the fundamental law. If not, every two years we will have to watch to see what you are doing.

Mr. SMITH of Idaho. If this construction work is done by a contractor, would not a contractor be greatly embarrassed by having to figure on Indian labor, some of which is not very satisfactory as compared with white labor?

Mr. CRAMTON. The amendment simply provides Indian labor shall be used so far as possible.

Mr. ARENTZ. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. ARENTZ. I think it would be just as well to place in this law a statement to the effect that alien labor should not be used.

Mr. CRAMTON. I certainly would not object to it.

Mr. ARENTZ. And that the going wages of the county in which the work is done should also be paid, so that outsiders could not come in and cut the wages prevalent in that particular district.

Mr. CRAMTON. I know my friend from Nevada, and I do not take that too seriously. I know the gentleman is interested in the welfare of the Indians of Nevada as much as any of us.

Mr. JOHNSON of Washington. As a matter of fact, in western Washington we have found that the so-called fish-eating Indian is not concerned in getting road work, and this trouble in connection with the contractor would come in.

Mr. CRAMTON. I find this committee is not very receptive to new ideas. I will not press the amendment, but I will just serve notice that when they come along for appropriations and authorizations they had better put it in. I think there are enough Members in the House interested in the proposition to insist on it.

Mr. COLTON. We are in sympathy with the gentleman on that.

Mr. DOWELL. Mr. Speaker, there is another amendment, but I am unable to get the law from the document room, which might be added to this bill.

Mr. CRAMTON. Let us put that along with this Indian matter and not have too much in the fundamental law.

Mr. DOWELL. It is a provision which requires the department when the contract is above $5,000 to submit it to bids. That provision I think would not be objected to.

Mr. CRAMTON. I am not sure but what if it is across an Indian reservation we might prefer to have it constructed by day labor, so as to use the Indian labor instead of being tied up to a competitive contract.

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

A motion to reconsider was laid on the table.

A similar House bill was laid on the table

Mr. COLTON. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

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

There was no objection.

Mr. COLTON. I want to express deep appreciation on the part of all Western States for the passage of this measure. I ask unanimous consent to revise and extend my remarks.

Mr. LAGUARDIA. How about the Eastern States, who pay a great deal of the taxes?

Mr. COLTON. I will say to the gentleman from New York that nearly all of the good-road associations of this country have indorsed this measure. It has been indorsed by the national and western associations of highway officials. We are all interested in the building of a great system of Federal-aid roads, and automobile associations all over the country have indorsed the bill.

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

There was no objection.

Mr. COLTON. Mr. Speaker, we do appreciate the help of the chairman of the Roads Committee. He and the other members of the committee have been patient and helpful.

I want also to express appreciation to the gentleman from Michigan [Mr. CRAMTON]. He has assisted greatly from the beginning. Always friendly to the West, he has been interested in working out some method of relief. The same may be said of other Members. We certainly are grateful.

For a number of years Congress has been making authorizations for the construction of the roads on the Federal-aid system through the national forests. However, the Federal Government is still many years behind in its road-building program even through the national forest as compared with the States in the completion of the other roads on the Federal-aid system. The Federal-aid system in many of the States outside of the forests and public domain is practically completed, but it will take the Federal Government an average of 43 years to build the roads on the Federal-aid system through the forests as the program is now being carried out.

When we turn to the consideration of roads through unappropriated or unreserved public lands and nontaxable Indian lands, we find the situation even worse. There has been no special provision whatever for building roads through these lands, yet there are almost 100,000 square miles of unappropriated and unreserved public lands in the Western States in excess of the square miles of forest areas.

This bill amends the act approved July 11, 1916, and would make it possible for Congress in the future, after an authorization bill has been passed, to appropriate for the construction of roads across the unreserved and unappropriated public lands in the United States. This money could only be used in a State having in excess of 5 per cent of the total area of all its lands in unappropriated public lands and nontaxable Indian lands, and will be apportioned in these States in the proportion that said public lands, in each of said States, is to the total area of said lands in the State eligible under the provisions of this act.

BOOKS FOR THE ADULT BLIND

The next business on the Consent Calendar was the bill (H. R. 11365) to provide books for the adult blind.

The Clerk read the title of the bill.

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

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, several weeks ago, when this bill was called up on the Consent Calendar, it was objected to by the gentleman from California [Mr. CRAIL]. At that time, in view of the fact that I favored appropriations to provide books for the adult blind—in fact, more liberal appropriations than were embodied in either the bill now before the House or the Crail bill—I thought he showed poor judgment in objecting to the consideration of this bill. However, subsequent to the date of his objection, the Committee on Education held very extensive hearings on this blind legislation, and the testimony presented to that committee and the lack of facts and testimony presented by the head of the American Printing House for the Blind, of Louisville, Ky., has forced me to reach the conclusion that this bill should be defeated and that appropriations should not be made until the Committee on Education has had an opportunity to carefully consider all angles of this blind book appropriation question. In view of those circumstances I must necessarily voice my objection to the consideration of this bill at the present time, and I certainly hope that if the legislation comes before the House in the closing days of the session under suspension of the rules that the House will vote it down, so that the Committee on Education will have an opportunity to carefully complete its hearings and study.

The SPEAKER pro tempore. Is there objection?

Mr. CRAIL, Mr. HALL of Illinois, Mr. SCHAFER of Wisconsin, and Mr. KVALE objected.

BOOKS FOR THE BLIND

Mr. THATCHER. Mr. Speaker, I ask unanimous consent to be allowed to extend my remarks on H. R. 11365 and to include therewith extracts from the laws relating to the American Printing House for the Blind and statements submitted to the House Committee on Education on H. R. 9052.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. THATCHER. Mr. Speaker and Members of the House, the zeal of some of the proponents of H. R. 9052—known as the Crail bill—has been of such a character that I fear they have permitted themselves to question or attack, without due thought or consideration, the wise and efficient conduct of one of the oldest, most beneficent institutions of the country, the American Printing House for the Blind, located at Louisville, Ky. The bill referred to has for its purpose the authorization of an annual Federal appropriation of $100,000 payable to what is known as the Braille Institute of America (Inc.), located at Los Angeles, Calif., for the publication of books for the adult blind, the same to be circulated through the public libraries of the country. This bill is pending before the House Committee on Education. Hearings were had thereon on the 28th of May, 1930. A bill having in view the like purpose of furnishing books for the adult blind, under the like annual authorization of $100,000, is H. R. 11,365—known as the Pratt bill. The Pratt bill provides that the funds which it authorizes shall be expended under the direction of the Librarian of Congress, and with authority of the Librarian to arrange with such libraries as he may judge to be appropriate as local or regional centers for the circulation of such books.

No committee action has been taken on the Crail bill, but the Committee on the Library of the House, to which the Pratt bill was referred, conducted hearings on that measure, and on April 9, 1930, favorably reported it, and it stands on the calendar awaiting House consideration. However, a measure identical with the Pratt bill was introduced during the present session in the Senate by Senator SMOOT, and was favorably reported on May 9, 1930, by the Senate Committee on Education and Labor; on May 12 it was passed by the Senate; and on May 16 it was referred to the House Committee on the Library.

I may say that I heartily indorse the general object of these measures—the furnishing of books for the use of the adult blind readers of the States and Territories of the United States and the District of Columbia. For the purposes of the present discussion, I do not know that it is necessary for me to express any opinion touching the relative merits of the measures. The charge has been made in the hearings on the Crail bill that the Pratt bill was designed to benefit the American Printing House for the Blind to the disadvantage of the Braille Institute of America, already mentioned; and, upon this assumption, and in apparent resentment because thereof, the proponents of the Crail bill attack and seek to discredit, it would appear, the work and management of the American Printing House for the Blind. I consider this attack as not only most unjust, but also as most unwise, even from the standpoint of the advocates of the Crail bill.

I have every reason to believe that those responsible for the operation and management of the American Printing House for the Blind have not brought about the introduction of the Pratt bill, any more than they have been responsible for the introduction of the Crail bill. Possessing, as they do, the keenest sympathy for the needs of all our blind population, and conducting with marked success an institution which prints and furnishes books and apparatus for the blind pupils of the country, they would very much like to see enacted legislation to meet the requirements of the adult blind; and they might believe that the provisions of one or the other bill might best serve this purpose; but I am sure that they have not brought about the introduction of either measure.

The appearance of some of those connected with the management of the American Printing House for the Blind, before the House Committee on Education, at the Crail bill hearings was for the purpose of defending the American Printing House for the Blind, against the attack which, it was understood in advance would be then and there made by the advocates of the Crail bill and which, in fact, was made. The American Printing House for the Blind is located in my congressional district; the members of its active board of trustees live in my district; and I am generally familiar with the operation of the institute; and since I have been a Member of the House I have been glad to aid the institution's very beneficent work in every way possible. I know that no one connected with the institution has ever suggested to or requested of me that I support the Pratt bill or oppose the Crail bill. If any of those so connected with the American Printing House for the Blind were involved in any effort to defeat the Crail bill or to promote the Pratt bill, it is very strange that thus far they have never advised me of their position nor urged my assistance, since I am the Representative for the Louisville district, and from time to time I am consulted by the trustees touching legislation affecting the American Printing House.

Hence I fail to see how the proponents of the Crail bill can hope to gain anything by any criticism or attack on the American Printing House for the Blind, which has behind it a record of more than 70 years of splendid service for the student blind of the Nation. It has been tried and tested. It has proven its worth. However, in view of the criticisms which have been made at the indicated hearings before the House Committee on Education, and because of certain intimations which have been made on the floor of the House I have deemed it appropriate to give, in this manner, some general statement of the history and work of the American Printing House for the Blind and to include as a part of these remarks some of the acts, local and Federal, and parts of acts dealing with this institution and its policies, together with certain statements and data of an informative character. I can hardly believe that the proponents of any of the pending measures would desire, upon a full understanding of the facts, to do any injustice to the institution and its management.

The printing of books and publications for the blind has never been an inviting field so far as private enterprise is concerned, because the demand involved has been of a very limited character. Thus it was that the State of Kentucky became a pioneer in dealing with the subject. Not able to secure, in adequate or satisfactory manner, books and apparatus for the use of its own sightless youth, and responsive to a wide demand therefor, the State, through its general assembly by act of January 20, 1858, provided for the establishment of the American Printing House for the Blind, at Louisville; and, for the purpose of providing for the management and operation of the institution, created under the act the trustees of the American Printing House for the Blind with seven members. These trustees were clothed with full corporate power to do all things necessary for the conduct of the business of the institution; and constitute a corporate body, with the flexible, useful powers conferred. The corporate body has no authorized shares of stock, and has not a dollar's worth of outstanding stock or its equivalent. It is conducted wholly without private profit or benefit, and only for a highly beneficent public purpose, nationwide in scope and character. The creation of this institution was actuated by the highest motives and, in order that schools for the blind for the country at large might fully share in the benefits to be derived from its operation, this original act of 1858 provided (sec. 7) that—

> Every school for the blind, located in a State whose legislature or citizens contribute to the funds of the American Printing House for the Blind, shall, in proportion to the funds contributed, be entitled to copies of every book published by said house, to be distributed gratuitously to such blind persons as are unable to purchase them. * * *

The prices of books published by this institution shall be made so low as merely to cover the cost of publication and other incidental expenses of the institution.

The act just referred to is as follows:

> An act to establish the American Printing House for the Blind, approved January 20, 1858
>
> *Be it enacted by the General Assembly of Kentucky—*
>
> SECTION 1. That an institution, under the name of the American Printing House for the Blind, shall be established in Louisville, Ky., or its vicinity, and that James Guthrie, William F. Bullock, Theodore S. Bell, Bryce M. Patten, John Milton, H. T. Curd, and A. O. Brannin, and their successors, be, and they are hereby, declared a body corporate, under the name and style of the trustees of the American Printing House for the Blind, with the right as such to use a common seal, to sue and be sued, to plead and be impleaded, in all courts of justice and in all cases in which the interests of the institution are involved. The said trustees are hereby fully empowered to receive by legacies, conveyances, and otherwise, lands, money, and other property, and the same to retain, use, and apply to the publishing of books in raised letters for the blind; and they are authorized to purchase land and erect, purchase, or rent buildings for the use of the said institution, and to make all such contracts as may be necessary to accomplish the purposes of their incorporation. They are hereby invested with the same privileges in regard to the copyright of books published by them as are enjoyed by natural persons. Said trustees shall appoint a superintendent or general agent, and such other agents as may be necessary, may prescribe their duties, and fix the term of their offices, and the amount of their compensation: *Provided, however,* That no contract entered into by any officer or agent, where money is to be paid out, shall be binding until ratified by the trustees. The said trustees are hereby invested with the same powers and privileges in regard to the copyright of books published by them as are enjoyed by natural persons. The trustees may adopt from time to time such by-laws, rules, and regulations as they may deem necessary, provided they are not inconsistent with the Constitution and laws of the United States or of this State.
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> SEC. 2. The trustees shall elect annually a president, a treasurer, and a secretary, who shall hold their offices until their successors shall be

elected and duly qualified. Said trustees may prescribe the duties and fix the compensation of said officers.

SEC. 3. It shall be the duty of said trustees to hold an annual meeting and other stated meetings at such times as they may appoint, and such special meetings as may be called by the president. It shall be the duty of the trustees first named in this act to call the first meeting of the board within 20 days from and after the approval of this act.

SEC. 4. The trustees shall require from the treasurer, before he enters upon the duties of his office, his bond, in the penalty of not less than $20,000, payable to the president, or his successors in office, of the board, conditioned that he will take care of and account for all money and other property of the institution that may be intrusted to him and that he will well and truly perform all the duties of his office.

SEC. 5. The said trustees shall have power to invest in the hands of the treasurer, when to them it shall seem expedient, by way of loan, at any legal rate of interest, to be secured by mortgage on real estate unencumbered and of double the value of the amount loaned, the interest in all cases to be paid semiannually.

SEC. 6. It shall be the duty of the board of trustees before commencing the publication of any book to request the superintendent of every institution for the education for the blind in the United States to make out and send to the trustees of the printing house a list of such books as he may deem most desirable for the use of the blind, and said trustees shall select for publication the book that shall have received the greatest number of superintendents' votes in its favor. This mode for selecting books for publication shall be repeated at least once every year.

SEC. 7. Every school for the blind, located in a State whose legislature or citizens contribute to the funds of the American Printing House, shall, in proportion to the funds contributed, be entitled to copies of every book published by said house, to be distributed gratuitously to such blind persons as are unable to purchase them. And the superintendents of said schools shall be required to report to the trustees of said house the names and residences of all persons to whom books may be thus distributed. The prices of books published by this institution shall be made so low as merely to cover the cost of publication and other incidental expense of the institution.

SEC. 8. It shall be the duty of the board of trustees to make an annual report of their proceedings, which embrace a full account of the receipts and disbursements, the funds on hand, number of books sold, and the number distributed gratuitously, and a general statement of the condition of the institution; and they shall transmit copies of said reports to the General Assembly of Kentucky, to the governors of the States of the Union, to the president of each State board of trustees, to the superintendent of every institution for the education of the blind in the United States, and to every person who shall make to the institution a donation of more than $5 the previous year.

SEC. 9. The donation of $500 by one person shall constitute him a patron of the institution, and his name shall be so published in the annual reports. Any person who shall make a donation of more than $500 shall also be entitled to embossed books equal in value to the excess of his donation over and above $500.

SEC. 10. The presidents of the State boards of trustees shall, ex officio, constitute a board of visitors, each member of which shall be at all times authorized to visit the printing house, examine the books, and investigate the proceedings of the trustees; and the president of the oldest State board of trustees shall, at the written request of a majority of the visitors, call a meeting of the board of visitors, who shall be fully empowered to investigate the proceedings of the trustees of the institution; and in case they shall find that said board, or any member thereof, has mismanaged the affairs of said institution by malfeasance in office or neglect of duty, they may (a majority of three-fourths of all the members present concurring) declare the offices or office of said trustees or trustee vacant, and proceed to fill the vacancy by election from the citizens of Louisville or its vicinity. Notice of all meetings of the board of visitors shall be sent by mail to all the presidents of the State boards and to all the trustees of the printing house at least one month before the time appointed for said meetings.

SEC. 11. The trustees of said printing house shall continue in office until their offices shall become vacant by resignation, death, or removal from office, as hereinbefore provided for. All vacancies caused by resignation or removal shall be filled by the remaining members of the board.

SEC. 12. That each donor shall be entitled to his donation with the interest, after deduction of the necessary expenses paid, provided said publishing house is not established within nine years from the passage of this act; and should the board refuse to make said distribution among the donors, according to their respective interests, then and in that event said donors may have the right to proceed to recover the same by legal proceedings, instituted in any of the courts of this Commonwealth having jurisdiction thereof.

It will be noted that under the act of 1858 no profit was permitted in the publication of books for the blind (sec. 7); that the heads of the schools for the blind throughout the United States constituted an ex officio board of visitors, with authority at all times to visit the American Printing House and to examine the books and investigate the proceedings of the trustees; with power, also, to declare vacant the executive trusteeships in any cases of mismanagement (sec. 10); and the superintendents of all the institutions for the education for the blind in the United States were given the right to select the books for publication for the use of the blind (sec. 6). All these provisions, in their substantial form, have continued as the law from the date of that enactment to the present time.

The act of 1858 was amended by the act of the Kentucky General Assembly of April 3, 1861, as follows:

An act to amend the charter of the American Printing House for the Blind, approved April 3, 1861

Be it enacted by the General Assembly of Kentucky—

SECTION 1. That an institution, under the name of the American Printing House for the Blind, shall be established in Louisville, Ky., or its vicinity, and that James Guthrie, William F. Bullock, Theodore S. Bell, Bryce M. Patten, William Kendrick, John G. Barrett, and A. O. Brannin, and their successors, be, and they are hereby, declared a body corporate, under the name and style of the Trustees of the American Printing House for the Blind, with the right as such to use a common seal, to sue and be sued, to plead and be impleaded, in all courts of justice and in all cases in which the interests of the institution are involved. The said trustees are hereby fully empowered to receive by legacies, conveyances, or otherwise, lands, money, and other property, and the same to retain, use, and apply to the publishing of books in raised letters for the blind; and they are authorized to purchase land and erect, purchase, or rent buildings for the use of said institution, and to make all such contracts as may be necessary to accomplish the purposes of their incorporation. They may appoint such officers and agents as may be necessary, may prescribe their duties, and fix the term of their offices and the amount of their compensation: *Provided, however,* That no contract entered into by any officer or agent involving the payment of money shall be binding until ratified by the trustees. The said trustees are hereby invested with the same powers and privileges in regard to the copyright of books published by them as are enjoyed by natural persons. The trustees may adopt from time to time such by-laws, rules, and regulations as may be legal and proper.

SEC. 2. The trustees shall elect annually a president, a treasurer, and a secretary, who shall hold their offices until their successors shall be elected and duly qualified. Said trustees may prescribe the duties and fix the compensation of said officers.

SEC. 3. It shall be the duty of said trustees to hold an annual meeting and other stated meetings at such times as they may appoint, and such special meetings as may be called by the president or secretary.

SEC. 4. The trustees shall require from the treasurer, before he enters upon the duties of his office, his bond, with satisfactory security, that he will take care of and account for all money and other property of the institution that may be intrusted to him, and that he will faithfully perform all the duties of his office.

SEC. 5. The said trustees shall have power to invest any money in the hands of the treasurer, when to them it shall seem expedient, by way of loan, at any legal rate of interest, to be secured by mortgage on real estate unincumbered and of double the value of the amount loaned, the interest in all cases to be payable semiannually.

SEC. 6. It shall be the duty of the board of trustees, before commencing the publication of any book, to request the superintendent of every institution for the education of the blind in North America to make out and send to the trustees of the printing house a list of such books as he may deem most desirable for the use of the blind; and said trustees shall select for publication the book that shall have received the greatest number of superintendents' votes in its favor. This mode of selecting books for publication shall be repeated at least once every year.

SEC. 7. Every school for the blind located in a State whose legislature or citizens contribute to the funds of the American Printing House shall, in proportion to the funds contributed, be entitled to copies of every book published by said house, to be distributed gratuitously to such blind persons as are unable to purchase them. And the superintendents of said schools shall be required to report to the trustees of said house the names and residences of all persons to whom books may be thus distributed. The prices of books published by this institution shall be made so low as merely to cover the cost of publication and other incidental expenses of the institution.

SEC. 8. It shall be the duty of the board of trustees to make an annual report of their proceedings, which shall embrace a full account of the receipts and disbursements, funds on hand, the number of books sold, and the number distributed gratuitously, and a general statement of the condition of the institution; and they shall transmit copies of such reports to the General Assembly of Kentucky, to the Governors of the States in North America, to the president of each State board of trustees, to the superintendent of every American institution for the education of the blind, and to every person who shall have made to the institution a donation of $5 the previous year.

SEC. 9. The superintendents of State institutions devoted exclusively to the education of the blind, and the governors of the States that aid in sustaining the American Printing House for the Blind, and the

presidents of the State auxiliary boards of trustees, shall, ex officio, constitute a board of visitors, each member of which shall be at all times authorized to visit the printing house, examine the books, and investigate the proceedings of the trustees; and the president of any State board may, at the written request of a majority of the visitors, call a meeting of the board of visitors, who shall be fully empowered to investigate the proceedings of the trustees of the institution; and in case they shall find that said board, or any member thereof, has mismanaged the affairs of said institution by malfeasance in office or neglect of duty, they may (a majority of three-fourths of all the members present concurring) declare the offices or office of said trustees or trustee, vacant, and proceed to fill the vacancy by election from the citizens of Louisville or its vicinity. Representatives from a majority of the States that contribute to the support of the American Printing House for the Blind shall constitute a quorum of the board of visitors, and each State represented shall be allowed 1 vote in the action of the board. Notice of every meeting of the board of visitors shall be sent by mail to all members of the board, and to the trustees of the American Printing House for the Blind, at least one month before the time appointed for the meeting.

SEC. 10. The trustees of said printing house shall continue in office until their offices shall become vacant by resignation or removal from office, as hereinbefore provided for. All vacancies caused by resignation or removal from the State shall be filled by the remaining members of the board.

SEC. 11. All acts or parts of acts inconsistent with this act are hereby repealed.

In 1865 the General Assembly of Kentucky passed an act for the benefit of the American Printing House for the Blind, as follows:

An act for the benefit of the American Printing House for the Blind, approved June 3, 1865

Be it enacted by the General Assembly of Kentucky—

SECTION 1. That there shall be, and hereby is, appropriated to the American Printing House for the Blind, located in Jefferson County, Ky., $5 annually for every blind person in the State of Kentucky, according to the census of the United States, to aid the institution in printing books in raised letters for the blind and in furnishing the same gratuitously to the indigent blind and at cost to others in accordance with the provisions of the charter of the said printing house for the blind granted by the Legislature of Kentucky.

SEC. 2. That the third section of the amended charter of the American Printing House for the Blind, approved April 3, 1861, be so amended as to read as follows, viz:

"It shall be the duty of said trustees to hold an annual meeting and other stated meetings at such times as they may appoint and such special meetings as may be called by the president or secretary."

SEC. 3. That the tenth section of such amended charter of said printing house for the blind be so amended as to read as follows, viz:

"The trustees of said printing house shall continue in office until their offices shall become vacant by resignation, neglect to act, death, removal from the State, or removal from office as hereinbefore provided for. All vacancies caused by resignation, neglect to act, death, or removal from the State shall be filled by the remaining members of the board."

SEC. 4. That the auditor is directed to draw his order on the treasurer, in favor of the superintendent of the institution, for the sum appropriated by this act.

SEC. 5. That this act shall take effect from its passage.

In 1880 the General Assembly of Kentucky passed a further act in relation to the American Printing House for the Blind, as follows:

An act to amend an act to establish the American Printing House for the Blind, and the amendments thereto, approved February 28, 1880

Be it enacted by the General Assembly of the Commonwealth of Kentucky—

SECTION 1. That the first section of the amended charter of the American Printing House for the Blind, approved April 3, 1861, be, and is hereby, so amended as to read as follows: "And in addition to the trustees named in this section, the superintendents of public institutions for the education of the blind in the United States, the Territories, and the District of Columbia, be, and hereby are, constituted ex officio members of the board of trustees."

SEC. 2. That the annual subsidy of $5 for each blind person in the State of Kentucky, now paid to the American Printing House for the Blind by virtue of an act of the General Assembly of the Commonwealth of Kentucky, approved June 3, 1865, shall cease from and after the date of the payment by the auditor of the Commonwealth to the treasurer of the American Printing House for the Blind of all arrearages due under the provisions of an act entitled "An act to benefit the American Printing House for the Blind," approved June 3, 1865.

SEC. 3. That this act shall take effect from its passage.

These enactments constitute the general basic State law on the subject with the exception of certain appropriation legislation not herewith included.

It should be stated that the action of the State of Kentucky in establishing the American Printing House for the Blind in 1858—as already indicated—was not alone because of its inability to secure books, in character systems, for its blind students, but was actuated also by the request of those in various sections of the United States; that Kentucky—which was esteemed as having a wise and progressive policy in dealing with the problems of the blind—should undertake the work for the benefit of the schools for the blind throughout the country. Thus it was that, from the beginning, the superintendents of the schools for the blind of the various States and Territories have been ex officio visitors or trustees of this institution; have selected the books for publication; and have received for these State and Territorial schools books and apparatus for the blind pupils at actual cost, with no overhead of real estate or plant accounted for.

As I understand the history involved, the State of Kentucky, out of its own resources, and without contribution for the purpose by any other State or Territory or the District of Columbia, procured the necessary site, of more than 6 acres, in Louisville, and built thereon the necessary structures, and supplied the necessary equipment for carrying on the work of the institution—a work performed for the benefit of the student blind throughout the country and for no other purpose or benefit. As recently as 1923 the State of Kentucky appropriated and there was used the sum of $25,000 for the construction of a new and greatly needed building for the American Printing House for the Blind.

Subject to the general powers of the ex officio visitors or trustees, created by the Kentucky acts already cited and by Federal law as well, the active trustees have conducted the affairs of the institution without profit and without charge for seventy-odd years of service. In the very nature of the case, these active trustees had to be citizens of the Louisville community, as the institution is located there. Thus no travel or other expenses have been incurred by the active trustees. All the property used by the institution is held and owned by the trustees, as a body corporate, under the indicated Kentucky laws. In my judgment the value of the property thus owned and held by the trustees for the benefit of the entire blind school population of the United States is $135,000 or more; and the State of Kentucky does not receive a penny's worth of advantage over any other State or Territory because of its splendidly generous contribution to the cause of nation-wide education of the blind. I include, at the close of these remarks, the statement for the fiscal year ending June 30, 1929, showing the distribution quotas of books and apparatus made and furnished to the States and Territories and the District of Columbia by the American Printing House for the Blind; which statement is taken from the printed report of the institution for that year. The statement shows that the total value of books and apparatus received by the State of Kentucky that year was $1,405.62, an amount exceeded by many other States.

The unselfishness of this policy of the State of Kentucky seems to be misunderstood in some quarters. In fact, apparently it constitutes a ground for suspicion that this generosity of the State is induced by some sinister and hidden motive. However, I am sure that no one who is thoroughly familiar with the history of these matters, covering nearly three-quarters of a century, can have any judgment on the subject except one of deep gratitude and esteem for Kentucky's course throughout and for the efficient operation of the American Printing House for the Blind through all these years. Kentucky having founded the institution, and having contributed so generously to its creation and operation, very naturally has felt a pride in its achievements; and, in consequence, the State's best citizenship has been called on to conduct its active management.

Because considerations of the indicated character appealed to those having in charge the education of the blind children of America, and to Congress as well, in 1879 there was enacted by Congress a measure having for its purpose the authorization of an annual appropriation of $10,000 for aiding in the education of the blind of the entitre country through the American Printing House for the Blind. That act is as follows:

An act to promote the education of the blind, approved March 3, 1879

Be it enacted, etc., I. That the sum of $250,000, out of money in the United States Treasury not otherwise appropriated, be, and hereby is, set apart as a perpetual fund for the purpose of aiding the education of the blind in the United States of America through the American Printing House for the Blind.

II. That the Secretary of the Treasury of the United States is hereby directed to hold said sum in trust for the purpose aforesaid. And it shall be his duty, upon the passage of this act, to invest said sum in United States interest-bearing bonds, bearing interest at 4 per cent, of the issue of July, 1870, and upon their maturity to reinvest their proceeds in other United States interest-bearing bonds, and so on forever.

III. That the Secretary of the Treasury of the United States is hereby authorized to pay over semiannually to the trustees of the American Printing House for the Blind, located in Louisville, Ky., and chartered in 1858 by the Legislature of Kentucky, upon the requisition of their president, countersigned by their treasurer, the semiannual interest upon said bonds upon the following conditions:

"1. The income upon the bonds thus held in trust for the education of the blind shall be expended by the trustees of the American Printing House each year in manufacturing and furnishing embossed books for the blind and tangible apparatus for their instruction. And the total amount of such books and apparatus so manufactured and furnished by this income shall each year be distributed among all the public institutions for the education of the blind in the States and Territories of the United States and the District of Columbia upon the requisition of the superintendent of each, duly certified by its board of trustees. The basis of such distribution shall be the total number of pupils in all the public institutions for the education of the blind, to be authenticated in such manner and as often as the trustees of the said American Printing House shall require; and each institution shall receive in books and apparatus that portion of the total income of said bonds held by the Secretary of the Treasury of the United States in trust for the education of the blind, as is shown by the ratio between the number of pupils in that institution for the education of the blind and the total number of pupils in all the public institutions for the education of the blind, which ratio shall be computed upon the first Monday in January of each year.

"2. No part of the income from said bonds shall be expended in the erection or leasing of buildings.

"3. No profit shall be put on any books or tangible apparatus for the instruction of the blind manufactured or furnished by the trustees of said American Printing House for the Blind, located in Louisville, Ky., and the price put upon each article so manufactured or furnished shall only be its actual cost.

"4. The Secretary of the Treasury of the United States shall have the authority to withhold the income arising from said bonds thus set apart for the education of the blind of the United States whenever he shall receive satisfactory proof that the trustees of said American Printing House for the Blind, located in Louisville, Ky., are not using the income from these bonds for the benefit of the blind in the public institutions for the education of the blind of the United States.

"5. Before any money be paid to the treasurer of the American Printing House for the Blind by the Secretary of the Treasury of the United States the treasurer of the American Printing House for the Blind shall execute a bond, with two approved sureties, to the amount of $20,000, conditioned that the interest so received shall be expended according to this law and all amendments thereto, which shall be held by the Secretary of the Treasury of the United States, and shall be renewed every two years.

"6. The superintendents of the various public institutions for the education of the blind in the United States shall each ex officio be a member of the board of trustees of the American Printing House for the Blind, located in the city of Louisville, Ky."

IV. That the trustees of said American Printing House for the Blind shall annually make to the Secretary of the Treasury of the United States a report of the items of their expenditure of the income of said bonds during the year preceding their report and shall annually furnish him with a voucher from each public institution for the education of the blind, showing that the amount of books and tangible apparatus due has been received.

V. That this act shall take effect from and after its passage.

This act remains in full force and effect. It recognizes and confirms for purposes of the Federal contributions authorized the general provisions of the State acts already cited. Every reasonable safeguard is imposed by the Federal enactment so as to protect the Federal and State Governments. Among other things, it provides that the books and apparatus be distributed to the States and Territories of the United States and to the District of Columbia pro rata, according to their respective blind-pupil populations; that no part of the income (the Federal contribution) shall be expended in the erection or leasing of buildings; that no profit shall be put on any books or tangible apparatus for the instruction of the blind manufactured or furnished by this institution; and that the price put upon each article so manufactured or furnished shall be only its actual cost (sec. 3).

The act also provides for the proper bonding of the institution's treasurer; for the serving of superintendents of institutions for the blind throughout the country as ex officio members of the board of trustees of the institution—section 3. Also the act requires that the trustees of the American Printing House make annual report to the Secretary of the Treasury of the United States of the expenditure of all Federal funds so contributed; and to furnish the Secretary of the Treasury, annually, vouchers from all the State, Territorial, and District of Columbia institutions showing the books and tangible apparatus, respectively, received by them each year. The only sources of receipts or income the institution has are (1) the Federal funds referred to and (2) some incidental profits arising from work performed for private or other nonschool purposes.

Attention is especially directed to section 4 of the act of 1879, just quoted, which authorizes the Secretary of the Treasury to withhold the Federal contribution to the American Printing House for the Blind whenever he shall receive satisfactory proof that such contribution is not being properly used. The affairs of the institution have been so well managed throughout that the Secretary of the Treasury has never felt it necessary, so far as I am advised, to exercise this authority.

By-laws adopted by the board of trustees of the American Printing House for the Blind at an annual meeting in Baltimore, Md., in 1888, yet in force, provide, among other things, as follows:

The annual report of the American Printing House for the Blind shall contain a classified statement of all receipts and expenditures and an inventory showing the description and value of all property and stores on hand at the close of each fiscal year. All expenditures shall be made upon itemized vouchers duly verified, and shall be audited and approved by not less than three members of the executive committee. All vouchers covering expenditures of money derived from the National Treasury shall constitute a separate series and shall be executed in duplicate, the duplicates of which shall belong to the files of the institution, and the originals shall be filed in the United States Treasury Department.

In 1906 Congress enacted the following measure setting apart as a perpetual trust fund the sum of $250,000, and providing that the sum of $10,000, the equivalent income of this trust fund, be annually appropriated for the benefit of the American Printing House for the Blind, agreeably to the terms of the Federal act of March 3, 1879, already cited. This act (approved June 25, 1906) did not increase the Federal contribution under the act of 1879; it simply made that contribution perpetual. The act of 1906 is as follows:

An act to modify the requirements of the act entitled "An act to promote the education of the blind," approved March 3, 1879

Be it enacted, etc., That the sum of $250,000 heretofore invested in United States registered 4 per cent bonds, funded loan of 1907, inscribed "Secretary of the Treasury, trustee, interest to the Treasurer of the United States for credit of appropriation 'To promote the education of the blind,'" shall upon the maturity and redemption of said bonds on the 1st of July, 1907, in lieu of reinvestment in other Government bonds, be set apart and credited on the books of the Treasury Department as a perpetual trust fund; and the sum of $10,000, being equivalent to 4 per cent on the principal of said trust fund, be, and the same is hereby, appropriated out of any moneys in the Treasury not otherwise appropriated, and such appropriation shall be deemed a permanent annual appropriation and shall be expended in the manner and for the purposes authorized by the Act approved March 3, 1879, entitled "An act to promote the education of the blind," approved March 3, 1879.

The needs of the sightless children of America increased. Improvements of great value in the printing of books for the blind were brought about and the systems unified. The affairs of the American Printing House for the Blind had been handled to the satisfaction of the State and Federal executive officials dealing with the subject, and to the satisfaction of Congress, as well. In consequence, in 1919, there was enacted by Congress an act authorizing an additional annual appropriation of $40,000 for the use of the American Printing House for the Blind, to be expended agreeably to the act of Congress of March 3, 1879. The act of 1919 is as follows:

An act providing additional aid for the American Printing House for the Blind, approved August 4, 1919

Be it enacted, etc., That for the purpose of enabling the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind there is hereby authorized to be appropriated annually to it in addition to the permanent appropriation of $10,000 made in the act entitled "An act to promote the education of the blind," approved March 3, 1879, as amended, the sum of $40,000, which sum shall be in accordance with the requirements of said act to promote the education of the blind.

Increased appropriations were accordingly made by Congress, and again the increased needs of the blind children of the country caused congressional action to be taken to augment

the annual Federal contribution for their benefit to be expended, as theretofore, through the American Printing House for the Blind. In consequence, I had the honor, and I may add, the very great pleasure, of introducing in Congress in 1926 a bill to increase from $40,000 to $65,000 the annual authorization provided in the act of 1919, just cited. Full hearings before the House Committee on Education were had on the measure; it received the unanimously favorable report of the Committees on Education in both Houses; and, without a dissenting vote, passed both Houses and became a law. It is as follows:

An act to amend the act providing additional aid for the American Printing House for the Blind, approved February 8, 1927

Be it enacted, etc., That the act entitled "An act providing additional aid for the American Printing House for the Blind," approved August 4, 1919, is hereby amended to read as follows:

"That for the purpose of enabling the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind, there is hereby authorized to be appropriated annually to it, in addition to the permanent appropriation of $10,000 made in the act entitled 'An act to promote the education of the blind,' approved March 3, 1879, as amended, the sum of $65,000, which sum shall be expended in accordance with the requirements of said act to promote the education of the blind."

Thus there are now being made annual Federal appropriations in the total sum of $75,000, for the benefit of the blind children of America, through the American Printing House for the Blind in the publication of books and in the making of tangible apparatus; and all this is being done agreeably to and in conformity with the provisions of the act of Congress of March 3, 1879.

I now quote the following extracts from the favorable report of the House Committee on Education on the bill which became a law on February 8, 1927, just referred to:

The purpose of the bill is to amend the act approved August 4, 1919 (Stat. L. 1919–1921, vol. 41, p. 272), which authorized an annual appropriation of $40,000 for the printing of books and the making of tangible apparatus for the blind in the United States and the Territories. This $40,000 authorization was in addition to the $10,000 annual authorization made by the act of March 3, 1879 (Stat. L. 1877–1879, vol. 20, pp. 467–469). By these two acts an annual total of $50,000 has been authorized for the indicated purpose; and appropriations have been accordingly made. Under the act of 1879, yet in force, and constituting the basic law on the subject, the funds appropriated are absolutely restricted to the printing of books (chiefly textbooks) and the making of tangible apparatus (raised maps, charts, etc.) for use of the blind in the various schools and institutions throughout the United States and its Territories and the District of Columbia. No part of these appropriations can be used for the construction or leasing of buildings or grounds or for any purpose except that already named. The State of Kentucky, a pioneer in the work of giving instruction to the blind, in 1858 incorporated under Kentucky law the American Printing House for the Blind, and in Louisville, Ky., erected and equipped the necessary buildings for engaging in the printing of books for the blind. In 1922 the State of Kentucky appropriated a further fund of $25,000 which was used in making a substantial addition to the existing structure, and altogether the State has expended between $75,000 and $100,000 in buildings and equipment, all of which is being used as a printing establishment for the blind of the United States agreeably to the act of 1879. Notwithstanding these plant expenditures made by the State of Kentucky, it does not receive any advantage whatsoever over the other States and Territories by reason thereof. The grounds and buildings are held and used by the American Printing House for the Blind for the benefit of all the States and Territories. Each State and Territory and the District of Columbia receive printed books and appaartus upon a quota basis; that is to say, each State or Territory or the District of Columbia receives such proportion of the total (in value) of books and apparatus annually produced in the American Printing House for the Blind as the total blind population maintained in the schools of each State or Territory or the District of Columbia may bear to the total blind population similarly maintained in all of the States, Territories, and District of Columbia.

The cost of building, equipping, and maintaining a separate plant of this character in each State and Territory for local needs would be prohibitive. A single plant, properly equipped and adequately financed, can reasonably care for the needs of the entire Nation. These considerations appear to have led to the enactment by Congress of the acts of 1879 and 1919. The same considerations yet obtain; but the increasing blind population in the schools of the country and the growing use of books for the blind and the increased cost of labor and supplies and the need for tangible apparatus for the blind—very little of which has been heretofore made because of a lack of funds therefor—make necessary a further increase in these appropriations. The bill is intended to meet this situation.

* * * * * * *

No profit whatsoever is charged by the American Printing House for the Blind in the printing of these books and in the making of the required apparatus. The books and apparatus are furnished on the basis of their actual cost of production, so far as distribution is concerned, but without charge to the States and Territories, because the cost is cared for in the annual appropriations. For the purpose of fiscal administration, these institutions are placed by the act of 1879 under the supervision of the Treasury Department of the United States. Its accounts and expenditures are carefully watched and inspected by the Treasury Department, and in immediate charge of the institution there is a board of seven trustees, appointed agreeably to the terms of the Kentucky legislative act, creating as a corporation the American Printing House for the Blind. In addition, all of the superintendents of blind schools and like institutions in the United States and its Territories and the District of Columbia are ex officio members of the board of trustees and meet annually at the plant in Louisville, Ky., and there formulate the policies for the carrying on of the work involved. Annually the board of trustees makes to the Congress of the United States, the General Assembly of Kentucky, and to the governors of the States of the Union a detailed report of the operations of the institution, and annually reports are also made to the Secretary of the Treasury.

In the course of the hearings on the Crail bill some question was raised about something of profit having been made by the American Printing House for the Blind on a contract for books for the Veterans' Bureau. This contract was secured by the American Printing House under competitive bidding; the cost of this particular printing was borne by the Veterans' Bureau appropriations, just as is the cost of hospitalization and other items of that bureau, and no individual veteran bore any part of such printing cost. The printing at cost referred to in the quoted acts manifestly relates to the printing for the student blind in the schools of this country.

Some question was also raised about the use of the so-called profit on this contract. As already shown, the congressional act of 1879 does not permit the use of Federal appropriations for the erection or leasing of buildings; nor does that act permit any profit to be put on any books or tangible apparatus furnished for the blind pupils of the country. Yet it must be evident that new machinery and other equipment must be purchased from time to time, and improvements made, if the American Printing House for the Blind is to function adequately to meet the needs of the country's schools for the blind. The State of Kentucky, as already pointed out, has provided for this institution grounds, buildings, and equipment of the approximate present value of $135,000. No other State in the Union, nor has the Federal Government, made any such contribution for these purposes. It would not be fair to the State of Kentucky to continue indefinitely to pay these particular capital costs, as the need therefor might arise. New machinery and equipment from time to time must be provided. Hence, the policy has been to do a certain amount of outside work—that is to say, work other than for the schools for the blind, wherever this could be done without detriment to the service for the schools for the blind; and for such outside work, usually to charge a fair profit. With the profits so derived necessary replacements and purchases of machinery have been made. These items could not have been taken care of in any other way; and the policy involved, I would submit is a wise and necessary one; and has never been questioned, so far as I am advised by Federal or State authorities charged with any duty or responsibility touching the subject. If these features were not thus taken care of, increased Federal appropriations would be necessary to meet them. By reason of these outside profits, the cost of books and apparatus during recent years has been reduced by 25 per cent. This result speaks for itself.

Again, these particular expenditures have resulted in decreasing the cost of books and apparatus for the blind children of the Nation, and has resulted in there being provided for them more books and better books and apparatus. Surely this is a most beneficent purpose to be served; and who may, with any justice, complain of it?

In passing I may suggest that the annual appropriations of $75,000 a year, even under the favoring conditions of their expenditure, are insufficient for the purpose of supplying books and tangible apparatus for the needs of the blind children of America. These needs are constantly growing and the appropriations should be accordingly increased.

In truth, the American Printing House for the Blind exists only to serve the blind children of the Nation. It has no other purpose, no other function. Through all the years of its long

and successful career it has been a light to the Nation's youth of the unseeing world. To thousands of these, our beloved fellow beings, it has furnished the keys of knowledge. Its service has been of a value beyond estimation. Its customs, its policies, its practices, are all formulated and based on the highest considerations. If Federal aid were withdrawn, the institution would probably cease to exist; and the United States Government, at a much greater expense, would have to build and operate a distinct Federal plant to carry on this work; or otherwise provide the necessary books and apparatus; or each State and Territory would have to make its own arrangement in the premises. If the Federal Government had to set up and maintain its own plant to perform this work, the Federal costs would be tremendously increased. Because of this fact Congress has preferred to take advantage of the situation in the manner now obtaining.

In fact, the American Printing House for the Blind—to-day the largest printing house in the world for the blind—to all intents and purposes, is a Federal institution; it has functioned efficiently for more than 70 years; its active trustees, and its ex officio trustees, as well, have been American citizens of the highest standing; and this is eminently true to-day. The active trustees now in charge of the institution's affairs are among the most outstanding, unselfish, public-spirited citizens of the city of Louisville. They are performing their work without charge, and purely as a labor of love for a most noble cause. I know of no finer, nobler work than that which they are performing. They do not merit criticism. They have earned, and should receive, the commendation of all.

Since 1879 there have been annually submitted to the Secretary of the Treasury by the American Printing House for the Blind the fiscal reports and the documents required by the act of 1879. During all these years the accounts of the institution have been checked and audited; they have been accepted as correct by the Treasury Department, and in recent years, in addition to the regular audits at the hands of high-class certified public accountants, checks or audits of these expenditures have been made by the Comptroller General's office. The fact that throughout the nearly 75 years of the institution's history it has operated without graft or scandal constitutes a most striking and splendid commentary on the character of service it has rendered.

In the laudable purpose of securing legislation to take care of the needs of the adult blind I count it as being most unfortunate that among those actively working therefor there should be divisions or disagreement. I am sure that fine and effective work in behalf of our fellow beings in the unseeing world is being done by all the blind men and women advocating the respective bills now pending. The bill involved is too limited and the purposes to be served are too important and sacred to justify disagreement. If no agreement can be reached, it is to be hoped that Congress may exercise its best judgment and exercise it speedily, to the end that those of mature years in the sightless world may have the benefits and advantages now proposed but which have been so long delayed.

Since I am deeply interested in the whole subject of books for the blind, and ever since I have been a Member of the House, I have availed myself of every opportunity to aid in securing more and better books for the blind. This is true not only as regards increased appropriations for the blind pupils of the Nation but it is true also as regards advantages for the adult blind. Thus, during the present session, upon my motion and at my instance, the annual appropriation for the National Library for the Blind was increased from $5,000 to $6,500. This institution is located in Washington, D. C.; it is wholly distinct from the Library of Congress, but, like the Library of Congress, it lends to blind readers throughout the country books and publications printed in raised letters for the blind.

Mr. Speaker, under the leave granted me therefor I now include as a portion of these remarks certain self-explanatory statements prepared for incorporation in the hearings before the House Committee on Education on the Crail bill. I may state that the Foundation for the Blind has no connection with the American Printing House for the Blind, and the statements before the House Committee on Education made by Robert B. Irwin, extension director of the foundation—some of which statements are hereafter quoted—are entitled to great weight in considering the work of the Louisville institution.

STATEMENT OF JOHN W. BARR, JR., PRESIDENT OF THE AMERICAN PRINTING HOUSE FOR THE BLIND

LOUISVILLE, KY., *June 6, 1930.*

To the HOUSE COMMITTEE ON EDUCATION,
United States Congress, Washington, D. C.:

On the 28th day of May last, in company with 8 or 10 trustees of the American Printing House for the Blind, representing various States and acting in the capacity of superintendents of the various institutions for the education of the blind in the United States, we had the pleasure of addressing your committee—not in opposition to any bills pending but to answer any questions, adverse or otherwise, with reference to the operation of the American Printing House for the Blind.

For your information we wish to state that the American Printing House for the Blind was incorporated in January, 1858, by an act of the Kentucky Legislature. By a subsequent act passed June 3, 1865, it was provided by section 1, "That there shall be appropriated to the American Printing House for the Blind $5 annually for every blind person in the State of Kentucky to aid the institution in printing books for the blind and in furnishing the same gratuitously to the indigent blind and at cost to others, in accordance with the provisions of the charter of the said Printing House for the Blind.

By an act of Congress approved March 3, 1879, it was provided that the sum of $250,000 be appropriated and set apart as a perpetual fund for the purpose of aiding the education of the blind in the United States through the American Printing House for the Blind; and that the Secretary of the Treasury be directed to hold said sum in trust for the purpose mentioned and invest said sum in United States interest-bearings bonds bearing interest at 4 per cent; and that the Secretary of the Treasury be authorized to pay over to the trustees of the American Printing House for the Blind upon the requisition of their president countersigned by their treasurer the semiannual interest upon the said bonds upon the following conditions, namely: That such income be expended by the trustees each year in manufacturing and furnishing embossed books for the blind and tangible apparatus for their instruction, to be distributed each year among all the public institutions for the education of the blind in the States and Territories of the United States and the District of Columbia, upon the requisition of the superintendent of each, duly certified by its board of trustees, the basis for such distribution to be the total number of pupils in all the public institutions for the blind—each institution to receive in books and apparatus that portion of the total income of said bonds held by the Secretary of the Treasury in trust for the education of the blind, as is shown by the ratio between the number of pupils and that institution and the total number of pupils in all the public institutions for the education of the blind.

It is important to note that in paragraph 6 of clause 3 of the act above mentioned it is provided that the superintendents of the various public institutions for the education of the blind in the United States shall each, ex officio, be a member of the board of trustees of the American Printing House for the Blind; and in paragraph 3 of the same clause it is provided that no profit shall be put on any books or tangible apparatus for the instruction of the blind manufactured or furnished by the American Printing House for the Blind, and the price put upon each article so manufactured or furnished shall only be its actual cost.

By section 4 of this act it is provided that the trustees of the American Printing House for the Blind shall annually make to the Secretary of the Treasury of the United States a report of the items of their expenditure of the income of said bonds during the year preceding their report, and shall annually furnish him with a voucher from each public institution for the education of the blind, showing that the amount of books and tangible apparatus due has been received.

By section 9 of the by-laws governing the American Printing House for the Blind, to be found on page 12 of the exhibit filed with this statement under the heading of Acts of Legislation Affecting the American Printing House for the Blind, it is provided that a committee on publication, composed of three trustees, shall be elected by the board of trustees, and that the American Printing House for the Blind shall print and manufacture such publications and apparatus as such committee may select and determine.

Your attention is called to an act of Congress dated June 25, 1906, and having reference to the maturity of the $250,000 of bonds mentioned, and providing that in lieu of the reinvestment of such funds in Government bonds there be set aside and credited on the books of the Treasury Department the sum of $10,000, being the equivalent of 4 per cent on such trust fund, such appropriation to be deemed a permanent annual appropriation and expended in the manner and for the purposes authorized by the act approved March 3, 1879.

Thus it will be seen that the United States Government has for a great many years pursued the policy of setting aside not less than $10,000 annually for the education of the blind of the various States, through the American Printing House for the Blind, always with the provision that the sum so appropriated and expended should be reported to the Treasury Department of the United States and an acquittance given, and with the further provision that all books be furnished at actual cost. Our Government, for a period of more than 50 years, has made this appropriation, and it is clear, as provided in the acts above referred to, that it was intended the same should continue in a fixed appropriation of $10,000 annually to provide perpetually for the purposes mentioned.

During the late war, or shortly thereafter, it became clearly apparent that due to growth of population the number of unfortunate blind children had increased greatly, making it necessary for an increased appropriation for the education of the blind. Thereupon, by acts of Congress

in 1919 and 1927, it was provided that for the purpose of enabling the American Printing House for the Blind to more adequately provide books for the blind, an additional $65,000 be appropriated, making a total appropriation of $75,000 annually to be used as provided in the original act for the benefit and education of the blind.

The Hon. M. H. THATCHER introduced the act of 1927 increasing the Federal authorizations from $50,000 to $75,000 annually; and there has never been any question as to the proper expenditure of the money, with the approval of the Treasury Department of the reports furnished, and satisfying the Secretary of the Treasury that the books published were disposed of at actual cost and not otherwise.

Attached to this statement is a copy of the sixty-first report of the trustees of the American Printing House for the Blind. Your attention is especially called to page 9 of this report, setting forth the distribution of the $75,000, with the proper appropriation to each State. Your attention is also called, on page 12 of the same publication, to the abstract showing the disbursements made of the Government account. It is true that the American Printing House for the Blind has in addition to the Government account a general account, but the items of the two accounts are kept entirely separate and distinct. In this connection we may say that each State in the Union receives, in addition to its quota, all books for the blind at actual cost, and while other publications are made such publications bring down the cost of operation and produces a lower cost of books than would be possible were not some outside business done.

The report of the trustees of the printing house above referred to shows the large number of books which the unfortunate blind are enabled to secure through the American Printing House for the Blind; and all such books are carefully selected by superintendents of institutions for the education of the blind, so that the unfortunate blind children may have some of the pleasure and education of the more fortunate children who are not blind.

We are filing with this statement a letter from Meldrum & Meldrum, certified public accountants, of long and intimate connection with the affairs of the American Printing House for the Blind. From this statement of the accountants it is quite clear that the moneys appropriated by the Government for the education of the blind are used by the printing house absolutely as provided in the act of Congress making the funds available.

The State of Kentucky originally furnished six and a fraction acres of land and made provision for the erection of the building for the American Printing House for the Blind, and by subsequent legislation five or six years ago, about the time it became apparent that the number of blind children had greatly increased, appropriated an additional sum of $25,000 for the improvement of the building.

The State of Kentucky and its blind receive no greater benefits from the American Printing House for the Blind than do other States. They are all on exactly the same footing.

The charge has been made that $30,000 profit was received through the contract of the American Printing House with the Veterans' Bureau. As to whether $30,000 profit was made on this contract I think there is considerable doubt, but be that as it may, and assuming that for the purpose of this statement such a profit was made, it will be noted from the statement of Meldrum & Meldrum that such sum was used in making up a deficit created in selling books to blind children, not at cost, as provided in the act of appropriation, but at lower than the cost of manufacture. In this connection, permit us to say that the contract referred to was let under competitive bidding and the award was made to the printing house for the reason that their bid was lower.

We take pleasure in stating, and we believe that the evidence will sustain us, that the American Printing House for the Blind has never made any distribution of profits in the form of dividends or otherwise to any person or persons. Furthermore, all purchases are made under competitive bidding, and the materials bought and the prices paid are in keeping in every way with the act of Congress referred to.

The writer of this report begs to again state that at the hearing in Washington he was not sufficiently informed as to the technical operation of the plant of the American Printing House for the Blind, but his associates, who were present at that hearing, were able, I believe, to answer every question propounded.

We appeared at the hearing for the reason that we understood some questions had been raised as to the extravagance of operation of the printing house. We did not then, nor do we now ask that the Government curtail in any way its assistance to the unfortunate blind, whether adults or children. We believe that the Government can well afford to give not only to other institutions but likewise to the American Printing House for the Blind larger appropriations.

In conclusion, we again insist that the Printing House for the Blind is not a private institution; it makes no profit; and all of the funds appropriated by the Government are accounted for in detail. Up to the present time, covering a period of more than 50 years, there has never been any question as to honesty of expenditures or economy of operation. All funds received from the Government are reported to and receive the approval of the Secretary of the Treasury. Thus we are a Government industry, and we feel that the records are such as to leave no doubt that the accounting of 50 years past will not in any way affect the future appropriations for the unfortunate blind children of this country.

Should the members of this committee feel that we have not answered all questions fully and with the greatest frankness, we shall be pleased not only to furnish any further information required but to send any employees of the institution and likewise the accountants to Washington.

It is not inappropriate to state that to the best of my knowledge every superintendent of a public institution for the blind in the 48 States is in accord with and approves of every action of the American Printing House for the Blind. The fact is that the superintendents representing the various institutions of the country are in reality, not only by reason of their numbers but more especially because of their acquaintance with the needs of the blind, the dominant factor in the government of the printing house.

Since 1906 we are indebted to every Congressman for their approval of our acts, and especially of latter years, to the Hon. Swager Sherley and subsequently to the Hon. MAURICE H. THATCHER, who have so faithfully served the cause of the blind children in every State of the Union.

Respectfully submitted.

AMERICAN PRINTING HOUSE FOR THE BLIND,
By JNO. W. BARR, Jr., *President*.

STATEMENT OF MELDRUM & MELDRUM, CERTIFIED ACCOUNTANTS

[Meldrum & Meldrum, certified public accountants, members American Institute of Accountants, suite 403–5 Hilliard Building, 419 West Jefferson Street, Louisville, Ky. Overton S. Meldrum, C. P. A. George F. Meldrum, C. P. A.]

JUNE 5, 1930.

Mr. JOHN W. BARR,
President American Printing House for the Blind,
Louisville, Ky.

DEAR SIR: Reference is made to conference with you Tuesday afternoon, June 3, at which time you submitted to the writer a letter dated May 30, of Superintendent George S. Wilson, of the Indiana School for the Blind, Indianapolis, Ind., and a letter dated May 31, of O. H. Burritt, principal of the Pennsylvania Institution for the Instruction of the Blind, Overbrook, Philadelphia, Pa., requesting certain data relative to the operations of the American Printing House for the Blind for presentation to the House Committee on Education.

Permit us to say that, due to our engagements and the little time allotted us by you, we can not make reply in detail to the various questions propounded by Mr. Wilson and Mr. Burritt, yet we will endeavor to present such facts as we believe will meet with their requirements.

We were employed, by resolution of the board of trustees at a meeting held June 23, 1913, to make an investigation of the American Printing House for the Blind for the purpose of installing a comprehensive system of accounting adequate to the demands of the business. The system was installed as of July 1, 1913, and has been in operation from that date and we have had supervisory charge of the work and prosecuted annual audits, making annual reports and settlements with the Treasury Department of the United States, and on numerous occasions the writer visited Washington and had conferences with representatives of the department, resulting in acceptance of all of our reports as being satisfactory and meeting the requirements.

In answer to Mr. Wilson's query as to the method, in detail, at which we arrive at the cost of the books furnished to the States under their quotas, we may say that a detail cost system is not employed. It must be understood that the operating of a printing house for the blind is a separate and distinct project, entirely different from any other publishing company. To attempt a detail cost, we consider impracticable and if it were possible, the cost would be prohibitive. The general ledger operating accounts evidence the production costs representing all material, labor, and manufacturing expenses, administrative and general expenses covering executive and office salaries, printing and general expenses attached to administration and, further, depreciation on stereograph plates. We may say further that all materials and supplies are purchased through competitive bidding.

No depreciation on buildnigs, machinery, or equipment is applied to or is a part of cost of production.

In answer to questions submitted by Mr. Burritt.

(1) Ownership of the land and buildings of the American Printing House for the Blind is vested in the Kentucky Board of Trustees for the American Printing House for the Blind. The land represents 6.8 acres, more or less, on Frankfort Avenue and State Street, running north to Brownsboro Road, as per deed on file in the safe at the American Printing House, which cost $9,500. Let us state most emphatically that not one cent of the appropriations by the Government of the United States has ever been expended for real estate or buildings; (2) as to the moral and legal right of the American Printing House for the Blind to "publish books for the Veterans' Bureau at a profit, in view of the fact that the law making the appropriations specifically

states that the printing house is not an organization for profit and that books shall be supplied to the schools for the blind at cost"; and (3) "to expend its profit of $30,000 on the contract with the Veterans' Bureau upon buildings," permit us to say that we are not aware of where or how the $30,000 referred to was obtained.

The American Printing House for the Blind in providing reading matter and tangible apparatus for the blind, because of their handicap, endeavors to operate at no profit, and while the operating results for the fiscal years ending June 30, 1914, 1915, 1917, 1921, and 1922, evidence a total net gain of $4,271.82 for the fiscal years ended June 30, 1916, 1918, 1919, 1920, 1923, and 1924 (during which period the change to revised Braille was made), the operating results evidence a total net loss of $41,223.55, with a resultant deficit of $36,951.73 for the fiscal years ended June 30, 1914 to 1924, inclusive. During the fiscal years ended June 30, 1925, 1926, and 1927, through the acquisition and execution of a contract with the Veterans' Bureau involving large volume and consequent full day and extra night and Sunday work with resultant production economy, the operating results evidence a total net gain of $38,706.94 whereby the entire deficit as of June 30, 1924, of $36,951.73 was overcome and an accrued net gain of $1,755.21 realized as of June 30, 1927. Having overcome the deficit and anticipating production economies which would result from increased volume of business through the Government subsidy increase to $75,000 per annum, the management reduced the prices on publications 25 per cent, and during the fiscal years ended June 30, 1928 and 1929, the operating results evidence a total net gain of $1,146.57, which amount, added to the accrued net gain as of June 30, 1927, of $1,755.21 produces a total accrued operating net gain of $2,901.78 for the fiscal years ended June 30, 1914 to 1929, inclusive, a period of 10 years, or an average nominal net gain of $181.36 per year, which is conclusive evidence that the Government beneficiaries have received their respective quotas of publications and tangible apparatus during the said 16-year period at as nearly cost as could be ascertained, year in and year out.

In July, 1927, it was found that the catalogue prices of the publications could be reduced, and a 25 per cent reduction was made at that time and has been operative since.

In 1918 a change was made from New York Point and American Braille to Revised Braille. This change necessarily junked all of the plates of New York Point and American Braille. The plates were sold as scrap, and the amount realized credited to plate account and the resultant loss charged to capital account and not to operating expenses.

In 1923 the State of Kentucky appropriated $25,000 for additions to the buildings of the printing house, and this appropriation was applied for that purpose.

We want to bring to your attention and impress upon you the fact that the American Printing House for the Blind is not in business for profit. The affairs of the printing house are under the jurisdiction of the board of trustees, all gentlemen of the highest standing and integrity, business men, financial men, and superintendents of the institutions. This board give their services gratuitously—not one cent is charged for their valuable services nor applied to the cost of production.

It has been our pleasure to serve this organization in the capacity hereinbefore stated and in rendering this service our aim has been to protect and give to those who, in God's wise providence, have been deprived of their vision the benefit of every dollar in worth of the appropriation by the Government that would materialize from the publications in the blind print, and we believe that they have been benefited to the full extent and that none of the funds have been misapplied.

Respectfully,

MELDRUM & MELDRUM,
Certified Public Accountants, Members American Institute of Accountants.

EXTRACTS FROM STATEMENT OF ROBERT B. IRWIN, EXECUTIVE DIRECTOR OF THE AMERICAN FOUNDATION FOR THE BLIND (OF WHICH HON. CALVIN COOLIDGE IS HONORARY PRESIDENT)

Now, as to the American Printing House for the Blind, which received rather rough treatment at the hearing. For many years educators of the blind endeavored to get an appropriation from the Government for school books. After repeated failures a bill was finally passed in 1879 which appropriated $10,000 a year for this purpose. At that time the Government was not prepared to establish a Government printing plant for the blind. The next best thing seemed to be an annual grant to the American Printing House for the Blind at Louisville, Ky., under two conditions: (1) That they make the superintendent of each State school for the blind an ex officio member of its board; and (2) that $10,000 worth of books be distributed among the schools for the blind of the country each year. This grant was not increased for 40 years. During most of this time this money was divided between the publication of books in two embossed types requiring entirely different machinery for their production. Had it not been for the generosity of the State of Kentucky, which provided the building and much of the machinery, far less could have been accomplished with this $10,000 grant than has been the case.

Much was said at the hearing of the profit made on the books sold to the Veterans' Bureau. Those who were stressing this point, however, did not indicate that this profit was realized on a price below the competitive bid made by the Universal Braille Press, of Los Angeles; nor has anyone claimed that the Government paid a higher unit cost for its school books that year than would have been the case had it not received the Veterans' Bureau business. When the American Printing House for the Blind had completed its job and realized the profit referred to, it was confronted with two alternatives—either to refund the money to the Government or to invest it in much needed equipment. Since there was no understanding with the Government that this particular job should be done on a cost basis, it was decided to invest the profit in much needed plant equipment designed to increase the efficiency of the concern. Increased efficiency in this particular case meant that the Government's annual allowance would buy more and better school books for the blind children of the country.

By the way, it was intimated at the hearing that the profit on the Veterans' Bureau books amounted to about $30,000. I have searched the published records of the printing house and find no indication of just what profit was made. The acting manager of the printing house writes me that $30,000 is a gross exaggeration and that an accurate statement has been sent your committee by the printing-house auditors. (See attached extract from American Printing House report.)

At the hearing the fact was brought out that prices of books sold by the American Printing House for the Blind have been reduced a great deal during the past 10 years, and the implication was that it was due to the competition of the Universal Braille Press. As a matter of fact, about the time the Universal Braille Press was established a universal Braille system was adopted in this country so that the American Printing House for the Blind could concentrate its efforts upon publishing in one code instead of two. About the same time also the Government increased its allowance to the American Printing House from $10,000 to $50,000, thus enabling it to operate in a much more economical fashion. Furthermore, the cost of paper and many other materials has fallen off very markedly during the past decade.

* * * * * * *

Printing for the blind can not be fairly compared with other kinds of printing. It never has been, and probably never can be made, a commercial success. This is due to the extremely limited market and to the high cost of production. It is difficult to see the force of the contention that the Government should appropriate to the Braille Institute of America $100,000 annually, because its manager has found, like every other person either in the United States or Europe who has tried the experiment, that a printing plant for the blind can not be run without public or private subsidy.

REGARDING PROFIT ON VETERANS' BUREAU BOOKS

[Extract from fifty-eighth report of the board of trustees of the American Printing House for the Blind (Inc.) for the year ending June 30, 1926, p. 14]

The business of this institution has been carried on in two distinct departments.

First. Under the appropriation by which are furnished free books to the schools in proportion to their attendance, to the amount of $50,000.

Second. General business beyond and outside of the printing of books for the schools in accordance with preceding paragraph; for example, blinded soldiers, the contract with the American Bible Society, and other small contracts to print books for individuals and sales to other than Government beneficiary institutions.

In reviewing the business for the past four years the transactions under paragraph 2 have greatly increased, especially during the year 1924–25, when the large contract for the Veterans' Bureau was filled, evidencing a substantial profit. In view of the results emanating from the increased business referred to in paragraph 2, it was found possible to make a reduction of 25 per cent during the current year on all Braille books furnished the Government beneficiary institutions, and we may say that conditions look favorable for a further possible reduction in the cost of books to the institutions during the approaching year, which evidences the benefits derived by the institution from the increase in the general business.

STATEMENT CONTAINED IN SIXTY-FIRST REPORT OF AMERICAN PRINTING HOUSE FOR THE BLIND, YEAR ENDING JUNE 30, 1929, SHOWING DISTRIBUTION OF BOOKS AND APPARATUS

States having institutions for the blind

	Number of pupils	Amount of quota
Alabama School for the Blind	127	$1,593.88
Alabama School for the Negro Deaf and Blind	30	376.51
Arizona School for the Blind	17	213.35
Arkansas School for the Blind	130	1,631.53
Atlanta School for the Blind	7	87.85
Buffalo Board of Education, department for blind	5	62.75
California School for the Blind	110	1,380.52
Chestnut Street School, class for the blind, Johnstown, Pa	22	276.10
Chicago public schools, department for the blind	65	815.76

STATEMENT CONTAINED IN SIXTY-FIRST REPORT OF AMERICAN PRINTING HOUSE FOR THE BLIND, YEAR ENDING JUNE 30, 1929, SHOWING DISTRIBUTION OF BOOKS AND APPARATUS—continued

States having institutions for the blind—Continued

	Number of pupils	Amount of quota
Cincinnati public schools, department for the blind	11	$138.05
Cleveland public schools, department for the blind	36	451.81
Colorado School for the Deaf and Blind	73	916.16
Connecticut School for the Blind	61	765.56
Connecticut Nursery for the Blind	4	50.21
Detroit public schools, department for the blind	30	376.51
Duluth public schools, department for blind	3	37.65
Florida School for the Blind, Deaf, and Dumb	54	677.71
Georgia Academy for the Blind	117	1,468.37
Idaho School for the Deaf and Blind	26	326.31
Illinois School for the Blind	235	2,949.30
Indiana School for the Blind	144	1,807.23
Iowa College for the Blind	146	1,832.33
Jersey City public schools, department for the blind	9	112.95
Kansas School for the Education of the Blind	126	1,581.33
Kentucky School for the Blind	112	1,405.62
Los Angeles public schools, department for the blind	39	489.46
Louisiana Institution for the Blind	76	953.82
Louisiana School for the Blind (colored)	31	389.06
Maryland School for the Blind	110	1,380.52
Massachusetts School and Perkins Institution for the Blind	264	3,313.25
Michigan Employment Institution for the Blind	75	941.27
Michigan School for the Blind	177	2,221.39
Milwaukee public schools, department for the blind	12	150.60
Minnesota School for the Blind	124	1,556.22
Minneapolis public schools, department for the blind	27	338.86
Mississippi Institution for the Blind	75	941.27
Missouri School for the Blind	109	1,367.97
Montana School for the Deaf and Blind	22	276.10
Nebraska School for the Blind	65	815.76
Newark public schools, department for the blind	23	288.65
New Mexico Institution for the Blind	83	1,041.67
New Orleans public schools, department for the blind	8	100.40
New York Institute for the Blind	131	1,644.08
New York State School for the Blind	174	2,183.73
New York City public schools, department for the blind	98	1,229.92
North Carolina School for the Deaf and Blind	227	2,848.90
North Dakota School for the Blind	40	502.01
Ohio State School for the Blind	240	3,012.05
Oklahoma School for the Blind	131	1,644.08
Oklahoma School for the Deaf and Blind	9	112.95
Oregon Institute for the Blind	50	627.51
Oregon Employment Institute for the Blind	62	778.11
Pennsylvania Institution for the Blind	287	3,601.91
Paterson School for the Blind	14	175.70
Royer-Greaves School for the Blind	17	213.35
Seattle Public School for the Blind	3	37.65
South Carolina School for the Deaf and Blind	111	1,393.07
South Dakota School for the Blind	35	439.26
Tennessee School for the Blind	231	2,899.10
Texas School for the Blind	245	3,074.80
Texas Institution for the Deaf and Blind (colored)	97	1,217.37
Toledo public schools, department for the blind	7	87.85
Utah School for the Blind	33	414.15
Virginia School for the Deaf and Blind	77	966.36
Virginia School for the Colored Deaf and Blind	26	326.30
Washington School for the Blind	82	1,029.12
Western Pennsylvania Institution for the Blind	154	1,932.73
West Virginia schools for the deaf and blind	110	1,380.52
West Virginia School for the Blind (colored)	20	251.00
Wisconsin School for the Blind	234	2,936.75
Youngstown Board of Education, department for blind	11	138.05
	5,976	75,000.00

Per capita, $12.5502.

A BANKING EPISODE IN TARPON SPRINGS, FLA.

Mr. DRANE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on a certain banking situation in Florida.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DRANE. Mr. Speaker, under leave to extend my remarks in the RECORD, I desire to explain that the little city of Tarpon Springs, Fla., is the largest sponge market in the world outside the Mediterranean. Recovering sponges from the sea and preparing them for market is the principal industry. Her people are largely composed of "Those who go down to the sea in ships and have their business in great waters."

They have a small national bank there, and a few days ago the officials of the bank, seeing trouble ahead, took the people into their confidence, called a number of the leading depositors into a mass meeting, and explained that on account of existing financial conditions, combined with excitement incident thereto, the bank would not be open for business on the following morning unless the people themselves should take such action as reason and civic pride should dictate; that the bank was not the property of the bank officials, nor even the property of the stockholders, but in the last analysis was the property of the depositors themselves. What followed is graphically told by the Tarpon Springs Leader, the principal newspaper of the little city.

It is an example of common sense and civic pride unusual in these days of financial panic, and for this reason I have asked permission to insert it in the RECORD. It contains a "moral to adorn the tale."

SILENT BANK RUN IS STOPPED HERE WHEN DEPOSITORS ORGANIZE—SEVENTY-FIVE DEPOSITORS TAKE UP $400,000 WORTH OF COLLATERAL

Pledging deposits and purchasing securities, 75 depositors of the First National Bank of Commerce, representing nearly 80 per cent of the total deposits of the bank, at a meeting held Wednesday night at the Sunset Hills Hotel, took over about $400,000 in mortgages and municipal bonds which the bank had been unable to turn into cash.

The meeting was called at the suggestion of Edgar J. Phillips, a director of the bank. It included only the larger depositors and the stockholders. As they sat on the huge veranda of the clubhouse, with only the full moon furnishing the light, they were told that the bank would be unable to open for business on Thursday morning due to heavy withdrawals during the past four weeks. These withdrawals, totaling $150,000, were rapidly diminishing the cash on hand.

There were brief discussions with plans advanced and then every person present signed an agreement, assigning their deposits to the bank and promising not to withdraw their money, but to take real-estate mortgages and Florida municipal bonds in exchange.

This action, the directors state, put the bank in better shape than was expected and will enable it to pay the other depositors, should they demand it, dollar for dollar. The bank's deposits total $600,000. The loyal depositors came to the rescue just as the bank officials had decided not to open the bank Thursday morning.

One man in the meeting gave the bank $1,300 for a $1,000 Hernando County security which the bank had been unable to sell. Other generous acts were done by business men, J. C. McCrocklin, president of the institution, stating that one man took five diamonds from his safety deposit box and offered them to the bank for whatever assistance they would give. Practically all of the paper which the bank was unable to dispose of was taken by these depositors, Mr. McCrocklin states.

Then a committee of 12 was appointed to be at the bank at opening time Thursday morning and challenge all who went to withdraw their accounts. The Leader commercial plant began printing at 5.30 a. m. and before Tarponites appeared on the street the committee had huge placards hung in store windows, inscribed, "We believe in our bank"; cars were decorated with these signs, and as storekeepers appeared and heard the news, flags were brought out, and soon the city had a gala holiday appearance.

As the bank opened depositors appeared and were decorated with orange-colored tags inscribed "Line up with the depositors." And they did. Only four withdrawals, other than the usual small ones for change, were reported, while all day a queue worked its way up to the receiving tellers' wickets and deposits were poured onto to the bank counters.

The middle of the morning Grella and his band, of Clearwater, appeared, and despite a drizzling rain paraded the streets of the city. The day was declared a holiday—"confidence day"—by Mayor J. N. Craig, and outside of the deposits being made at the bank very little business was attempted.

President McCrocklin and Mr. Phillips were high in their praise for the people of the city and surrounding towns, and said that if such enthusiasm and optimism prevailed in other Florida towns their banking troubles would be solved. They also pointed out that other Florida towns could use the Tarpon Springs plan and protect their institutions.

At the close of business yesterday—and the bank did not close at its regular time at noon, Thursday being a half holiday—but remained open until 2 o'clock to give everyone a chance to withdraw their money if they so desired—Mr. McCrocklin stated that deposits totaled more than 350, with only 4 withdrawals, and that the cash in the bank had been greatly augmented during the day.

All day long-distance telephone calls brought expressions of congratulations from Florida's leading citizens, while the telegraph wires brought them from other States.

This morning President McCrocklin announced that the officers and employees of the bank had each donated one month's salary to the bank.

The spirit of optimism is apparent everywhere in town to-day, and a new chapter in Florida banking history is being written.

CONSTITUTIONAL AMENDMENTS

Mr. ANDRESEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on veterans' legislation and constitutional amendments.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. ANDRESEN. Mr. Speaker, on May 26, I introduced House Joint Resolution 348, which has for its purpose the proposal of a constitutional amendment which will give the people

of the various States the right to submit and ratify amendments to the Federal Constitution.

The resolution reads as follows:

Joint resolution proposing an amendment to the Constitution of the United States providing for ratification of proposed amendments to the Constitution of the United States by the people of the several States.

Resolved, etc., That an amendment is hereby proposed to the Constitution of the United States which shall be valid to all intents and purposes as a part of the Constitution when ratified by three-fourths of the legislatures of the several States. Said amendment shall be as follows:

ARTICLE —

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution when ratified by the people of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: *Provided*, That ratification by the people of the several States shall be in accordance to the method prescribed in the respective State constitution for the adoption of amendments to such State constitution."

The fifth article of the Constitution of the United States provides two methods for proposing and ratifying amendments to the Constitution. In the first instance, the Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the Constitution for ratification by the State legislatures. In the second instance, on the application of the legislatures of two-thirds of the several States, the Congress shall call a convention for proposing amendments.

The fifth article likewise proposes two methods for the ratification of the proposed amendments. The first method, and the only one which has been thus far used in the adoption of 19 amendments, provides for ratification by three-fourths of the legislatures of the several States. The other untried method provides for ratification by conventions in three-fourths of the States.

In the ratification of amendments by the legislatures of the various States, the theory of our representative form of government, contemplates that the members of the State legislatures are elected upon the issues proposed in the amendments, and that when such duly elected representatives cast their vote for or against a proposed amendment, they express the will of their constituents. Theoretically, this idea is correct, but practical experience demonstrates that members of the State legislatures are elected by political combinations and friends, and not upon issues found in amendments to the Federal Constitution.

About 18 years ago, Article XII of the Constitution was adopted by the legislatures of the various States. This amendment gave the right to the people to elect Senators to the United States Senate, and took that power away from the State legislatures. My resolution is in harmony with the twelfth article and confers directly the obligation and right upon the people to vote on all future amendments to the Federal Constitution.

My resolution is in conformity with the general practice used in all States for ratification of amendments to the various State constitutions. The voters, themselves, determine as to whether or not an amendment shall be adopted to a State constitution.

My purpose in calling this resolution to your attention at this time is to give the Members of the House an opportunity to study the question during the summer recess, and be in a position to discuss the resolution when it comes up for consideration before the Judiciary Committee of the House and upon the floor. I will ask the Judiciary Committee to hold hearings upon the resolution when Congress reconvenes.

The people should have the right to vote on constitutional questions, and I feel sure that the rank and file of our intelligent electorate will welcome the responsibility of passing upon amendments to the Federal Constitution in the same manner as they now assume the responsibility in regard to amendments to their respective State constitutions.

VETERANS' LEGISLATION

Mr. ANDRESEN. Mr. Speaker and Members of the House, preparations are going forward for the adjournment of Congress, and I am sure that all of the Members are anxiously awaiting the time for return to their respective homes. Much important legislation has been considered, but there still remains a very vital matter which must have the favorable consideration by Congress and the President before we depart.

I refer to veterans' legislation. We passed the Johnson bill in the House by a large majority. The purpose of this bill is to take care of the thousands of disabled veterans who have been denied justice at the hands of the Veterans' Bureau and Congress. These poor, unfortunate, and disabled veterans are entitled to every consideration at the hands of Congress, and we should not adjourn until such legislation has been enacted into law.

During the past six years I have assisted in the presentation of hundreds of cases before the boards in the Veterans' Bureau. Many of these have resulted in favorable decisions, but it has always been just another fight with the officials in the bureau to secure recognition for the disabled veteran. Scores of meritorious cases have been turned down for me and for other Members of the Congress by the boards in the bureau, and I often wonder as to the reason for their seemingly arbitrary attitude. The people of the country certainly want the disabled veterans taken care of, and I know that the Members of Congress are doing everything possible in aiding these men with their claims. So, what is the matter and where is the trouble?

There must be something radically wrong with the system of the Veterans' Bureau, and therefore no time should be lost in making proper correction by the enactment of the pending legislation so that these deserving disabled veterans will be taken care of.

Certainly it has always been the intention of Congress to properly take care of the country's disabled soldiers, the widows of deceased veterans, and their minor children. I am sure that if the Veterans' Bureau would apply the actual intention of Congress to existing legislation we would not be faced with the present difficulties.

There are thousands and thousands of deserving cases pending before the Veterans' Bureau which have not been service connected. These cases should be taken care of, and, in my opinion, the only way they will be taken care of at this time will be either to extend the presumptive period up to January 1, 1930, or pass regular pension legislation along the lines of H. R. 5614, which was introduced by me in December. The passage of a general pension bill for disabled veterans when no service connection can be shown will not only take care of the veterans but will also take care of widows and minor children, similarly to the act approved in 1924 for the Spanish-American War veterans.

The rate of pension provided for in H. R. 5614 would depend upon the degree of disability within a range of from $10 to $50 per month. A widow of a deceased veteran would receive $30 per month during her widowhood, and each minor child under the age of 16 years would receive $6 per month. The passage of a general pension law, as I have proposed it, would in no way interfere with rating or compensation for service-connected cases under existing law.

The enactment of the so-called Johnson bill with the Rankin amendment, which is now up for consideration, will go far in taking care of thousands of disabled veterans who have heretofore not been able to secure recognition. Our only opportunity will be to pass this legislation, and it should be approved at once.

My criticism against the Veterans' Bureau is not directed against the rank and file of the employees in the bureau, as I frankly admit that the regional directors and their rating boards have tried to aid in every way possible in helping the disabled veterans within the narrow limits of the thousands of regulations and orders issued from the central office. My criticism is not directed at Gen. Frank Hines, the director, as he is most sympathetic, and the Members of the House know from experience that he will do his utmost to help the disabled veteran. We can not expect him, however, to sit down and pass upon several hundred thousand cases. It would not be humanly possible.

I do, however, criticize the policy of that small inner group of about eight men in the central office of the bureau, who are in direct charge of interpreting veterans' legislation and in the issuance of orders and regulations. This group never comes into contact with the disabled veteran, and as a consequence they know nothing about the "milk of human kindness" or the meaning of the term "benefit of the doubt." They are "hard boiled," and it appears that they have but one motive in life and that is to perfect regulations and orders which will prevent disabled veterans from receiving proper recognition. They have fixed as a definite policy that they would rather spend $100,000 of public money in fighting a veteran's just claim rather than to pay a few paltry dollars per month for a disability. They compel disabled veterans to seek relief against the Government

through the courts, and, thank God, the courts and juries have found in favor of the veterans in a large preponderance of the litigated cases.

Congress would do well to make a thorough investigation of the bureau and then start a house cleaning wherever facts disclosed the necessity for such action. If the investigation discloses that the bureau properly interprets the law and administers it, then the bureau officials will be exonerated and Congress should pass additional laws to correct existing evils.

Let us do justice by the thousands of disabled veterans who have been unable to secure service connection by approving a law now which will take care of them beyond all reasonable doubt.

RELIEF OF THE STATE OF MAINE

The next business on the Consent Calendar was the bill (H. R. 8583) for the relief of the State of Maine.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, I object.

The SPEAKER pro tempore. This bill requires three objections. One objection is heard.

Mr. SOMERS of New York. Mr. Speaker, I object.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I have had difficulty in reconciling myself to this bill. If this applies only to the State of Maine——

Mr. BEEDY. If the gentleman will read the bill he will see it goes equally by its terms to the city of Portsmouth, N. H., but in the writing of the title the city of Portsmouth, N. H., was not included.

Mr. HALE. The bill is entirely satisfactory.

Mr. STAFFORD. If the bill extends the privileges to the city of Portsmouth, N. H., I shall not object.

Mr. HALE. It does.

Mr. LAGUARDIA. Will the gentleman from Maine yield?

Mr. BEEDY. Yes.

Mr. LAGUARDIA. There is a balance of $34,773.11 in the account, and because there is that account the bill is before us to divide it between the State of Maine and the city of Portsmouth.

Mr. BEEDY. No.

The SPEAKER pro tempore. This bill requires three objections. The Chair hears two objections. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, an amount equal to the unexpended balance of appropriations made by Congress to aid in the construction of a bridge between Kittery, Me., and Portsmouth, N. H., remaining unexpended upon final settlement of contracts made by the United States for the construction of such bridge, one-half to the State of Maine and one-half to the city of Portsmouth, N. H., but the total payments under this act shall not exceed $35,000.

With the following committee amendment:

Page 1, strike out all after the enacting clause down to and including line 4, on page 2, and insert:

"That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $34,773.11, the sum being the unexpended balance of an appropriation heretofore made by Congress to aid in the construction of a bridge between Kittery, Me., and Portsmouth, N. H., one-half to be paid to the State of Maine and the other half to the city of Portsmouth, N. H."

The committee amendment was agreed to.

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

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

Mr. HALE. Mr. Speaker, the title should be amended by adding the words "and the city of Portsmouth, N. H."

The SPEAKER pro tempore. Without objection, the title will be so amended.

There was no objection.

COMMEMORATION OF CERTAIN MILITARY HISTORIC EVENTS

The next business on the Consent Calendar was the bill (H. R. 11489) to provide for the commemoration of certain military historic events, and for other purposes.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, I object.

SURVEY OF THE SALMON RIVER, ALASKA

The next business on the Consent Calendar was the bill (H. R. 12121) to provide for a survey of the Salmon River, Alaska, with a view to the prevention and control of its floods.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to cause a survey to be made of the Salmon River, Alaska, with a view to preparing plans and estimates of the cost of such work as may be necessary for the prevention and control of its floods in accordance with the provisions of section 3 of an act entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes," approved March 1, 1917, and the recommendations of the Chief of Engineers, United States Army, contained in House Document No. 346, Seventy-first Congress, second session; and the sum of $800 is hereby authorized to be appropriated for this purpose.

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

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

AMENDMENT OF PUBLIC RESOLUTION NO. 80, SEVENTIETH CONGRESS, SECOND SESSION

The next business on the Consent Calendar was the resolution (H. J. Res. 303) to amend Public Resolution No. 80, Seventieth Congress, second session, relating to payment of certain claims of grain elevators and grain firms.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I have taken this matter up with the gentleman from North Dakota [Mr. SINCLAIR], and in order that this matter may not come back to us, and to make certain that these claims will be adjusted on the reports now in the possession of the Government and filed during the year 1919–20, I have suggested an amendment, on page 2, line 3, "made and filed during the year 1919–20 with the Grain Corporation," so that it will be clear that these awards will be made on the evidence which was filed at that time and not made up since then. With this understanding I shall not object.

Mr. COLLINS. Mr. Speaker, reserving the right to object, certainly this bill ought to be amended if it is going to go through. The phraseology ought to be corrected and the words "approved February 4, 1929," ought to be inserted after the words "No. 80" in line 3. The report does not comply with the Ramseyer rule.

Mr. HALL of North Dakota. If the gentleman will submit his amendment I will agree to it.

Mr. STAFFORD. Mr. Speaker, I do not see wherein the report complies with the Ramseyer rule so that we know exactly what is proposed by the amendment of existing law.

Mr. LAGUARDIA. I can tell the gentleman. The proviso is new.

Mr. STAFFORD. I think we should have this bill comply with the rule, and I make the point of order, Mr. Speaker, that the report does not comply with the Ramseyer rule.

The SPEAKER pro tempore. Will the gentleman state what part of the bill he has reference to?

Mr. STAFFORD. The report does not show wherein the bill is an amendment of existing law.

The resolution before the House seeks to amend a certain resolution heretofore passed. That resolution is not incorporated in the report. There is nothing on the face of the bill or in the report that gives the information necessary for the House to intelligently consider this proposed resolution.

The SPEAKER pro tempore. It seems to the present occupant of the chair that the resolution is simply amending the other resolution by adding something thereto and is not striking out anything from existing law. I do not see just how you could otherwise comply with the Ramseyer rule.

Mr. STAFFORD. I think the House is entitled to know what is proposed to be amended. The resolution provides for adding certain language. The purpose of the Ramseyer rule is to give the House information so that it can intelligently pass upon any proposed change of existing law. The proviso may be in direct conflict with existing law.

Mr. LAGUARDIA. If the Chair will permit, I want to say I have guarded the Ramseyer rule as much as any Member of this House, and I have repeatedly made points of order where

reports came in that did not comply with the very wise and necessary provisions of that rule, but in this case it seems to me the bill in itself is explanatory of what it does, because it simply adds a proviso, and the proviso, of course, is contained in the bill.

Mr. COLLINS. But the proviso may be in conflict with existing law.

Mr. LAGUARDIA. Of course.

Mr. COLLINS. And in that event, it would be in conflict with the rule.

Mr. LAGUARDIA. But the proviso speaks for itself.

Mr. CRAMTON. Mr. Speaker, the only purpose of the Ramseyer rule is to require a committee to bring to the attention of the House what the proposed change of law is, and the committee in the bill itself brings that information to the House, and hence there is not the same necessity for the report containing the information.

Mr. STAFFORD. If the gentleman from Michigan will permit, I direct the Speaker's attention to the second clause of the Ramseyer rule. There are two provisions of the rule:

(1) The text of the statute or part thereof which is proposed to be repealed; and

(2) A comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions proposed to be made.

The House has nothing before it to intelligently pass upon what is purposed to be amended. There is the express provision, but we can not tell by this amendment, unless we seek the original law, what is the extent of this amendment.

Mr. COLLINS. It may be in the teeth of existing law.

Mr. STAFFORD. It may be directly antipodal of existing law.

The SPEAKER pro tempore. The Chair is ready to rule.

Under a strict application of paragraph 2a, Rule XIII, the Chair thinks the immediate section of law preceding the proposed amendment should have been printed in the report.

The point of order is sustained and the bill is recommitted to the Committee on War Claims.

MONUMENTS TO MARK BIRTHPLACE OF DECEASED PRESIDENTS OF THE UNITED STATES

The next business on the Consent Calendar was the bill (H. R. 11582) to provide monuments to mark the birthplaces of deceased Presidents of the United States.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. I object.

Mr. SCHAFER of Wisconsin. I object.

Mr. CRAMTON. Reserving the right to object, I have suggested amendments which, I understand, are agreeable to those in charge of the bill. It provides that this shall be done through the National Park Service, and provides for maintenance and also provides for the expense of preliminary investigations out of the regular appropriation.

Mr. STAFFORD. Mr. Speaker, under the circumstances, as there are so many amendments to be offered I will object.

The SPEAKER pro tempore. Three objections are heard, and the Clerk will report the next bill.

UNITED STATES MASSACHUSETTS BAY COLONY TERCENTENARY COMMISSION

The next business on the Consent Calendar was the joint resolution (H. J. Res. 306) establishing a commission for the participation of the United States in the observance of the three hundredth anniversary of the founding of the Massachusetts Bay Colony, authorizing an appropriation to be utilized in connection with such observance, and for other purposes.

The Clerk read the title to the resolution.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, I do not see why section 2 of the resolution is necessary in the face of the report. Section 2 authorizes the appropriation of $10,000, and, as I understand it, there will be no expense to the Government.

Mr. LUCE. The gentleman misinterprets that report. It was intended to bring out this fact, that there was no desire in this instance, as there was in the case of the Plymouth celebration, for any construction. This provides for the ordinary expenses of the commission. When the commission is made up of the Members of the House and the Senate they are paid out of the contingent fund of the House. It has been the custom in more important celebrations, where members are also appointed by the President to have an appropriation.

Mr. LAGUARDIA. Does the President usually appoint local persons?

Mr. LUCE. He did not so do in the case of Yorktown.

Mr. LAGUARDIA. How many commissioners are there?

Mr. LUCE. Fifteen; 5 to be appointed by the President of the United States, 5 Senators to be appointed by the President of the Senate, and 5 Members of the House to be appointed by the Speaker of the House.

Mr. LAGUARDIA. And it is proposed to expend $10,000.

Mr. LUCE. I do not think it will amount to that, but the State of Massachusetts is having a series of celebrations which are now in progress and will last probably until snow flies. These commissioners may have to stay in the State several days and if so it will be difficult to estimate the exact amount, but it will not exceed $10,000.

Mr. LAGUARDIA. Once the commissioners cross the borders of the State line they will be the guests of the State, with the typical New England hospitality, I am sure.

Mr. LUCE. I have no doubt that hospitality will be extended to them.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc., That there is hereby established a commission to be known as the United States Massachusetts Bay Colony Tercentenary Commission (hereinafter referred to as the commission) and to be composed of 15 commissioners, as follows: 5 persons to be appointed by the President of the United States, 5 Senators by the President of the Senate, and 5 Members of the House of Representatives by the Speaker of the House of Representatives. The commission shall serve without compensation and shall select a chairman from among their number.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000, to be expended by the commission for actual and necessary traveling expenses and subsistence, while discharging its official duties outside the District of Columbia.

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

A motion to reconsider was laid on the table.

AMENDING THE STATUTE FOR COPYRIGHT REGISTRATION OF DESIGNS

Mr. VESTAL. Mr. Speaker, I ask unanimous consent to return to Calendar No. 502 (H. R. 11852), amending the statutes of the United States to provide for copyright registration and design. It was passed over temporarily.

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

The Clerk read the bill.

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

Mr. RAMSPECK. Reserving the right to object, I would like to ask the gentleman if the committee has agreed to the amendment proposed by the National Dry Goods Association?

Mr. VESTAL. One amendment has been agreed to.

Mr. RAMSPECK. How about the other?

Mr. VESTAL. The other one the committee has not agreed to. I have no objection to its being offered, but I do not think the second amendment ought to be incorporated into the bill.

Mr. RAMSPECK. Under those conditions, Mr. Speaker, I will have to object.

COAST GUARD CUTTER ON LAKE ERIE

The next business on the Consent Calendar was the bill (H. R. 12284) to provide for the construction of vessels for the Coast Guard for rescue and assistance work on Lake Erie.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, I reserve the right to object. I do not think it should be necessary to limit in legislation the construction of a vessel to any particular water. We would not appropriate, for example, for a cruiser for the Atlantic Ocean.

Mr. CROSSER. It does not limit its use to those waters, but says that it must be suitable in construction for service on Lake Erie.

Mr. LAGUARDIA. It says:

To be of design and construction suitable for service in assisting shipping on the waters of Lake Erie.

Mr. CROSSER. That is all right.

Mr. JENKINS. Substitute the Great Lakes for Lake Erie.

Mr. CROSSER. They have one already provided for Lake Michigan.

Mr. LAGUARDIA. But I am not willing to assign this boat to any particular water. I think it is bad legislation to authorize the building of a cutter for any one lake, just as it would be to authorize a cruiser for the Atlantic Ocean.

Mr. CROSSER. The language used is the technical language heretofore used in regard to a similar vessel for Lake Michigan.

Mr. LAGUARDIA. Suitable for service on that lake, it says. If it is suitable for service there why not on other lakes? What is the difference in suitability so far as Lake Erie or Lake Michigan is concerned?

Mr. CROSSER. Oh, there is a lot of difference. Lake Erie is much shallower and more easily agitated by storms.

Mr. LAGUARDIA. I am talking about the lakes.

Mr. CROSSER. And the depth of Lake Superior is far greater than that of the others.

Mr. LAGUARDIA. But a ship can draw only so much water.

Mr. CRAMTON. I do not see any report or any direct statement that the Treasury Department has recommended this, or that the Budget has had a chance to look at it. I am very sympathetic with the work of the Coast Guard and such purposes as this, but unless the Coast Guard finds that it has a need for this ship, I do not see why it should be authorized.

Mr. CROSSER. The commandant of the Coast Guard said to me that such a vessel should be provided for Lake Erie. There is no formal report.

Mr. CRAMTON. With that statement from the gentleman I shall not object, but I suggest that it would be much better if the report contained a report from the Budget.

Mr. CROSSER. I wanted revenue cutters for both Lake Erie and Lake Superior, because I think that they are both badly needed, and the fact is that the Coast Guard would like cutters for both of these lakes.

Mr. LAGUARDIA. I never heard of the Coast Guard or any other department refusing any proper request.

Mr. CROSSER. If the gentleman wants to take the responsibility for preventing the furnishing of this protection for human lives, well and good.

Mr. CRAMTON. Has the Coast Guard such a ship on Lake Erie?

Mr. CROSSER. Not one.

Mr. CRAMTON. Acting on my own knowledge, I know that such boats are necessary. With the gentleman's statement that the Coast Guard desire this and that there is no ship on Lake Erie, I am not going to object.

Mr. CROSSER. Did the gentleman read the report that I filed with the bill?

Mr. CRAMTON. Yes.

Mr. CROSSER. That states the facts in regard to the matter.

Mr. CRAMTON. If there is no such ship, I shall not object.

Mr. STAFFORD. There is only one Coast Guard ship on the Great Lakes, and that is at the Sault. Years back there was a Coast Guard vessel on the Great Lakes, the *Tuscarora*, assigned to the port of Milwaukee. Recently we passed a bill for a Coast Guard vessel for service on Lake Michigan, and this is one to provide for Coast Guard service on Lake Erie.

Mr. LAGUARDIA. Does the gentleman object to my proposed amendment?

Mr. CROSSER. No.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to construct and equip one Coast Guard cutter, to be of design and construction suitable for service in assisting shipping on the waters of Lake Erie: *Provided*, That the total cost of construction and of original equipment of said Coast Guard cutter shall not exceed the sum of $650,000.

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

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Line 6, after the word "Erie," insert "and other of the Great Lakes."

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

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

BRIDGE FROM WABASHA, MINN., TO NELSON, WIS.

The next business on the Consent Calendar was the bill (H. R. 10823) to grant a right of way or easement over lands of the United States within the Upper Mississippi River Wild Life and Fish Refuge to the Wabasha-Nelson Bridge Co., assignee of the Wabasha Bridge Committee, for the construction of a bridge from Wabasha, Minn., to Nelson, Wis., as authorized by the act of March 10, 1928, as amended December 13, 1929.

The title of the bill was read.

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

Mr. ANDRESEN. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that the bill be passed over without prejudice. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I hope the request of the gentleman from Minnesota will not be granted. Let three objectors remove this outrageous bill from the calendar, and if, in the closing days of the session, the bill comes up for consideration in the House under suspension of the rules we should vote almost unanimously against its passage.

I am surprised to find that a Member from the great progressive State of Minnesota introduced such a monopolistic monstrosity. The Wabasha-Nelson Bridge Co. has by act of Congress obtained the right to erect a private toll bridge, and here we have a bill granting this company the right to construct a road to be used in connection with the toll bridge. This road right of way to be 200 feet wide and extend through a Government wild life and fish refuge. It is hardly conceivable that such legislation should be seriously offered and sponsored from the great progressive State of Minnesota. I object.

Mr. ANDRESEN. I want the gentleman to know that this bridge is financed by local citizens of Minnesota and Wisconsin. There is no monopolistic capital employed in the construction of this bridge. The bridge is now about half constructed.

Mr. SCHAFER of Wisconsin. I congratulate the gentleman on his efforts to try to pull the chestnuts of a colleague from Minnesota off the fire. This bill gives the private toll-bridge monopoly not only the right to build a toll bridge over the Mississippi River, but it gives them the right to build a road 200 feet wide in connection with said bridge within the confines of a Federal Government wild life and fish refuge. It further gives the Secretary of Agriculture the right and authority to permit this private toll-bridge company to use this 200-foot right of way for other than highway purposes. Section 2 provides that this Wabasha-Nelson Bridge Co. will have the right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act with reference to the 200-foot right of way within the confines of the wild life and fish refuge.

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

Mr. SCHAFER of Wisconsin. Yes.

Mr. BLANTON. If the gentleman will let the bill go over now under a unanimous-consent request, there will be no danger, because as long as it goes over it is not passed; but if you object to a unanimous-consent request that it shall go over and then not get three objectors later, the bill would pass in spite of the gentleman's opposition.

Mr. SCHAFER of Wisconsin. Although there is but a small attendance in the House now, I have confidence that there will be three objectors. Therefore I renew my objection.

The SPEAKER. Is there objection?

Mr. SCHAFER of Wisconsin, Mr. COCHRAN of Missouri, Mr. PATTERSON, and Mr. LAGUARDIA objected.

The SPEAKER. The Clerk will report the next bill.

GEORGE WASHINGTON BICENTENNIAL CELEBRATION IN 1932

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting an address which I made on the radio the other evening on the subject of the coming George Washington celebration.

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

There was no objection.

Mr. BLOOM. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following speech by myself as associate director George Washington Bicentennial Commission, over the National Broadcasting Co. system, Thursday, June 12, 1930:

To understand George Washington and what he means to America of to-day we must think of him as a man and not as an ideal.

As a man we can more nearly take his measure and estimate his greatness. The glamor that has surrounded his name has tended to obscure his human qualities.

It is not my purpose to dwell upon the heroic side of our greatest American. I want to impress upon the people of this country that George Washington was a normal man, subject to normal temptations, normal perplexities, and normal sorrows.

The greatness of George Washington lies in the fact that he surmounted tremendous obstacles and accomplished his purposes through sheer force of character and perseverance.

Let us consider George Washington's career in the order of his outstanding accomplishments.

First, there is the boy, the son of a Virginia farmer, living in the country and having limited educational advantages.

This boy, destined by Providence for such historic achievements, was a normal boy. He was in every sense a good boy, obedient and ambitious. Although he had scant opportunities for schooling, he made the most of what he had.

At an age when other boys are mostly concerned in sports and play, George Washington was seriously devoted to the study of a profession. When barely 16 years old he was commissioned to perform a responsible piece of surveying work which sent him into the wilderness. There he encountered dangers and privations that would have daunted a less sturdy soul. That he performed this work of surveying well has been shown by repeated resurveys along the lines he laid down. In all of these travels George Washington was marvelously observant and found time to make notes of what he saw that served him well in later life.

We find him again, when not yet of age, commissioned to perform important military and diplomatic exploits into the frontier country.

Inheriting the great estate of Mount Vernon, while still a young man, George Washington showed unusual interest in the subject of farming. He was the first scientific farmer in this country. He was the first student of methods of improving livestock, of rotating crops, and of diversified husbandry. Had George Washington done nothing more than devote himself to the study of agriculture, he would have been America's pioneer authority on that subject.

Not only was George Washington a farmer but he was one of the foremost business men of his time. He knew how to make his farms profitable. He had a commercial vision far beyond his contemporaries. He organized corporations, opened mines and quarries, and did a considerable shipping business.

George Washington was the first inland-waterways advocate. He actually surveyed and planned waterway connections between the Ohio Valley and the Atlantic seaboard, which he was unable to complete because of the stress of the times.

George Washington looked beyond the boundaries of the original thirteen Colonies and his eyes rested upon the Pacific Ocean as the limits of the future Republic. To him, more than to any other man, is due that impetus to foreign trade which has ever been America's outstanding business policy.

Although he lived in a period that produced many great men of varied attainments, in every character Washington was superior to all.

But George Washington was too great a man to live in the peaceful security of his plantation home. The times called for leadership. The state of the Colonies demanded the resourcefulness, the courage, the calm judgment, and the character of its greatest men. George Washington had all of these qualities to a greater extent than any other man upon American soil. He was a natural leader and instilled into his countrymen that spirit of confidence and devotion which made the winning of the War of the Revolution a possibility. His leadership overcame conditions so dispiriting and so discouraging that only he, of all the great men of his time, could have established our independence and enduring Government.

It was George Washington who realized more than any man of his time what the freedom of the Colonies meant to the men and women who were to come after him. It was his counsel, his judgment, and his sure knowledge of men that guided the infant Republic in the formation of our present system of Federal administration.

In advocating American independence George Washington staked his life, his property, and the interests of his family. He realized, perhaps more than any other man, the hazards and uncertainties of a war for independence. Yet, having decided that such a war was inevitable, George Washington brought to the leadership of that war every quality necessary for victory.

Great as were George Washington's achievements as a soldier, far greater were his achievements as a statesman and a citizen.

As the first President, he faced problems never faced by any man. By his wisdom, by his patience, by his persistence he molded the destinies of the young Republic and placed it upon a sure foundation for future growth. As we study the life of this great man there develop new and interesting phases of his character.

Has America sufficiently honored the memory of George Washington? I unhesitatingly say it has not. It is gratifying to every American citizen to realize that the United States is preparing now to express in the most appropriate way possible the honor which is his due.

The Congress of the United States, in recognition of the two hundredth anniversary of the birth of George Washington which will be observed in 1932, has created a commission to formulate plans to fittingly honor his memory.

At the head of this commission is the President of the United States. Other members of the commission are the Vice President of the United States, the Speaker of the House of Representatives, 4 United States Senators, 4 Members of the House of Representatives, and 8 presidential commissioners. That commission has delegated the formulation of plans and organization of the work to two associate directors, Lieut. Col. U. S. Grant, 3d, and myself.

Congress has asked the governors of the various States to appoint State commissions to cooperate with the national commission. This is one way the associate directors hope to make this celebration nationwide and all-American.

We have no exposition in mind. There will be no world's fair, no concentration of material evidences of the Nation's growth.

The celebration will be in the hearts of the people themselves. It will be in the nature of a revival of knowledge of and appreciation for our greatest American, and the greatest human being in all history.

The Federal Government has authorized the publication of all of the definitive writings of George Washington, which will be published as a memorial edition in approximately 25 volumes. The great memorial boulevard between Washington and Mount Vernon is under construction and will be one of the most beautiful highways in all the world. A regional park system for the National Capital, unsurpassed in America, is now authorized by Congress as a George Washington Memorial Parkway. This great parkway will include some of the beautiful and historic places with which George Washington has been intimately identified.

Congress has also established Wakefield, Washington's birthplace in Virginia, as a national park and will erect upon the site a replica of the house in which George Washington was born. It is also proposed to build in the city of Washington a great George Washington memorial auditorium, which is most urgently needed.

These are Federal projects contributed, or to be contributed, by the Government itself. It is the purpose of the associate directors to bring the message of George Washington to every church, every home, every school, and every group of citizens in the United States. We want to offer an opportunity to each man, woman, and child in America to participate in this national celebration.

In our plans it is proposed to foster and encourage in all parts of the country, local, regional, and State celebrations. These celebrations the people themselves will organize and take part in them. It is hoped that in 1932 there will not be a schoolroom or school building in the United States without its pictures of George Washington. It is hoped that there will not be a school or a church or a home that will not display the American flag, with appropriate reminders of what it means in our national life. It is proposed to hold essay contests, pageants, plays, and exercises of similar kinds in public schools. In like manner we want to enlist the cooperation of all the clubs, associations, fraternal organizations, and miscellaneous groups of people.

Not only do we want to impress upon the Nation its debt to George Washington but also our debt to other heroes associated with him, We want to remember those splendid men and women, many of them of foreign birth, who offered their lives upon the altar of American independence. We want to remember Von Steuben, De Kalb, and the Muhlenbergs. We want to remember Carroll, Barry, Knox, and the host of other Irish patriots. We want to remember with gratitude Kosciusko, Pulaski, and other Polish heroes. We want to remember Lafayette, Rochambeau, and De Grasse, and all that other host of equally heroic men and women of the Italian, Swedish, Spanish, and other European races, who performed their parts so valiantly. Many of them came from across the seas to help the cause of the Colonies.

George Washington was the magnet who drew all those brave men to him. George Washington was a man, above all others, who inspired confidence and devotion among those ragged, hungry, and suffering troops who struggled bravely and triumphantly forward under his leadership.

We Americans to-day still have our differences in origin and in character. We still have our different viewpoints and our different opinions. We still struggle for various ideals and principles, but we can all rally to-day under the leadership of George Washington, as did those splendid Americans of 200 years ago.

In honoring the memory of George Washington, there can be no division and no dispute. He is so transcendently great as to continue his influence down through the years. In all the records of his life, in every letter, speech, and act, which can be traced to him, there is not one weakness, or one mistake. Wherever the flag flies to-day, those under its protecting folds should remember that it was George Washington who established that flag and what it stands for. In a world of bitterness, hostility, and oppression George Washington brought freedom and human liberty. Wherever people are free, they should remember those men who gave the world freedom. Wherever there is protection, peace, and security, a prayer of thanksgiving should be offered that George Washington lived and wrought.

We of the George Washington Bicentennial Commission have a tremendous responsibility. It is our duty to arouse throughout the Nation a proper sense of gratitude to the founder of the Republic. In this task we can not act alone.

It is for all Americans of all nationalities and all creeds, of all conditions and circumstances, to make the year 1932 a year of thought and reverence for the memory of George Washington. He was so intimately associated with all affairs of life, with the church, with states-

manship, with agriculture, with business, with education, with commerce and, in fact, every phase of exalted citizenship, that no class of our people can disregard their debt to him.

In the task before us we want the people themselves to give us suggestions upon various phases of the celebration. Correspondence is solicited upon any phase of the program. It is especially desired that officers of towns, cities, and school districts write their views upon the subject. The associate directors also will welcome communications from officers of all kinds of civic organizations, both local and general. All such suggestions will be given prompt and careful attention. Please address your suggestions to the George Washington Bicentennial Commission, Washington, D. C.

So let us now dedicate in our hearts the memory of this man. Let us resolve that we shall do him honor and reverence for what he was and what he has given to us. I leave with you this appeal to-night as Americans all, in the freedom and enlightenment which George Washington brought into the world.

MISSISSIPPI SHIPPING CO.

Mr. FREE. Mr. Speaker, I move to suspend the rules and pass Senate Joint Resolution 190.

The SPEAKER. The gentleman from California moves to suspend the rules and pass S. J. Res. 190. The Chair will state that he recognizes the gentleman now because he has to take a train. The Clerk will report the resolution.

The Clerk read as follows:

Senate Joint Resolution 190

Joint resolution authorizing the Postmaster General to accept the bid of the Mississippi Shipping Co. to carry mail between United States Gulf ports and the east coast of South America

Whereas it appears that the Mississippi Shipping Co., a corporation of the State of Louisiana, did on the 17th day of May, 1929, purchase the trade name, good will, and equipment of the steamship service, known as the Gulf-Brazil River Plate Line, then being operated by the United States Shipping Board between United States Gulf ports and ports on the east coast of South America; and

Whereas it appears that the said Mississippi Shipping Co. had cause to believe and did believe that at the time it purchased said line that a Government mail contract for the carrying of mails over the route covered by said line would be awarded to the purchaser of said line; and

Whereas the Congress in the second deficiency act, approved March 4, 1929, appropriated $3,400,000 for ocean mail contracts, $560,000 of which was designated by the Postmaster General in his testimony before the Appropriations Committee of the House as intended to be used for mail pay to the purchaser of said line; and

Whereas it appears that the said Mississippi Shipping Co., the purchaser of said line, did, on the 31st day of March, 1930, submit a bid to carry the mail over said line at a rate of pay within the limits prescribed by law and in compliance with the requirements of the Postmaster General: Therefore be it

Resolved, etc., That the Postmaster General is authorized at his discretion to accept said bid of the Mississippi Shipping Co. for carrying the mails over said line, notwithstanding the provisions of section 407 of the merchant marine act of 1928 in respect to the award of ocean mail contracts.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman from California move to strike out the "whereas" clauses?

The SPEAKER. Without objection, the "whereas" clauses will be stricken out. Is there objection?

There was no objection.

Mr. LAGUARDIA. Mr. Speaker, I demand a second.

The SPEAKER. A second is demanded.

Mr. FREE. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from California is recognized for 20 minutes and the gentleman from New York [Mr. LAGUARDIA] for 20 minutes.

Mr. FREE. Mr. Speaker, in May, 1929, the Mississippi Shipping Co. purchased what is known as the Gulf-Brazil River Plate Line to the seacoast of South America. There were 12 vessels in this fleet. They purchased those vessels with the tacit understanding that they would get a mail contract to go with the line. The Shipping Board, of course, had no such authority to give the contract, because the contracts are let by the Postmaster General. When the bids came up for the mail contract another line, which had not purchased any of these vessels, outbid the Mississippi Shipping Co.

Under the law the Postmaster General has no authority to give a contract to any but the lowest bidder. It is the opinion of the Postmaster General, the opinion of the Shipping Board, and the opinion of the Committee on the Merchant Marine and Fisheries of the House, and the unanimous opinion of the Senate—because this was passed in the Senate—that in this particular instance the Mississippi Shipping Co. should be permitted to have the mail contract, and the purpose of this bill is to permit them to get this contract.

Mr. LARSEN. Was the bid of the other company lower than the bid of the Mississippi Co.?

Mr. FREE. Yes. There was a bid on a mileage basis. The Mississippi Co., on class 6 ships, bid $2.50 a mile. The other bid was $1.74 a mile. On class 5 ships the Mississippi Co. bid was $4 a mile, and the other company's bid was $3.50 a mile. On classes 4, 3, and 2 ships the bids were identical.

Mr. LARSEN. How much does that amount to in a year, practically?

Mr. FREE. I have not figured out the exact amount, but it is not consequential?

Mr. CRISP. Will the gentleman yield?

Mr. FREE. I yield.

Mr. CRISP. I understand this is to authorize a mail contract to be awarded this shipping company, and the gentleman stated that the Committee on the Merchant Marine and Fisheries favored it. How about the Post Office Committee? Have they acted upon it, or do they pass upon such matters?

Mr. FREE. They do not act upon these matters, but the Postmaster General is anxious to enter into this contract. General legislation has already passed the House and is now in the Senate, but it is likely to get lost in the congestion. In the meantime this Mississippi Co. will go bankrupt if this contract is not consequential.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FREE. I yield.

Mr. LAGUARDIA. If I remember correctly, the bill which passed the House and which is now pending in the other body provided that the Postmaster General would have authority generally to award mail contracts to purchasers of Shipping Board ships without competitive bidding. Is that not true?

Mr. FREE. Yes; that is true.

Mr. LAGUARDIA. And this would simply permit the Mississippi Shipping Co., one company, to have this contract?

Mr. FREE. Yes.

Mr. LAGUARDIA. Can the gentleman state if that is the last company? If so, there will be no need for the bill then, will there?

Mr. FREE. Of course, there are lines which the Government would like to sell, particularly out of the Gulf, and those lines can not be sold unless mail contracts go with them, because the lines are losing considerable money.

Mr. LAGUARDIA. As the gentleman knows, I opposed very vigorously the bill to which he refers, the general bill?

Mr. FREE. Yes.

Mr. LAGUARDIA. If this will cure the situation, I will be glad to get it out of the way, but I dislike to see that bill come back and become the law, because I do not think it is fair to exempt any of these lines from competitive bidding.

Mr. FREE. This is the only line that is involved in this way at the present time. This bill applies only to the Mississippi Co. I think everyone is agreed that that company is entitled to relief in this particular case.

Mr. LAGUARDIA. Will the gentleman join in opposition to the general bill if it comes back? As I understand it, and I have given it a great deal of thought and study and investigation, this is the only case where the purchase of Shipping Board ships has been made, and they desire to give a mail contract without bidding. If that will clean up the situation I think it would be a good thing.

Mr. FREE. As far as I know, this is the only case of its kind.

Mr. PALMER. Will the gentleman yield?

Mr. FREE. I yield.

Mr. PALMER. The gentleman says this is the Mississippi Shipping Line?

Mr. FREE. Yes.

Mr. PALMER. Why is the gentleman asking for special favors for any line?

Mr. FREE. Because this line acted in extreme good faith. The Government has been wanting to sell the lines in the Gulf. The Government is maintaining them at a loss. The Mississippi Shipping Co. came in in good faith, the Shipping Board agreed to go as far as they could in helping them get a mail contract.

They did talk to the Postmaster General and he was favorable to giving them a contract, and then another company came in which at the present time has no ships on this line at all, and underbid the Mississippi company. Now, it is desirous to get rid of these lines. This is a very advantageous bid. This company bid $2,700,000 for these ships and the line, and it is very advantageous to the Government that they take the line and get a contract, whereas if it goes to another company it will

be of no benefit in selling the ships which they are trying to dispose of.

Mr. PALMER. Does the gentleman not think it would be bad policy for the Government to give any specific company any special favors when, under the law, the lowest responsible bidder is the one who should receive the mail contract?

Mr. FREE. I may say that a bill passed the House, I do not know whether the gentleman voted for it or not, giving the Postmaster General discretion in these matters, so that these contracts might go with the ships which the Government sells and not go to other people who are not buying Government ships.

Mr. PALMER. Does the gentleman mean to tell the House that the Postmaster General is asking that as a special favor for this company?

Mr. FREE. He is not asking it as a special favor. He is asking it as a matter of justice. He believes that this is only fair to this company, because the company has acted in utmost good faith.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. FREE. I yield.

Mr. COCHRAN of Missouri. Is it not a fact that, if this bill becomes law, the Government will save money in the end, because this corporation will continue to operate the ships, and if they do not get a mail contract, the ships go back to the Shipping Board?

Mr. FREE. Yes.

Mr. COCHRAN of Missouri. Is this the case where bids were opened last fall and were canceled?

Mr. FREE. No. The bids were not canceled. This company was given an opportunity to increase its bid, and they increased their original bid from $1,155,285 to $2,700,000.

Mr. COCHRAN of Missouri. Did the gentleman's committee hold hearings on this bill?

Mr. FREE. Yes.

Mr. COCHRAN of Missouri. Was it brought out in the hearings that this company which underbid the Mississippi Shipping Co., had no boats running in this lane, the purpose of the low bid being to try to put the Mississippi Shipping Co. out of business so that they could get in and have a monopoly on the trade?

Mr. FREE. Of course, the contention of that company is that it would get ships somewhere and put them on this run. Where they would get them I do not know, but they would not get Government ships. In other words, they could not get this line, because it is already sold.

Mr. COCHRAN of Missouri. This corporation which underbid the Mississippi Shipping Co. did not want any competition. Is that not the fact?

Mr. FREE. I suppose that is true.

Mr. McFADDEN. Will the gentleman yield?

Mr. FREE. I yield.

Mr. McFADDEN. The Mississippi Shipping Co. was organized for the purpose of buying these boats?

Mr. FREE. Yes.

Mr. McFADDEN. Especially for that purpose?

Mr. FREE. Yes.

Mr. McFADDEN. As a matter of fact, if this bill is passed they will receive a subsidy for buying and operating those boats?

Mr. FREE. Yes.

Mr. DAVIS. Will the gentleman yield?

Mr. FREE. I yield.

Mr. DAVIS. I wish to state to the gentleman from Pennsylvania [Mr. McFADDEN] that the Mississippi Shipping Co., as managing operator, had been operating these ships in this service, in regular sailings, for 10 years. The line was advertised and sold by the Shipping Board. The Mississippi Shipping Co. acquired the line at a price of about $2,800,000, and they paid $700,000 in cash, and, under the advertisement of sale and contract of purchase which they made, they contracted to operate these ships in the same service and in regular, specified sailings, under the American flag, for not less than five years. They are now operating under that contract.

Mr. McFADDEN. Will the gentleman yield?

Mr. DAVIS. I yield.

Mr. McFADDEN. Do I understand they had been operating the same boats under lease from the Government?

Mr. DAVIS. Yes; for 10 years.

Mr. McFADDEN. For 10 years prior to this time?

Mr. DAVIS. Yes.

Mr. McFADDEN. And it is a local company, is it?

Mr. DAVIS. It is a local company. The stockholders are citizens of New Orleans, some in St. Louis I believe, and I think some of the stockholders live in Chicago; but the whole Mississippi Valley is interested in the Gulf ports and in the large traffic of the Gulf, and consequently in this line.

Mr. McFADDEN. So, this company for 10 years prior was operating, carrying the mails under contract?

Mr. DAVIS. It was not carrying mails under contract, because the Jones-White bill authorizing that was not enacted until 1928, and shortly thereafter this line was sold and this company became the purchaser. One of the reasons, as was stated on the floor by the advocates of the Jones-White bill, advocating these ocean mail contracts, was that it would expedite the sale of the various Shipping Board services and insure the maintenance of the services by private companies; permit the Shipping Board and the Government to get out of the business by selling them, and then having the purchaser obtain a mail contract. If this company should not obtain this mail contract it will simply mean that the ships will have to go back to the Government because the company can not complete paying for them, and can not operate them in competition with another line which is given a mail contract and which comes in and establishes a service in competition with it.

Mr. McFADDEN. What was the amount of this lowest bid for carrying the mail?

Mr. DAVIS. They bid $2.50 per mile on most of the ships.

Mr. McFADDEN. What is it in total?

Mr. DAVIS. It amounts to $560,000 a year, and they are to make not less than 36 round-trip sailings per annum.

Mr. McFADDEN. In other words, the Government is paying $560,000 a year subsidy to these people for buying these ships?

Mr. DAVIS. No; that is not it at all. The Government has entered into contracts for over $20,000,000 in mail contracts, and out of the $20,000,000 less than $1,000,00 goes to the Gulf, notwithstanding the fact that about one-third of the foreign commerce of the United States goes in and out of the Gulf, and notwithstanding the fact that the Jones-White Act stated that these contracts should be equitably distributed among the different sections of the country and different ports. If it is a subsidy it is a subsidy with respect to all of these other companies in the North Atlantic and Pacific who have been awarded these mail contracts aggregating over $20,000,000 and all of them, except one, I believe, were awarded the mail contracts at the highest price permitted under the Jones-White Act.

Mr. McFADDEN. Then it is a fact that we are awarding contracts to people or companies for the purpose of selling the ships and we are paying a higher price for the carrying of the mails as an inducement to these companies to buy these boats, as in this instance, $560,000? Is that the general principle that is established?

Mr. DAVIS. As a matter of fact, most of the mail contracts that have been awarded have been awarded to lines which never purchased their ships from the Shipping Board at all. But, as I said, and I stand by it, one of the motives back of the Jones-White bill was that it was thought it would enable the Shipping Board to dispose of its Shipping Board services, as they were intending to do and apparently determined to do, and at the same time insuring the continued maintenance of the services instead of wrecking them and losing the large amounts which had been expended in establishing them.

Mr. McFADDEN. Referring to the Mississippi Shipping Co. buying these particular boats, can the gentleman tell us how much they paid down on these boats?

Mr. DAVIS. About $700,000.

Mr. McFADDEN. And the total purchase price was how much?

Mr. FREE. Two million seven hundred thousand dollars. The gentleman from Pennsylvania should understand that this line was being maintained at a great loss before this sale, so, as a matter of fact, the Government is not losing what would appear on the face of the bill.

Mr. McFADDEN. The Government was operating the lines?

Mr. FREE. The Government was operating the lines and the Mississippi Shipping Co. was the operator for the Government, and the line was being maintained at a loss, so that the giving of this contract is not going to mean that the Government is going to be out that whole amount of money, because it has been out a lot of money all the while.

Mr. McFADDEN. What was the annual loss?

Mr. FREE. I have forgotten, but quite a considerable amount.

Mr. Speaker, I reserve the balance of my time.

Mr. LaGUARDIA. Mr. Speaker, I regret exceedingly—and I think it is a distinct loss to the country and to the future of the American merchant marine—that our very able and distinguished colleague from Tennessee, Judge DAVIS, is now on the wrong side of this question. He has rendered some very useful service in checking the beginning of the consideration and the administration, if you please, of the merchant marine act, and

to see him and hear him take the floor in defense of this bill is a matter of grave concern to me and should be to everybody else who has the interest of the merchant marine at heart.

Now, gentlemen, questions were asked whether this company operated Shipping Board ships prior to this contract. The answer is yes; but that is not the complete answer, gentlemen. This company operated Shipping Board ships for 10 years at a loss and was paid for doing it. No one can deny that. They had these Government ships, the Government sustained all of the losses and they were paid handsomely for losing Government money. Then they purchased these ships—I am sure there can not be any difference on the facts—after the ships were reconditioned, at a sum way below the market price of the ships. The sale in and of itself was a subsidy, and now they come in and they want the mail contract without competitive bidding.

The gentleman from Pennsylvania asked the gentleman from Tennessee and the gentleman from California about the mail contracts. My friend from Pennsylvania should understand that does not mean they are going to carry any mail. That does not mean they will carry one pound of first-class mail. I read into the RECORD the Export Line's sailings and the amount of mail carried by those ships. In one instance it was one pound of first-class mail, for which they received $24,000. In another case three pounds of first-class mail were carried. Of course, it is a subsidy, a plain subsidy, called a mail contract.

Let us understand the facts. When the bill was before the House on the call of the Merchant Marine Committee, I opposed it. The bill provided that the Postmaster General could issue a mail contract to purchasers of Shipping Board vessels without competitive bidding. That bill was very broad and it afforded an opportunity for very much favoritism because, I repeat, the purchasers of Shipping Board vessels are in most cases operators who, through their incompetency, through lack of experience, and other reasons which I need not mention here, were paid for losing money for the Government. Then they purchased these ships, and they refused to enter into fair and open competitive bidding. We find, then, that there is objection to that bill, and yet we are now confronted with a resolution which will permit the Mississippi Shipping Co. to come in under the wire.

If we could end it here, a few million dollars more or less in comparison with what is being wasted at this time, would not make much difference, but we have no assurance either from the gentleman from California or the gentleman from Tennessee, in the absence of the chairman, the gentleman from New Jersey [Mr. LEHLBACH], that the bill giving blanket authority for such awarding of mail contracts without competitive bidding will not be abandoned. If we could have such assurance, it would not be so bad; but we have not even that assurance and the sole purpose of this, as the resolution frankly states, is to permit the Mississippi Shipping Co. to obtain this contract without bidding.

Gentlemen, we are not going to build up an American merchant marine if subsidies are to be given to companies and to individuals who specialize in losses and in the operation of ships as a failure. This is a premium on incompetency, lack of experience, and hopeless failure. Just think of it. I will defy anyone to point out in the history of commerce or of industry where our operators have been paid a premium on their losses. It is not sufficient to have paid them a premium or a salary for operating at a loss, but we now want to provide that when we sell them a ship at far below the market value of the ship, they are to receive a mail contract equal to the commissions or to the premiums which they received theretofore for operating the ship at a loss. This is your merchant marine act as it is being administered at this time, and this is not going to build up an American merchant marine.

Mr. McFADDEN. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. McFADDEN. As I understood the answer of the gentleman from Tennessee to my question, this shipping company is paying down $700,000 in the purchase of these boats.

Mr. LAGUARDIA. Did they pay that in cash? Who will stand up here and say they paid $700,000 in cash?

Mr. DAVIS. Yes; that is my information, from a reliable source—that they have paid $700,000 on the ships.

Mr. LAGUARDIA. How much are the ships worth based on their market value?

Mr. DAVIS. They contracted to pay the highest price that has been paid for cargo vessels of the Shipping Board since the World War. That is how much they paid.

Mr. LAGUARDIA. How much a ton?

Mr. DAVIS. I think about $28 a ton.

Mr. LAGUARDIA. And is it not true that the Shipping Board paid over $35 a ton to recondition these ships?

Mr. DAVIS. No; I am sure that is not the fact.

Mr. LAGUARDIA. How much did they pay to recondition the ships?

Mr. DAVIS. I am advised that $357,727 was spent in reconditioning these 12 ships. Of course, all the ships that have been laid up, before they are put into service, frequently have to have some reconditioning, but these ships have been in service for years and years.

Mr. LAGUARDIA. That is why they need reconditioning. The gentleman, who is an expert on our merchant marine, knows that.

Mr. DAVIS. The Shipping Board put the ships in good, serviceable condition, I presume. This Mississippi Shipping Co. will be required to build some entirely new ships, larger and speedier ships, to be placed in the service, if they get the contract.

Mr. LAGUARDIA. And for which the Government will lend them 75 per cent of the value of each ship, is not that correct?

Mr. DAVIS. That is true: just like any other company that borrows money to build ships.

Mr. LAGUARDIA. And is it not also true that in many instances in the sale of Shipping Board vessels they were sold to former operators for less than what it cost to recondition such ships?

Mr. DAVIS. Yes; there have been some instances of that kind, and I disapprove of it just as much as the gentleman from New York, and have several times criticized individual instances of that kind.

Mr. McFADDEN. The question I want to ask the gentleman is this. Am I correct that in addition to this, this shipping company is to get as a subsidy $560,000 each year this contract runs?

Mr. LAGUARDIA. Yes; and without necessarily carrying any first-class mail. As the gentleman knows, there are several classes of ships. For instance, if there is a sailing of a fast ship, a nonsubsidized fast ship, the Post Office Department must necessarily send the first-class mail on that ship and pay the regular rate, while the ship of this line may sail the same day, out of the same port, to the same destination and carry only parcel post and third-class mail, for which it will receive this $560,000 for the 36 guaranteed trips under its mail contract.

Mr. PATTERSON. Does the gentleman from New York make the statement here that many ships have been sold for less than it cost to recondition them and that they have also provided a further subsidy in the letting of these contracts?

Mr. LAGUARDIA. Oh, yes.

Mr. PALMER. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. PALMER. I notice in this bill it is provided that the Postmaster General is authorized at his discretion to accept said bid of the Mississippi Shipping Co. for carrying the mails over said lines, notwithstanding the provisions of section 407 of the merchant marine act of 1928. Now, notice what section 407 is:

> Each contract for the carrying of ocean mails under this title shall be awarded to the lowest bidder who, in the judgment of the Postmaster General, possesses such qualifications as to insure proper performance of the mail service under the contract.

In other words, you seek in this bill that I am asked to vote for to take away this power and to authorize the Postmaster General to make this award to this particular company regardless of what its bid may be.

Mr. LAGUARDIA. Exactly; and to companies and individuals, if you please, in every instance who operated Government ships theretofore at a loss and were paid for it.

Mr. PALMER. Absolutely. I could not vote for a bill like that.

Mr. FOSS. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. FOSS. Does the Postmaster General recommend the passage of this bill?

Mr. LAGUARDIA. Yes; he does; and I will say in all frankness it is one of those situations that the present administration inherited from the previous administration, and there may be a moral obligation, because the Shipping Board has been playing favorites and has been making promises that it was not authorized under the law to make, and this is one of the things that we inherit from the incompetency of the Shipping Board and from the favoritism of the chairman of the Shipping Board, Mr. O'Connor; and President Hoover ought to take him out of there if he ever hopes to have the merchant marine act administered intelligently.

I reserve the balance of my time, Mr. Speaker.

The SPEAKER. The question is on the motion of the gentleman from California to suspend the rules and pass the joint resolution as amended.

The question was taken; and on a division (demanded by Mr. FREE) there were 48 ayes and 21 noes.

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GRADING AND CLASSIFICATION OF CLERKS IN THE FOREIGN SERVICE

Mr. TEMPLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9110) for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor, disagree to the Senate amendments, and ask for a conference.

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

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. TEMPLE, Mr. FISH, and Mr. LINTHICUM.

APPLYING THE PENSION LAWS TO THE COAST GUARD

Mr. JENKINS. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 12099) to apply the pension laws to the Coast Guard.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of sections 4692, 4693, 4702, and 4703, Revised Statutes of the United States, with subsequent amendatory acts, commonly known as the general pension law, be extended to the officers and enlisted men of the Coast Guard and their widows, children, and other dependents, under the same regulations and restrictions as are or may be provided by law with respect to officers and enlisted men of the Army and Navy.

SEC. 2. The benefits provided by this act shall include claims for pension based upon diseases contracted, or death or injury incurred, in service and in line of duty, from and after the date of approval of this act: *Provided, however*, That the date of commencement of pension granted hereunder shall commence from date of filing application in the Bureau of Pensions, under such rules and regulations as the Secretary of the Interior may prescribe.

SEC. 3. That no claim agent or attorney or other person shall contract for, demand, receive, or retain a fee of more than $10 for services in preparing, presenting, or prosecuting a claim for original pension under this act; and no more than $2 in a claim for increase of pensions, which fee shall be payable only on the order of the Commissioner of Pensions; and any person who shall, directly or indirectly, otherwise contract for, demand, receive, or retain a fee for services in preparing, presenting, or prosecuting any claim under this act, or shall wrongfully withhold from the pensioner or claimant the whole or any part of the pension allowed or due such pensioner or claimant under this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall for each and every offense be fined not exceeding $500 or be imprisoned not exceeding one year, or both, in the discretion of the court.

The SPEAKER. Is a second demanded?

Mr. STAFFORD. Mr. Speaker, I demand a second.

Mr. JENKINS. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. JENKINS. Mr. Speaker, ladies and gentlemen of the House, this is a bill reported unanimously from the Committee on Pensions and seeks to provide pensions for the Coast Guard. At present the Coast Guard of the country, which is stationed around lighthouses and life-saving stations, does not come within the purview of present pension legislation.

They are enlisted as men are enlisted in the Army and the Navy and serve out their enlistment, subject to court-martial, and so forth. They are in every respect a military organization, except in time of peace they are not strictly a military organization but an adjunct to the Army and Navy. In time of war they automatically pass into a military organization of the country.

This bill seeks to put them under the regular pension law and provides the same pensions as are given to soldiers of the Army and if any of them are in the Navy the same as they get in the Navy.

This bill is fostered principally by those Members who are naturally interested in the Coast Guard and have Coast Guards in their districts. I am not so familiar as are some other Members, I am presenting it because the chairman of the committee is not here, being otherwise engaged on important legislative matters. I will yield time to Members from those districts.

I now yield five minutes to the gentleman from New York [Mr. BACON].

Mr. BACON. Mr. Speaker, I do not intend to take much of the time of the House, but I want to point out that this law will only cost a maximum of $30,000 a year. Under the law passed and approved January 28, 1915, the Coast Guard was declared a part of the military forces of the United States. They have no pension disability status similar to that enjoyed by the Army and the Navy. This simply extends to them the same disability pension as is provided for by law for the Army and the Navy.

It meets with the approval of the Budget and of the Treasury Department, and I think in justice to the Coast Guard it ought to pass. We should no longer deny them this measure of simple justice.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. BACON. I yield.

Mr. COCHRAN of Missouri. In the event that death occurs in line of duty, what pension would the widow get under the terms of this bill?

Mr. BACON. That is all set out in the report. It would be just the same as in the case, under existing law, of a soldier or sailor in the Regular Army or Navy. This bill merely gives the same benefits to the Coast Guard now enjoyed under existing law by the Army and Navy.

Mr. COCHRAN of Missouri. There is no reason that anyone can advance why the Congress of the United States should not immediately revise the general pension laws of this country. You take a marine killed in Nicarauga and his mother, his dependent mother, will get $12 a month. That is outrageous.

Mr. BACON. I agree with the gentleman, but that question is not involved in this bill.

Mr. SABATH. Mr. Speaker, I objected last time to this bill when it was under consideration. I would like to know of the gentleman from New York [Mr. BACON] whether this will not be an encouragement to the Coast Guard to go out and shoot people without justification, as the evidence has disclosed in several cases.

Mr. BACON. Mr. Speaker, I do not think that is involved in this legislation.

Mr. SABATH. We desire to be human in our consideration of the Coast Guard and help them, but, on the other hand, they ought to be humane in the performance of their duty.

Mr. BACON. The major function of the Coast Guard is the saving of life at sea, and if a coast guardsman is injured, for example, on the Alaskan coast, in an endeavor to save lives at sea, under the present situation he can not receive any pension.

Mr. BRIGGS. And is it not a fact that the Coast Guard by international agreement patrols the iceberg lane?

Mr. BACON. That is true. It is one of the most hazardous services in our Government. The self-sacrifice and devotion to duty by the Coast Guard is not exceeded by any other Government service.

Mr. BRIGGS. And that service has been of inestimable value to the people of the United States and the people of the world as well.

Mr. BACON. It has saved thousands of lives and millions of dollars.

Mr. BRIGGS. And we would probably have had many *Titanic* disasters otherwise.

Mr. BACON. That is true.

Mr. MEAD. For the sake of the peace of mind for the gentleman from Illinois [Mr. SABATH] is it not true that we will restore the Coast Guard to its former glory as soon as we eliminate prohibition, which will take place very shortly?

Mr. BACON. That is another question that is not involved in this legislation.

Mr. JENKINS. Mr. Speaker, I yield five minutes to the gentleman from North Carolina [Mr. WARREN].

Mr. WARREN. Mr. Speaker and gentlemen of the House, there are more Coast Guard stations in my district than any other one in the Nation. It is my pleasure to know personally all of the men in those stations and to be on intimate terms of friendship with them, for I have never known a more honorable, capable, or efficient class in my life. I have visited all of these stations, and therefore have come in closest contact with the Coast Guard and its work. I have personally seen the surfboats toil through mountainous seas and bring to safety human beings, and I have seen men, women, and children landed in the breeches buoy when all hope seemed lost.

Since I first entered Congress I became interested in this legislation, and believe that the first speech ever made in this body on the subject was by me over four years ago. The bill now under consideration is a committee bill, and is a result of bills introduced by Mr. BACON of New York, Mr. CRAMTON of Michigan, and myself in cooperation between us. I was asked to sponsor it by hundreds of members of the Coast Guard from Maine to Florida.

This bill, as stated by the gentleman from Ohio [Mr. JENKINS], applies the pension laws to the Coast Guard in the same manner as they apply to the Army and Navy. I am sure that only a very few Members knew that there was this in-

equality. No less an authority on government than the late Martin B. Madden heard of it only a few days before his death, and assured me if he lived he would wipe out this discrimination. The provisions of the bill are a disappointment to me because they do not go far enough. The bill ought to go back to the time the organization was given its present name, and pensions should apply from that time. Since 1925, 62 brave men have lost their lives on account of the law-enforcement activities of the Coast Guard, and their widows, if dependency was proven, were turned adrift by the Government with six months' pay that their husbands received. I am appealing to the House, however, to pass this measure, because it has the approval of the Budget, and in my opinion is the best we can get at this time. I hope that when it goes to the Senate it will see fit to liberalize it, and, failing in that, we will strive to get additional legislation in future years.

It is a source of gratification to me that we are now willing to go this far, and to right a wrong that has always existed. The passage of this bill will bring joy and encouragement to the Coast Guard, and I hope there will not be a vote against it.

Mr. JENKINS. Mr. Speaker, I yield two minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN of Missouri. Mr. Speaker, this bill proposes to extend the provisions of the general pension laws to the members of the Coast Guard. Men who daily risk their lives in discharge of their duty are certainly entitled to this recognition, but I rise now to complain of the inadequacy of our general pension law. If the widow of a member of the Coast Guard elected to accept a pension should her husband lose his life in line of duty—and remember that the duty of the Coast Guard is no longer confined to saving lives at sea but to stopping rum runners, and at all times in danger of stopping their bullets—she would receive the sum of $12 per month and $2 additional for every child under 16 years of age.

The soldiers, sailors, and marines are subject to our general pension law. Let one be killed in line of duty and if married his wife and children receive the $12 a month and $2 for each additional child. This also applies to our marines killed in Nicaragua.

My contention is that the Congress should revise the general pension law of the country. Make provisions for our Military and Naval Establishment, so that in the event the men are injured or lose their lives in time of peace they will receive proper recognition.

In the case of the officers the rates of pension range from $15 to $30, and is determined by the rank of the officer at the time of the incurrence of the disability or death. This is shown on page 4 of the report.

I want to express the hope that the Pension Committee of the House will take up the question of revising the general pension law as soon as the Congress meets in December. We are taking care of the World War, Spanish War, Indian wars, Civil War, and Mexican War veterans, so why not do justice to those serving in the Regular Establishment.

Mr. JENKINS. Mr. Speaker, I yield two minutes to the gentleman from North Carolina [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Speaker, ladies and gentlemen of the House, this is a bill that should have passed years ago. The Coast Guard is one of the most effective organizations in the country. I am proud to know that our Government is now going to take care of the dependents of these worthy men and give to them the same pensionable status as in the Army and the Navy. I have quite a number of Coast Guard stations in my district and I know the hardships that these people have to undergo.

Mr. JOHNSON of Washington. Does the gentleman think that this bill, if enacted, would take care of the Immigration Bureau patrol when it is transferred into the unified patrol under the Coast Guard management?

Mr. ABERNETHY. I should think so, and if it does not, I should be pleased to have it do so. The Coast Guard is older than the Navy. The Coast Guard was here before the Navy. It is the only service in the Government that is not taken care of by a pensionable status. I know the case of one boy who was badly crippled on a winch on one of these Coast Guard cutters. He died from these injuries, and his people have never received a cent of any kind from the Government because there was no pensionable status. I see before me my distinguished friend, the gentleman from Connecticut [Mr. MERRITT], who was the author of the bill to take care of the disabled members of the old life-saving service. I am delighted that we are at last giving the Coast Guard some of the things to which they are entitled, as in this bill.

Mr. JENKINS. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Speaker, until I heard the gentleman from North Carolina [Mr. WARREN] say that there were more Coast Guard stations in his district than in any other, I thought there were more in mine. Of course, it is my duty as well as my pleasure to say a word for this bill.

I consider that at the present time this service is the real military arm of the Government that stands in peace times to be fired upon in real warfare. Having lived near the seacoast all my life, I realize that these men are in constant danger of life in fighting the elements and as well as enforcement of the laws against smuggling. My chief pleasure in advocating this bill at this time is that I do not think there will be any such large turnovers in the service in the future. We must make the service more attractive.

My old sea captain friends like to tell me that we now have so many youngsters in the Coast Guard that if a wreck occurs volunteers from the old-timers would be needed. I think this bill is an act of justice and will make our Coast Guard Service more attractive and efficient.

Mr. STAFFORD. Mr. Speaker, I recognize the temper of the House, and its desire on every opportunity to extend the pension laws of the Government to the civilian service of the country. This is just the beginning of the extension of the pension laws to all persons employed in the civilian activities of the Government. The gentleman from Washington [Mr. JOHNSON] suggests that the Immigration Service will presently be brought under the Coast Guard Service. Some of the older Members, perhaps a half-dozen only, or maybe more, will remember the efforts made by the late head of this service, Mr. Kimball, who fought for 10 or 15 years to get retirement pay for members of this service, then known as the Revenue Cutter Service. There were then some old-fashioned Representatives who opposed the entering wedge of retirement pay for that civilian character of service, but the pressure became so great that those who had been opposing that character of legislation for fear of the precedent that would be established at last receded, and we provided retirement pay. Now you propose to give a pensionable status to the Coast Guard, regardless of whether the disabilities are incurred in war or in peace time. To-day they are recipients of the benefits of the compensation service. If you pass this law the next step will inevitably be to extend it to the Lighthouse Service, the Immigration Service, and then to every civilian employee. I take this opportunity now to point out the inevitable trend that Congress is pursuing and will pursue when we pass this character of legislation, to include not only compensation pay, but pensionable status to all civilian classes in the Government.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Ohio [Mr. JENKINS] to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in the affirmative, the rules were suspended and the bill passed.

On motion of Mr. JENKINS, a motion to reconsider the last vote was laid on the table.

DONATIONS OF SITES FOR PUBLIC BUILDINGS

Mr. ELLIOTT. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 12343.

The SPEAKER. The gentleman from Indiana moves to suspend the rules and pass the bill H. R. 12343. The Clerk will report it.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury may, in his discretion, accept on behalf of the United States the donation of sites for public buildings, etc., in cases when allocation of funds have been or may hereafter be reported to Congress under the provisions of the public buildings act, approved May 25, 1926, and acts amendatory thereof, notwithstanding that specific authorization for the acquisition of sites in such cases may not yet have been made by Congress.

Mr. LAGUARDIA. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from New York demands a second.

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Indiana is recognized for 20 minutes, and the gentleman from New York [Mr. LAGUARDIA] for 20 minutes.

Mr. ELLIOTT. Mr. Speaker and Members of the House, this bill has been up before. It was introduced by the gentleman from Tennessee [Mr. BYRNS], who is unavoidably absent to-day looking after the business of the Government.

Under the existing law the Secretary of the Treasury has the authority to accept the gift of the site of a public building where

Congress has already appropriated the money to construct a building. All this bill does is this: That where the Treasury Department has allocated funds to a place and Congress has not yet appropriated money for that place, the Secretary of the Treasury is authorized to accept the gift of a title for a public building site in that town.

This is not a matter that I have any more than a passing interest in, inasmuch as there is no place in my community that is proposing to offer to give to the Government a site. But up at Wellsboro, Pa., a gentleman whose name I am unable to give you at the present time passed away some time ago, and he had a provision in his will in which he gave to the Federal Government a valuable site in that town upon which to build a public building. He also put a clause in his will to the effect that if this land was not accepted on or before July 1, 1930, this legacy would lapse and become a part of his residuary estate, and the Government would lose it.

Now, I am informed by the gentleman from Pennsylvania [Mr. KIESS], who represents that district in Congress, that the people of that town are very much interested in the Government having permission to accept this site, and if this bill is passed we could accept that site.

I understand from the members of the Committee on Appropriations that there are several other places throughout the country where offers are made to donate sites to the Federal Government if authority were given to accept them.

I know of no reason why this legislation should not become law, because there are certain places in this country where it is very hard to get sites, where the Government is held up, it might be said, by people in the furnishing of sites. If there is an oasis in the desert where people are so liberal and so charitably inclined that they want to give to this Government a site for a public building, I think they should be allowed the privilege of gratifying their ambition to be charitable.

Mr. MICHENER. Will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. MICHENER. Does the gentleman think this is good policy?

Mr. ELLIOTT. I do.

Mr. MICHENER. Does the gentleman not think it will have the effect that, throughout the country, there will be sites tendered for buildings in certain localities in order to get preference in location of a new post office?

Mr. ELLIOTT. I do not think it would have that effect at all. The only place a site can be accepted under the terms of this bill is a place where the Government has signified its intention to erect a building by allocating funds authorized by law for that purpose.

Mr. MICHENER. It occurred to me that it might happen there would be a town in which a new post office was to be constructed. There would be a fight, as there often is, between locations. As a matter of fact, for the benefit of the town, the post office should go in a given location, but some one in a more undesirable part of the town tenders a site to the Government. If the Government does not accept that site but determines to buy a site in a more desirable part of the town, will the Government not be criticized severely by Members of this body who do not understand the circumstances but who will say the Government bought a site in preference to accepting one donated?

Mr. ELLIOTT. Not necessarily.

Mr. CRAMTON. Will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. CRAMTON. I bring to the attention of my colleague [Mr. MICHENER] that, if this bill does not pass, the Government will proceed to buy sites and advertise for bids, and the undesirable site which my colleague speaks of may be placed in the bid at $1, which conforms with the law and which brings about the situation just as my colleague states in connection with a donation.

Mr. MICHENER. But the condition suggested by my colleague is entirely theoretical. We have been operating under the present law for a long time, and the condition which the gentleman suggests might arise has never risen.

Mr. CRAMTON. I think, due to the fact that we have long had the policy of accepting donations when it seemed desirable to the department and the Congress, it is also a demonstration that my colleague's theory is one based on theory rather than on practical danger. As a matter of fact, a site will not be accepted as a donation when offered unless it seems to be a desirable one.

Mr. MICHENER. I agree with my colleague, and I want to continue the policy which has proved so satisfactory, and wherever we have cases where we should accept a donation I think we should pursue the course which we have always pursued and ask Congress to determine the matter rather than some agency or some bureau.

Mr. ELLIOTT. I will suggest to the gentleman that Congress does not select these sites in any instance. They are selected by the Secretary of the Treasury, under existing law.

Mr. MICHENER. There is no doubt about that, but that is beside the question.

Mr. ELLIOTT. In the selection of sites for post-office buildings they must be where they will be most accessible to the railroads which bring in the mail. They will have to do that. If a site was bought at some end of the town where it was out of the reach of the railroads, just because they could get a site there would be no reason for getting it.

Mr. MICHENER. Of course, the gentleman is partly right and partly wrong in his last statement.

I am advised that they do take into consideration the question of railroads in the larger cities, but in the smaller places, where most of the offices go, the question of the location of the railroad is not a factor.

Mr. ELLIOTT. There might be some cases where it is not, but in my home town they have two railroad depots and they located the Federal building just as nearly half way between these two depots as possible.

Mr. BRIGGS. I would like to ask the gentleman if it is not a fact that in the law to-day—the public buildings' law— provision is made for the acceptance by the Government of sites in that language which says that sites may be acquired by purchase, exchange, or otherwise.

Mr. ELLIOTT. Yes; but that only applies where an appropriation has been made for a site or building, while this bill extends it further and makes it apply to cases where there has been nothing but an allocation made.

Mr. BRIGGS. I understand; but it is just an extension of the principle already contained in the law.

Mr. ELLIOTT. Yes.

Mr. MICHENER. In lines 4 and 5 the bill provides for the acceptance on behalf of the United States the donation of sites for public buildings, "and so forth." It seems to me that is strange legislative language, and I would like to ask the gentleman why that is included in this bill, and just what does it mean?

Mr. ELLIOTT. I did not draw this bill. It was introduced by the gentleman from Tennessee [Mr. BYRNS], as I said before. I wish to call the gentleman's attention to the deficiency appropriation bill which will come up to-morrow. In that bill he will find that expression scattered all through it.

Mr. MICHENER. Is that the justification for putting a fool statement like that in permanent legislation?

Mr. ELLIOTT. I do not know whether it is a fool statement or not, but I do know this statement is included in the appropriation bill you are going to pass on to-morrow.

Mr. MICHENER. I appreciate the fact that under suspension of the rules a bill is passed without amendment. Is it the gentleman's intention to pass this bill without amendment?

Mr. ELLIOTT. I have made a motion to suspend the rules and pass this bill, and under the rules no amendment can be offered.

Mr. PALMER. Will the gentleman yield?

Mr. ELLIOTT. Yes.

Mr. PALMER. I notice that under the provisions of this bill the Secretary of the Treasury is given the right to accept donations. I want to ask the gentleman if he does not think that would have a tendency to sell these offices, so to speak, to the highest bidder, and that these buildings would be erected where the most money was offered?

Mr. ELLIOTT. Most assuredly I do not.

Mr. PALMER. Under the present policy and system these buildings are erected where there is an actual need and demand, but such a provision as this might lead these officials to act regardless of any such policy.

Mr. ELLIOTT. I do not think so.

Mr. PALMER. And might cause these buildings to be erected where they should not properly go.

Mr. JENKINS. Will the gentleman yield?

Mr. ELLIOTT. Yes.

Mr. JENKINS. Under the language—

> Accept on behalf of the United States the donation of sites for public buildings—

would there be any danger of some one accepting a site with reservations? In other words, would there be any danger of getting a site without at the same time getting the fee simple title?

Mr. ELLIOTT. No; I think not. They would not accept that.

Mr. MEAD. Will the gentleman yield?

Mr. ELLIOTT. Yes.

Mr. MEAD. Will the gentleman explain the extent of the departure from existing law which this legislation suggests. Under existing law is it not possible to donate a site?

Mr. ELLIOTT. Where an appropriation has been made by Congress for a building, but this goes a little further and says that where there has been an allocation by the Treasury Department, but where the Congress has not yet appropriated.

Mr. MEAD. Then this is not a radical departure from existing law?

Mr. ELLIOTT. Oh, no.

Mr. LAGUARDIA. Oh, yes it is.

Mr. BLANTON. Will the gentleman yield?

Mr. ELLIOTT. Yes.

Mr. BLANTON. Of course, this bill is good as far as it goes, but should not the gentleman have had a general bill here which would have permitted the Government to accept any site? They are asking tremendous prices for building sites in cities, and if a city wants to give a site to the Government, why not let the Government accept it.

Mr. ELLIOTT. I am not the godfather of this bill; it just happened to get into my hands to be handled here to-day. What the sponsors of this bill had in mind was this, to accept donations of sites where the Government had signified its intention, either by an appropriation or by an allocation of funds, to build a building.

Mr. BLANTON. And that is good; and if it is good to go that far, why not go farther and accept sites generally. I hope the gentleman will bring in a bill from his committee which will permit the Government to accept sites generally. You take the city of Ballinger, the county seat of Runnels County, Tex. The commissioner's court has agreed to donate a part of the courthouse square, right in the very heart of the city, to the Government without a cent of cost. Why should not the Government be permitted to accept a part of that courthouse square, so that if they wanted to build a building in Ballinger they could do so without having to pay a large sum for a site?

Mr. ELLIOTT. In answer to that I will say to the gentleman that the Government can not accept any sites for buildings until they know they are going to build a building on that site.

Mr. BLANTON. I am in favor of letting the Government accept anything in the world the people want to give it.

Mr. MONTAGUE. Will the gentleman permit me to ask a question?

Mr. ELLIOTT. Certainly.

Mr. MONTAGUE. Should the Government accept a site by donation when the location does not meet the business demands of the city?

Mr. ELLIOTT. I do not think so.

Mr. MONTAGUE. Is not that an element that should be considered?

Mr. ELLIOTT. I do not think the Secretary of the Treasury would accept a site that would be undesirable.

Mr. HASTINGS. Will the gentleman yield a moment further? What is the difference in principle from accepting a site from one of these cities or towns for a public building and accepting a partial contribution of 25 per cent or 50 per cent of the cost of the building? Why should you not then go out and encourage the various cities and towns of the country to make offers to the Government, "We will not only give you a site, but we will pay 25 per cent of the cost of the building if you will locate one here"? This is just an additional incentive to get the Government of the United States to locate a public building at a certain place.

I believe the Government of the United States ought not to pay a dollar more than a site is worth, but I do not believe this Government should go around soliciting, directly or indirectly, the donation of sites in order to secure a place to put up a public building, and I see no difference in principle between accepting a site as an incentive or inducement to put up a building and afterward accepting 25 per cent or 50 per cent of the cost of constructing the building there; and I think this change in policy that we are entering upon of accepting a site free will ultimately lead to our encouraging the citizens of various States to also offer percentages of the cost of the buildings thereafter to be constructed.

Mr. ELLIOTT. Mr. Speaker, I reserve the balance of my time.

Mr. LAGUARDIA. Mr. Speaker, I want to call the attention of the House to this bill so that it may have your very earnest consideration.

Gentlemen, it will not make one particle bit of difference to the city of New York whether you adopt this bill or not, but it will make a big difference to you gentlemen representing districts with several small communities within your districts. The bill is undemocratic. It is not in keeping with the policy of our Government. The gentleman from Indiana, in his effort to laud these donors of land, said—and I quote his words—"Why should we not accept the gift of some charitable person?" Does my colleague from Indiana want to put his Government in the position of awaiting a donation of charity in the construction of a public building?

Mr. ELLIOTT. If any citizen loves his Government, does the gentleman know of any reason why he should not have some material way of expressing himself along that line?

Mr. LAGUARDIA. Donations to the Government are not democratic, and, as the gentleman from Oklahoma points out, this will start a race, and a city may find itself on top of the list for a public building only to find that some community down at the bottom has donated a site for a post office and will get the appropriation and the allocation of the money. There is no reason why we can not continue under the policy we are now pursuing, and when an offer is made bring your bills here and let Congress decide each one on its merits.

The gentleman speaks of a will up in Pennsylvania containing a donation of some land. I offered an amendment the other day when this bill was up on the Consent Calendar to authorize the acceptance of that particular gift.

The Secretary of the Treasury must necessarily delegate the exercise of these discretionary powers to some subordinate, who, in order to make a showing and to make his appropriation go as far as possible, will accept a donation and parcel out the appropriations of Congress and put up more buildings than perhaps he could otherwise build, to the disadvantage of many communities that may not desire or may not be in a position to offer lands as a gift to the Government.

Mr. ELLIOTT. Will the gentleman yield?

Mr. LAGUARDIA. Certainly.

Mr. ELLIOTT. I understand that when one of these gifts has been made the Congress still has this string to it. If they have taken a site that is not acceptable to this Government, the Congress does not have to appropriate the money to put up the building on that site.

Mr. HASTINGS. How would the Congress ever know about that?

Mr. ELLIOTT. Because this only applies to places where there has been an allocation of funds by the Secretary of the Treasury, which must be carried out by an appropriation by the Congress.

Mr. LAGUARDIA. Can the gentleman picture the pressure that will be brought to bear when that offer of land is made? There is just so much money left in the annual appropriation, and it means putting a building there or just buying a site at some other place. There is no answer to that.

Mr. ELLIOTT. This applies to appropriations that have not yet been made.

Mr. LAGUARDIA. Yes; and it is not fair, gentlemen.

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLANTON. I am surprised that the gentleman from New York and the gentleman from Oklahoma should shy at this proposition. Every State institution in practically all the States that has been located has been located because of special inducements that have been given by the citizens of a particular community.

Mr. LAGUARDIA. That is different.

Mr. BLANTON. Most of the colleges in the States have been located at a particular place because certain counties offered special inducements.

Mr. LAGUARDIA. Exactly, in order to attract that institution there.

Mr. BLANTON. Yes.

Mr. LAGUARDIA. That is just my objection, and I will say to the gentleman that in my short time in Congress, every time we accepted a donation, the Government got the worst of it, and I will tell the gentleman how. I know of one instance where we accepted some land, which was part of the land needed, and then when we got down there, in order to get water, we had to buy more land at an excessive price. The other day in another great State, that has a large delegation here in Congress, when the Committee on Military Affairs had the call on Calendar Wednesday, we had an instance where land was originally donated, and the Government went down there and now finds it has not enough land and has to buy more land at this particular place.

As the gentleman from Ohio pointed out, the offer of land is an inducement to place the Government public building there. I say that when the United States Government provides for a public building for a post office it should provide it on the merits

of each individual case in every community and township and village alike, and pass on its needs, without the additional attraction of having land donated to it for that public building.

Mr. BLANTON. The State of Texas has millions of dollars of property donated by various communities for the location of State institutions. I am in favor of it. I think the State benefits by it, and I think the Government of the United States will receive benefit by having sites for public buildings donated to it rather than paying exorbitant prices for such sites.

Mr. LAGUARDIA. Is the gentleman from Texas in favor of putting the Government in the position of waiting for donations of land to it in order to erect public buildings?

Mr. BLANTON. No; but I would rather see the Government get donations of sites than to see it pay enormous and exorbitant prices for the land.

Mr. HASTINGS. The gentleman from Texas is assuming that the Government is going to pay enormous prices, when the gentleman from New York only proposes that they shall pay what it could be condemned for.

Mr. LAGUARDIA. Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The question is on the motion of the gentleman from Indiana to suspend the rules and pass the bill.

The question was taken; and on a division (demanded by Mr. ELLIOTT)—there were 60 ayes and 30 noes.

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate agrees to the amendments of the House to bills of the following titles:

S. 969. An act for the relief of Edna B. Erskine;

S. 3784. An act for the relief of John Marks, alias John Bell; and

S. 3866. An act for the relief of Joseph N. Marin.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 12235) entitled "An act to provide for the creation of the Colonial National Monument in the State of Virginia," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ODDIE, Mr. DALE, and Mr. WALSH of Montana to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 730) entitled "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," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCNARY, Mr. TOWNSEND, and Mr. RANSDELL to be the conferees on the part of the Senate.

BITTER ROOT IRRIGATION PROJECT, MONTANA

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9990) for the rehabilitation of the Bitter Root irrigation project, Montana.

The SPEAKER. The Clerk will report the bill.

Mr. MCFADDEN. Mr. Speaker, I object.

Mr. LEAVITT. Mr. Speaker, I move to suspend the rules and pass the bill as amended.

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

The Clerk read as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated from the reclamation fund established by the act of June 17, 1902 (32 Stat. 388), the sum of $750,000, or as much thereof as may be necessary, to be used for the rehabilitation of the Bitter Root irrigation project in Montana.

SEC. 2. The Secretary of the Interior, hereinafter styled the Secretary, is authorized to use money thus appropriated for the following purposes:

(1) For liquidating bonded and other outstanding indebtedness of such irrigation project on such basis of valuation as the Secretary may regard as equitable, not exceeding 75 per cent of the principal and accrued interest; no portion of such outstanding indebtedness to be liquidated except a total outstanding indebtedness of such project is so liquidated.

(2) For doing or causing to be done under his supervision any construction, betterment, or repair work necessary to place the irrigation system of such project in good operating condition, and as provided for in the contract hereinafter required.

(3) For loaning to such irrigation district, hereinafter provided for, such funds as in the opinion of the Secretary are necessary for any construction, betterment, or repair work to place the irrigation system of such project in good operating condition.

SEC. 3. All funds so used or advanced shall be repaid to the United States within a period, to be fixed by the Secretary, of not more than 40 years, with interest at the rate of 4 per cent per annum on the funds so used or advanced from the date of such use or advancement until repaid. Before any funds are so used or advanced a contract or contracts satisfactory to the Secretary shall be executed by an irrigation district, formed under State law, obligating such district to repay the funds so used or advanced as required by this act. Any contract so executed with such district shall require a lien on the land and on the irrigation systems of such project. The operation and maintenance of such project shall be continued by the authorities in charge under the supervision of the Secretary, so far as necessary to effectuate the purposes of this act.

SEC. 4. In case of default in the payment when due of any interest or other charges under any contract executed as herein provided there shall be added to the amount unpaid a penalty of one-half of 1 per cent of the amount unpaid on the 1st day of each month thereafter so long as such default shall continue, such penalties being in addition to the interest provided in section 3. The provisions of any contract executed hereunder may be enforced by suit or by the foreclosure of any lien in the manner authorized by the State laws applicable in similar cases. In addition to other remedies the Secretary, in any contract executed hereunder, may provide that in case of default for more than 12 months in the payment of any installment, the control, operation, and maintenance of the project may, in the discretion of the Secretary, be assumed by the United States and the delivery of water withheld until payments are duly made in accordance with the contract requirements.

SEC. 5. No funds shall be appropriated for the purposes herein authorized until investigation and examination shall have been made of all pertinent conditions surrounding such project and until the Secretary has made a report of his finding in writing to Congress that in his opinion by the action proposed the project can and will be placed upon a sound basis from a financial and economic standpoint so that the funds so used and advanced will be returned to the United States.

SEC. 6. The Secretary is authorized to perform any and all acts and to make and enforce all needful rules and regulations for effectuating the purposes of this act.

The SPEAKER. Is a second demanded?

Mr. MCFADDEN. I demand a second.

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEAVITT. Mr. Speaker and Members of the House, I wish first to call attention of Members of the House to the fact that the bill as it has been offered for passage under suspension of the rules has been amended to conform to the suggestions that were made during the debate on this measure several days ago. These amendments have been offered by the gentleman from Michigan [Mr. CRAMTON].

On page 2, those of you who have the bill will notice that an amendment has been included as follows; that is, to make paragraph 1 of section 2 read as follows:

(1) For funding or liquidating bonded and other outstanding indebtedness of such irrigation project on such basis of valuation as the Secretary may regard as equitable—

And now this is new—

not exceeding 75 per cent of the principal and accrued interest, no portion of such outstanding indebtedness of such to be liquidated except a total outstanding indebtedness of such project is so liquidated.

I call attention to that before I lay down the purpose of the measure, so that you will have in mind that the bill now before you has been very much benefited by the amendments discussed heretofore on the floor and incorporated in the bill.

At the present time the basic law known as the reclamation act of 1902 involves——

Mr. BRIGHAM. Will the gentleman yield at that point?

Mr. LEAVITT. I yield.

Mr. BRIGGS. Will the gentleman tell us the amount of the outstanding indebtedness?

Mr. LEAVITT. The amount included in the bill is not to exceed $750,000, nor to exceed 75 per cent of whatever is the outstanding indebtedness.

Mr. BRIGHAM. Can the gentleman tell the amount of the bonded indebtedness outstanding and the amount of interest outstanding?

Mr. LEAVITT. The gentleman will find that on page 3 of the report. I have only a few minutes, and I will first make my statement and go into the matter of the figures afterwards.

Here is what could be done under existing conditions at the present time: Here is a community in the State of Montana of

over a thousand people. There are probably 2,000 people directly dependent upon the success of this reclamation project for their welfare. There are schools, there is transportation, and there are over 400 landowners at the present time. A number of years ago a reclamation project was put under way under a speculative form of financing, and as it went on the same thing happened that has happened on the Federal reclamation projects. The payments necessary came to be beyond the power of the people to meet. An effort was made to refund, and that was put into effect back in 1923, but the situation is this: About 10 miles of the something like 72 miles of main canal are in the form of wooden flumes, always likely to go out, making the water supply, while it has not yet failed, an uncertainty, adding greatly to the cost of maintenance of the project. What this bill proposes to do is to have the Government enter the picture and do something that under the present reclamation law it could do in a different form. I want to emphasize the fact that we are not proposing to do something entirely new, but something that will come very close to meeting the objection of the gentleman from Pennsylvania [Mr. McFADDEN], which he has been making all along to all of the reclamation matters. Instead of using the reclamation fund to bring in new lands and put new people on areas not now being cultivated, this proposal is to save an existing community that for a number of years has been producing crops. It is a community made up of people who during the years have learned how to handle this kind of land.

But the project must be refinanced in such a way that these excellent people can make their payments and make a success from that standpoint.

If the bill is not passed, here is what could be done under the present law. The Federal Government, under the present law, could do just what it has done in New Mexico on the Carlsbad reclamation project. It could enter the field and buy up the project and take it over and make it a Government project, and save it in that way. But in the last few years we have adopted a different reclamation policy, that of trying to put these projects in such form that the people who live on them can themselves take over their management and make out of them a permanent group of homes. For that reason, instead of the Government coming in, as it could now do, and taking over the project, it comes in to the extent of purchasing at not to exceed 75 per cent of the face value the outstanding indebtedness, with interest, now against the project, giving them a 40-year contract for the repayment and leaving the handling of the project in the hands of these people themselves.

Mr. COLLINS. How many other private reclamation projects are there?

Mr. LEAVITT. How many in the United States?

Mr. COLLINS. Yes.

Mr. LEAVITT. I do not know.

Mr. COLLINS. And I suppose we will have to take them all over?

Mr. LEAVITT. Oh, no.

Mr. COLLINS. Oh, yes, we will.

Mr. LEAVITT. Suppose we do take them over, will it not be a sounder public policy to save existing communities than to take the reclamation fund and expend it in creating new communities in untried sections of the country, thereby adding greatly to the cultivated acreage of the country?

Mr. COLLINS. I can not see how that is going to help the Public Treasury.

Mr. LEAVITT. This does not come out of the Public Treasury. This does not reach into the Public Treasury. It reaches into the reclamation fund, which is established for the purpose of building these reclamation projects. If it is not used for saving existing projects, it will be used to bring other new projects into existence. In this case it merely saves a community of people and does not add to the cultivated acreage of the country.

Mr. PATTERSON. I recognize the importance of these irrigation projects in the West, having been in the West quite a little. The gentleman gave us some information just now that I was anxious to get, and that is that this does not come out of the Public Treasury, but out of the reclamation fund.

Mr. LEAVITT. It comes from the sale of public lands, oil leases, and so forth, and the fund has been set aside by Congress for that purpose and that purpose only.

Mr. McFADDEN. Mr. Speaker and Members of the House, this is a very unusual proposition embodied in this particular bill—H. R. 9990. The bill proposes to appropriate out of the revolving fund available for reclamation $750,000. There is no difference as to what fund this is drawn from. It is under the control of the Government, and large appropriations have been made by the Government, which make this particular fund available. The fund is also made up from other sources of revenue which come in through the reclamation projects, which makes it a very large revolving fund available annually for the promotion of these irrigation enterprises.

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

Mr. McFADDEN. Yes.

Mr. CRAMTON. Does the gentleman consider that a fund set apart in the Treasury, of which the Government is only the custodian and which has been set aside definitely for a certain purpose, could properly be used for another purpose? Would the gentleman recommend a course like that as to a fund in a national bank?

Mr. McFADDEN. No; but who ever supposed this crowd would ever go this far—even with a trust fund. I realize that this is a trust fund under the administration of the Department of the Interior, and the Secretary of the Interior takes the word of the Director of Reclamation, but I notice in the report that they have printed the recommendation of the Secretary of the Interior and Commissioner Mead. Thus we see how far these men are willing to go. Several years ago private enterprise, "promoters, if you please," financed throughout all parts of the country stock and bond issues to develop get-rich-quick irrigation schemes in the West, in Colorado, Montana, Wyoming, and other States. Nearly all of them went busted.

This happens to be one of those irrigation districts that I know something about. Friends of mine several years ago bought some of these securities, and they lost their money. This is a private enterprise, pure and simple, that the Government is now taking over.

Mr. STAFFORD. Does the gentleman refer to the first failure or the second instance?

Mr. McFADDEN. I do not know whether it was the first or the second case. It was a failure from its very inception.

Mr. STAFFORD. In the present instance they wanted the Government to take over the bonds of a defunct enterprise that had failed once before.

Mr. McFADDEN. In the last 10 minutes a Member of this House has told me that he had a thousand acres of land in this particular district, and he can not get enough out of it to pay the taxes. I read from the report what took place:

> The project began on a speculative basis and the original company failed. The district was then organized and in 1923 sold $600,000 in bonds bearing interest at 6 per cent to purchase the irrigation system for $75,000 and replace about half of the old flumes. Present indebtedness is $577,000 for bonds and $82,000 for warrants. Irrigation assessments were $5 an acre in 1927 and 1928, but only 9,644 acres made payment in 1928. Delinquent taxes amount to $66,000 and the district acquired land through tax sale which amounted to 4,509 acres in 1928. The district is unable to meet its payments to bondholders and secure funds to reconstruct the remainder of the flumes which need rebuilding.

Now, I ask you, gentlemen, whether or not it is the proper thing for the Congress of the United States to take up a defunct private enterprise like this, to say nothing about the merits of carrying on these irrigation propositions? Here is a defunct private enterprise that was a failure from the start. It never did justify itself. It does not justify itself now.

The gentleman from Montana [Mr. LEAVITT] refers to the fact that this is different to what I have been objecting to. It is different in this respect: It is increasing the Government's liability and tying the Government up in taking over a defunct private enterprise; the thing is absolutely defunct. It is not to promote new irrigation, but it is a case of the Government taking over a private defunct enterprise and saving people who have promoted this project a great loss.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield there?

Mr. McFADDEN. Yes.

Mr. JOHNSON of Washington. Does not the gentleman know that the very best project, one of the greatest examples of success in irrigation projects, was a private project?

Mr. McFADDEN. This is the initiation of a new irrigation policy. If this bill is passed it means that all the defunct private irrigation projects will be taken over, involving an increased burden on the taxpayers when the great problem of agriculture in this country now is overproduction. We recently passed a bill creating a Farm Board, with an appropriation of $500,000,000, to take care of overproduction. It is ridiculous to initiate a program like this.

The gentleman from Montana says this is authorized by other laws. Those of us who are opposed to this kind of thing have to watch carefully to see that something is not frequently slipped over, and especially in the closing days of Congress. I am inclined to believe, with the gentleman from Texas [Mr. BLANTON], that there is great danger in this practice in the closing days of a session of suspending the rules here and passing bills which ought to have more careful consideration. I did not

know about this suspension for this bill until early in the afternoon. It seems to me that Congress should have more time in which to study and consider such bills than is given in the case of this bill. It should never be permitted.

Mr. Speaker, I reserve the balance of my time.

Mr. LEAVITT. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

The SPEAKER. The gentleman from Michigan is recognized for five minutes.

Mr. CRAMTON. Mr. Speaker and Members of the House, I think you all know that I have no irrigation problems in my district or in my State, but my committee work has brought me into touch with this reclamation problem for some years past. The reclamation fund was established years ago. The funds were to be derived from the proceeds of the sale of various lands, and leases, and so forth, in the various public-land States and the money is used for the development of those States.

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

Mr. CRAMTON. Yes.

Mr. BRIGHAM. The expenditures for irrigation projects are made by appropriation from Federal funds, and was there not originally a considerable appropriation made out of the Treasury to initiate the reclamation program?

Mr. CRAMTON. Yes. The Government did loan $20,000,000 for 30 years without interest, to be repaid in 30 years, beginning after 10 years, as I recall, about $10,000,000 of which has been repaid, and the other sums are repaid as due.

The funds in the main have come from sales of public lands and leases in the public-land States. That fund was set apart and devoted to the development of the West, and it was the expectation to use that in the development of lands owned by the United States; but in the development of the problem under changed conditions it has now reached the point where projects now under consideration and hereafter to be constructed are probably, 90 per cent of them, on privately owned lands.

Now, this bill is a perfectly good bill, under all the circumstances. I want to emphasize to you that the reclamation fund is in the Treasury. It is going to be expended for the development of the West. Whatever the gentleman from Pennsylvania may think about it, or whatever I may think about it, that will be done. It can be done without new legislation, under the existing law, in the building of new projects, even though the lands are privately owned. Whether those lands are developed or undeveloped, it can be done now, and appropriations are authorized.

My friend from Pennsylvania, Mr. MCFADDEN, has been vigorous in opposing projects which meant the development of new areas for farming purposes. I am not arguing on that now, because that is not now involved in this proposition at all.

This proposition proposes to take a community in the West where the irrigation district is overburdened with debt, and where new construction is needed, and so adjust their financial conditions as to make it safe for us to advance money for their needed new construction. Now, let us look at it from the point of view of my friend from Pennsylvania for a minute. Let us assume the reclamation fund ought not to be used for new areas. It is going to be used and the gentleman from Pennsylvania and none of the rest of us can stop that. Then, I think my friend from Pennsylvania should be one of the first to welcome a chance for that money to be used in the development of the West, without bringing into cultivation any new acreage.

That is what this bill provides. I think it is better to take that money in a sane, businesslike way and reorganize an existing irrigation district and make it possible for men who are now on the land to succeed rather than to take some unoccupied land and develop it and take a chance on getting settlers to go there and develop the lands.

My friend spoke of somebody owning 1,000 acres. Probably he can afford to own a thousand acres, without regard to whether they make money or not, but the purpose of this irrigation project is to establish American homes. Nonresident owners of land, whether irrigated or otherwise, are never a great influence in the development of any community. Nonresident landlords are not the best kind of landlords for any community. We can not judge as to the success of a project by discussing the results that a man accomplishes by owning land and probably never going there to look at it. What we are concerned about is the men who have been hanging on there for years, trying to make a living, and are in a district that is now overwhelmed with debt. This bill opens the way for the financial matters of that district to be reorganized and then to proceed with the new construction to make this a successful, prosperous community.

I am sure my friend from Pennsylvania never advocates that because a bank is financially embarrassed it should necessarily be promptly closed and sacrificed at a great loss. He always wants to rejuvenate and save that which can be saved. [Applause.]

The SPEAKER. The question is on the motion of the gentleman from Montana to suspend the rules and pass the bill.

The question was taken; and on a division (demanded by Mr. MCFADDEN) there were—ayes 63, noes 15.

Mr. MCFADDEN. Mr. Speaker, I make the point of order of no quorum.

The SPEAKER. Evidently there is no quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 227, nays 53, not voting 148, as follows:

[Roll No. 70]

YEAS—227

Abernethy	Drane	Johnson, Okla.	Ramspeck
Ackerman	Driver	Johnson, S. Dak.	Rankin
Adkins	Dunbar	Johnson, Wash.	Ransley
Allen	Dyer	Kading	Reece
Almon	Eaton, Colo.	Kearns	Rogers
Andrew	Edwards	Kelly	Rowbottom
Arentz	Elliott	Kendall, Ky.	Rutherford
Arnold	Englebright	Kendall, Pa.	Sabath
Aswell	Eslick	Kennedy	Sanders, N. Y.
Auf der Heide	Estep	Kerr	Sandlin
Ayres	Evans, Calif.	Kiefner	Schneider
Bachmann	Evans, Mont.	Knutson	Sears
Bacon	Fish	Kopp	Seger
Baird	Fisher	Korell	Seiberling
Barbour	Fitzgerald	Kvale	Shaffer, Va.
Beers	French	Lampert	Short, Mo.
Bell	Fuller	Langley	Shott, W. Va.
Blackburn	Fulmer	Lankford, Ga.	Shreve
Bloom	Garber, Va.	Lankford, Va.	Simmons
Boylan	Garner	Larsen	Simms
Brand, Ga.	Garrett	Lea	Sloan
Browne	Gasque	Leavitt	Smith, Idaho
Browning	Glover	Luce	Smith, W. Va.
Brumm	Green	Ludlow	Somers, N. Y.
Buckbee	Greenwood	McClintock, Ohio	Sparks
Butler	Gregory	McCormack, Mass.	Spearing
Campbell, Iowa	Griffin	McCormick, Ill.	Steagall
Campbell, Pa.	Hadley	McKeown	Strong, Pa.
Canfield	Hall, Ill.	McLaughlin	Summers, Wash.
Carter, Calif.	Hall, Ind.	Manlove	Swanson
Carter, Wyo.	Hall, Miss.	Mansfield	Swing
Cartwright	Halsey	Mapes	Taylor, Tenn.
Chalmers	Hammer	Mead	Temple
Chase	Hardy	Merritt	Thatcher
Chindblom	Hastings	Michaelson	Thurston
Christgau	Haugen	Michener	Tilson
Christopherson	Hawley	Miller	Treadway
Clancy	Hess	Montague	Tucker
Clark, N. C.	Hickey	Montet	Turpin
Cochran, Mo.	Hill, Ala.	Moore, Ohio	Vestal
Cochran, Pa.	Hill, Wash.	Moore, Va.	Vinson, Ga.
Cole	Hogg	Morehead	Warren
Colton	Holaday	Morgan	Wason
Cooper, Tenn.	Hooper	Mouser	Watres
Cooper, Wis.	Hope	Nelson, Me.	Watson
Corning	Hopkins	Newhall	Welch, Calif.
Coyle	Houston, Del.	Niedringhaus	Whittington
Craddock	Howard	O'Connor, La.	Wilson
Crail	Hudson	O'Connor, Okla.	Wolverton, N. J.
Cramton	Hudspeth	Palmisano	Wolverton, W. Va.
Crisp	Hull, Morton D.	Parker	Wood
Crosser	Hull, William E.	Patterson	Woodrum
Darrow	Hull, Wis.	Perkins	Wright
Davis	Irwin	Pittenger	Wurzbach
Denison	Jeffers	Quin	Wyant
De Rouen	Jenkins	Rainey, Henry T.	Yates
Doxey	Johnson, Nebr.	Ramey, Frank M.	

NAYS—53

Black	Foss	Menges	Snell
Blanton	Garber, Okla.	Milligan	Snow
Box	Goldsborough	Moore, Ky.	Speaks
Brand, Ohio	Hare	Nelson, Mo.	Stafford
Briggs	Hoch	Oldfield	Stone
Brigham	Huddleston	Oliver, Ala.	Sumners, Tex.
Busby	Johnson, Tex.	Palmer	Swick
Cannon	Jones, Tex.	Parks	Tarver
Collins	Lanham	Patman	Tinkham
Connolly	Lozier	Pratt, Ruth	Wigglesworth
Cross	McFadden	Ramseyer	Wolfenden
Culkin	McSwain	Robinson	
Dominick	Magrady	Sanders, Tex.	
Doughton	Martin	Schafer, Wis.	

NOT VOTING—148

Aldrich	Celler	Douglass, Mass.	Golder
Allgood	Clague	Doutrich	Goodwin
Andresen	Clark, Md.	Dowell	Graham
Bacharach	Clarke, N. Y.	Doyle	Granfield
Bankhead	Collier	Drewry	Guyer
Beck	Connery	Eaton, N. J.	Hale
Beedy	Cooke	Ellis	Hall, N. Dak.
Bland	Cooper, Ohio	Esterly	Hancock
Bohn	Cox	Fenn	Hartley
Bolton	Crowther	Finley	Hoffman
Bowman	Cullen	Fitzpatrick	Hull, Tenn.
Britten	Curry	Fort	Igoe
Brunner	Dallinger	Frear	James
Buchanan	Davenport	Free	Johnson, Ill.
Burdick	Dempsey	Freeman	Johnson, Ind.
Burtness	De Priest	Gambrill	Johnston, Mo.
Byrns	Dickinson	Gavagan	Jonas, N. C.
Cable	Dickstein	Gibson	Kahn
Carley	Douglas, Ariz.	Gifford	Kemp

Ketcham	Maas	Ragon	Taylor, Colo.
Kiess	Mooney	Rayburn	Thompson
Kincheloe	Murphy	Reed, N. Y.	Timberlake
Kinzer	Nelson, Wis.	Reid, Ill.	Underhill
Kunz	Nolan	Romjue	Underwood
Kurtz	Norton	Selvig	Vincent, Mich.
LaGuardia	O'Connell	Sinclair	Wainwright
Lambertson	O'Connor, N. Y.	Sirovich	Walker
Leech	Oliver, N. Y.	Sproul, Ill.	Welsh, Pa.
Lehlbach	Owen	Sproul, Kans.	White
Letts	Peavey	Stalker	Whitehead
Lindsay	Porter	Stedman	Whitley
Linthicum	Pou	Stevenson	Williams
McClintic, Okla.	Prall	Stobbs	Williamson
McDuffie	Pratt, Harcourt J.	Strong, Kans.	Wingo
McLeod	Pritchard	Sullivan, N. Y.	Woodruff
McMillan	Purnell	Sullivan, Pa.	Yon
McReynolds	Quayle	Taber	Zihlman

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Bacharach with Mr. Byrns.
Mr. Fenn with Mr. Lindsey.
Mr. Bohn with Mr. Bankhead.
Mr. Aldridge with Mr. Wingo.
Mr. Esterly with Mr. Mooney.
Mr. McLeod with Mr. O'Connell of New York.
Mr. Murphy with Mr. Drewry.
Mr. Welsh of Pennsylvania with Mr. Pou.
Mr. Frear with Mr. O'Connor of New York.
Mr. Beedy with Mr. Collier.
Mr. Clague with Mr. McDuffie.
Mr. Graham with Mr. Prall.
Mr. Purnell with Mr. Granfield.
Mr. Golder with Mr. Rayburn.
Mr. Beck with Mr. Sullivan of New York.
Mr. Free with Mr. Bland.
Mr. Gibson with Mr. Allgood.
Mr. Reid of Illinois with Mr. Underwood.
Mr. Johnston of Missouri with Mr. Kemp.
Mr. Kiess with Mr. Stevenson.
Mr. Dowell with Mr. Brunner.
Mr. Thompson with Mr. Kincheloe.
Mr. Dallinger with Mr. Taylor of Colorado.
Mr. Crowther with Mr. Buchanan.
Mr. Reed of New York with Mr. Kunz.
Mr. Pratt, Harcourt J., with Mr. Linthicum.
Mr. Gifford with Mr. Whitehead.
Mr. Lehlbach with Mr. McClintic of Oklahoma.
Mr. Kinzer with Mr. Williams.
Mr. Sproul of Illinois with Mr. Douglass of Massachusetts.
Mr. Ketcham with Mr. Igoe.
Mr. Sinclair with Mr. Quayle.
Mr. Underhill with Mr. Cullen.
Mr. Leech with Mr. McMillan.
Mr. Nolan with Mr. Carley.
Mr. Freeman with Mrs. Owen.
Mr. Goodwin with Mr. Celler.
Mr. Cable with Mr. Ragon.
Mr. Doutrich with Mr. Sirovich.
Mr. Davenport with Mr. Douglas of Arizona.
Mr. Taber with Mr. Oliver of New York.
Mr. LaGuardia with Mr. Yon.
Mr. Eaton of New Jersey with Mr. McReynolds.
Mr. Brand of Ohio with Mr. Gambrill.
Mr. Walker with Mr. Hull of Tennessee.
Mr. Porter with Mrs. Norton.
Mr. Lambertson with Mr. Connery.
Mr. Nelson of Wisconsin with Mr. Gavagan.
Mr. Selvig with Mr. Romjue.
Mr. Sproul of Kansas with Mr. Cox.
Mr. Kurtz with Mr. Stedman.
Mr. Ellis with Mr. Dickstein.
Mr. Dempsey with Mr. Fitzpatrick.
Mr. Bolten with Mr. Doyle.

The result of the vote was announced as above recorded.

The doors were opened.

ADDITIONAL JUDGE, SOUTHERN DISTRICT OF FLORIDA

Mr. CHRISTOPHERSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 12842) to create an additional judge for the southern district of Florida.

This covers an emergency, created by reason of the death of one of the judges.

The SPEAKER. The gentleman from South Dakota asks unanimous consent for the present consideration of the bill H. R. 12842, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized, by and with the consent of the Senate, to appoint an additional judge of the District Court of the United States for the Southern District of Florida, who shall reside in said district, and whose compensation, duties, and powers shall be the same as now provided by law for judges of said district.

SEC. 2. That this act shall take effect immediately.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, this being the first bill that has been considered of the many on the calendar providing for an additional judge, I would like to ask the chairman of the subcommittee which recommended these bills whether in all of the bills providing for additional judges the bills have the approval and support of the Attorney General?

Mr. CHRISTOPHERSON. Mr. Speaker, I will say that this particular bill has the approval of the Attorney General. The facts are these——

Mr. STAFFORD. I understand that in this case there is an exigent reason why this bill should be passed, on account of the death of a judge; but I am seeking to obtain information, because there are 10 or 12 bills which the Committee on the Judiciary has reported, where the reports do not contain a line showing the opinion of the Attorney General, and in some instances lacking the opinion of the local judges as to their need. In many instances the reports show there is no congestion of litigation, no more than in the eastern district of Wisconsin, or not as much. I am trying to ascertain from the gentleman what is the policy of his committee in recommending these bills for additional judges, so that we may use that as a guidepost in our position on the other bills.

Mr. CHRISTOPHERSON. I will say that I can not state offhand just what the Attorney General has said regarding all of these bills, but the bills that have been reported from my subcommittee have the approval of the presiding circuit judge in the particular district.

Mr. STAFFORD. Has the gentleman submitted the bills over which he has jurisdiction to the Department of Justice for comment?

Mr. CHRISTOPHERSON. Yes; and in some instances the Attorney General simply replied that it had not been before the council of judges and therefore he could not make any recommendations.

Mr. STAFFORD. Since the gentleman says there is an exigency by reason of the death of the judge, I do not intend to object.

Mr. CHRISTOPHERSON. One of the Federal judges passed away on the 7th of this month, and the law under which he had been appointed did not provide for a successor, and none can be appointed until another bill is passed. The Attorney General on June 14 made this statement in regard to this particular case:

The state of the court business in this district renders it highly important that the legislation be enacted before the adjournment of the present session of Congress.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of objection.

The SPEAKER. Is there objection?

There was no objection.

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

A motion to reconsider was laid on the table.

BRIDGE ACROSS THE CHOPTANK RIVER

Mr. GOLDSBOROUGH. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate bill 3421, to authorize the Tidewater Toll Properties, (Inc.), its legal representatives and assigns, to construct, maintain, and operate a bridge across the Choptank River at a point at or near Cambridge, Md., a similar bill being on the House Calendar. This bill, as the title indicates, provides for the construction of a bridge across the Choptank River, and it is an emergency measure. The whole Eastern Shore of Maryland is interested in the building of this bridge and the only way we can get it is to pass this legislation.

The SPEAKER. The gentleman from Maryland asks unanimous consent for the present consideration of Senate bill 3421, which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the Tidewater Toll Properties (Inc.), a corporation incorporated under the laws of Maryland, its legal representatives and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Choptank River at or near Cambridge, Md., at a point suitable to the interests of navigation, 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. After the completion of such bridge, as determined by the Secretary of War, either the State of Maryland, any political subdivision thereof 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 its approaches and any interests in real property necessary therefor, by pur-

chase or condemnation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 20 years after the completion of such bridge and its approaches the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by any municipality or other political subdivision or subdivisions of the State of Maryland under the provisions of section 2 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the amount paid for such bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient to amortize the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. The Tidewater Toll Properties (Inc.), its 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 Maryland, 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 at the request of the highway department of the State of Maryland shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Tidewater Toll Properties (Inc.), its legal representatives and assigns, shall make available all records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all rights, powers, and privileges conferred by this act is hereby granted to the Tidewater Toll Properties (Inc.), its 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. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

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

SISSETON AND WAHPETON BANDS OF SIOUX INDIANS

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate bill 1372, authorizing an appropriation for payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians, and concur in the Senate amendment.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to take from the Speaker's table Senate bill 1372 and concur in the Senate amendment to the House amendment. The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

In line 15, page 1 of the engrossed amendment, after the word "appropriated," insert the following: "*Provided further*, That before the Secretary of the Interior disburses any part of the appropriation herein authorized except as to compensation to attorneys, agent, or agents, he shall first investigate and determine whether any Indians other than those listed on the rolls as members of the Sisseton and Wahpeton Bands of Sioux are members of the same and as such have any right to share in such appropriation; and in the event he shall so determine, such other Indians shall be included within the Sisseton and Wahpeton Bands of Sioux for the purpose of the distribution of the fund herein provided for."

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

INTERNATIONAL HYGIENE EXHIBITION AT DRESDEN, GERMANY

Mr. BLOOM. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate bill 2414, authorizing the Government of the United States to participate in the International Hygiene Exhibition at Dresden, Germany, from May 6, 1930, to October 1, 1930, inclusive.

The SPEAKER. The Chair understands this is regarded as a matter of emergency.

Mr. BLOOM. It is an emergency.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of Senate bill 2414, which the Clerk will report.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That for the purpose of permitting the Government of the United States to participate in the International Hygiene Exhibition at Dresden, Germany, May 6, 1930, to October 1, 1930, inclusive, the Surgeon General of the Army, the Surgeon General of the Navy, and the Surgeon General of the Public Health Service are hereby authorized to send a joint exhibit from their departments, to remain there during the period of the exhibition.

SEC. 2. The sum of $10,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses of the United States participating in this exhibition.

With the following committee amendments:

Page 1, line 9, strike out the words "a joint exhibit" and insert the word "representatives."

Page 1, line 11, strike out "$10,000" and insert "$5,000."

The SPEAKER. Is there objection?

Mr. STAFFORD. Does the gentleman think our representatives will get over there before the exhibition closes? The exhibition is already on, having started May 6, and it closes October 1.

Mr. BLOOM. This bill passed the Senate. There are 20 nations which are participating and the idea is to send representatives from the Health Department so as to go into conference with them.

Mr. STAFFORD. Does the gentleman think they will get over there before the exhibition is terminated?

Mr. BLOOM. Yes.

Mr. STAFFORD. It has been in session for more than a month.

Mr. BLOOM. But they will hold sessions until October 1.

Mr. STAFFORD. If they can get over there before the last day they may be of a little service.

Mr. SCHAFER of Wisconsin. Reserving the right to object, will the $5,000 cover the entire cost of this project?

Mr. BLOOM. Yes.

Mr. SCHAFER of Wisconsin. The gentleman is positive there will not be an additional drain on the Treasury, such as there has been in connection with the George Washington bicentennial project?

Mr. BLOOM. No; there will not be any more than this $5,000.

Mr. STAFFORD. As far as the George Washington centennial is concerned, it is a local junket, while this is a foreign junket.

Mr. SCHAFER of Wisconsin. If the gentleman will read the hearings on the second deficiency bill, he will find out the outrageous cost of that junket.

Mr. STAFFORD. I have already protested against the outrageous appropriations for that centennial exhibition.

Mr. BLANTON. Mr. Speaker, reserving the right to object, there ought to be some assurance given that the amendments proposed reducing the appropriation from $10,000 to $5,000 will not be changed in conference. With that assurance, I shall not object.

Mr. BLOOM. They will not be changed.

Mr. STAFFORD. They are only too happy to get $5,000 or anything at all.

The SPEAKER. Is there objection?

There was no objection.

The committee amendments were agreed to.

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

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

THE CHICAGO CENTURY OF PROGRESS EXPOSITION

Mr. CHINDBLOM. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 353) providing for an investigation and report, by a committee to be appointed by the President, with reference to the representation at and participation in the Chicago World's Fair Centennial Celebration, known as the Century of Progress Exposition, on the part of the Government of the United States and its various departments and activities, which is in the hands of the Clerk and which I ask to be reported for information.

The Clerk read the resolution, as follows:

Resolved, etc., That the President be, and he is hereby, authorized and requested to appoint a committee, consisting of one representative of each of the Departments of State, Agriculture, and Commerce, who shall investigate and report to the President, for transmission by him to the Senate and the House of Representatives at the opening of the second regular session of the present Congress, in December, 1930, their conclusions and recommendations with reference to the suitable representation at and participation in the Chicago World's Fair Centennial Celebration, known as the Century of Progress Exposition, at Chicago, Ill., in the year 1933, on the part of the Government of the United States and its various departments and activities.

Mr. CRISP. Mr. Speaker, reserving the right to object, I would like to ask my friend one question. I supported the resolution from the Ways and Means Committee authorizing the President to extend invitations to foreign countries to participate in this exposition. What expense does this resolution involve? I ask this question because when we reported the other resolution we were assured that the Government would not be requested to make a national contribution to the exposition.

Mr. CHINDBLOM. I am very pleased to say to the gentleman from Georgia [Mr. CRISP] that when this resolution came up in the Committee on Ways and Means and was unanimously reported by that committee some time ago, I called attention to the resolution which was passed here with reference to the invitation which has now been extended by the President to the nations of the world to participate in this Century of Progress Exposition at Chicago. When that resolution was adopted it was amended on the floor of the House to provide that there should be no commitment for Federal Government expense in connection with the holding of such world's fair, and I am quoting now from the resolution, "other than for suitable representation thereat." This would be the representation at the exposition and the participation therein of the Government itself.

This resolution provides for no expense whatever, not even for the committee. It provides only for the appointment of a committee to consist of representatives of the three departments—the Department of State, the Department of Agriculture, and the Department of Commerce—to investigate and report when Congress convenes next December, whether there should be participation in and representation at the Chicago World's Fair on the part of the Government.

Mr. CRISP. Of course I think, if the Government participates, the Government should pay the expenses of its representation.

Mr. CHINDBLOM. That question will arise when this committee reports.

Mr. BLANTON. Mr. Speaker, reserving the right to object, can the gentleman from Illinois assure the Congress it will be safe for the people of the United States and the people of foreign countries to appear in Chicago in 1933?

Mr. CHINDBLOM. Oh, yes.

Mr. BLANTON. Will racketeering be stopped by that time?

Mr. STAFFORD. We hope conditions will be much improved over existing conditions.

Mr. CHINDBLOM. It is safe now, I will say to the gentlemen.

Mr. STAFFORD. It is not safe for Milwaukeeans to go through there at present.

Mr. BLANTON. They have had to stop radio reports of police calls in Chicago. We used to have them, but they got so frequent they took up all the radio service.

Mr. CHINDBLOM. On that question I will say that practice was stopped because other means to handle the matter were devised.

Mr. STAFFORD. It is still the Windy City, I may say.

Mr. SABATH. I think the wind is coming from Texas and from Wisconsin now.

Mr. STAFFORD. Off of Lake Michigan.

Mr. CHINDBLOM. Mr. Speaker, the House is anxious, I am sure, to adjourn——

Mr. SABATH. If the gentleman will yield to me just a moment, for the information of the gentleman from Texas and others I want to say that I have just read that the chief of police and the assistant chief of police have resigned to-day. We are going to have real enforcement of all the laws in Chicago.

Mr. STAFFORD. When is the mayor going to resign, which would bring about an efficient city administration?

Mr. SABATH. We are going to elect next spring a Democratic mayor, and then everybody will be safe at all times. [Applause.]

Mr. CHINDBLOM. Mr. Speaker, under leave to extend my remarks I will say that there has been much unjust criticism of the conditions and of the administration of affairs in Chicago. That city, remarkable and outstanding for its growth and progress in many ways, has become the favorite object of attack throughout the country. Making jibes at Chicago has become a national pastime, while the failings of other communities go unnoticed. The truth is, as proven by statistics, that in the number of murders per 100,000 population during 1929 Chicago stood last, at the very bottom, in a list of 39 large American cities located in various parts of the country, and that while Chicago's murder rate actually decreased 20 per cent last year the rates of 127 other American cities, large and small, with a combined population of 36,000,000, actually showed an increase in their murder rate.

Mr. Speaker, with reference to the pending House Joint Resolution 353 and developments in connection with the Chicago Century of Progress Exposition in 1933, I quote the following prepared by myself from the report of the Committee on Ways and Means, who unanimously directed me to report the resolution favorably to the House:

On February 5, 1929, President Coolidge approved a joint resolution of Congress authorizing the President to invite the participation of other nations in the Chicago World's Fair Centennial Celebration, to be held at the city of Chicago in the year 1933, whenever it should be shown to the satisfaction of the President that a sum of not less than $5,000,000 had been raised and was available for the purposes of a world's fair to celebrate the one hundredth anniversary of the incorporation of Chicago as a municipality. This joint resolution provided that its passage should not be held to obligate the Government of the United States to any expense in connection with the holding of such world's fair "other than for suitable representation thereat." This provision was inserted in the resolution upon the suggestion and at the request of the representatives of the Chicago World's Fair as it was not intended or desired that the Federal Government should contribute any portion of the expense properly chargeable to the exposition itself.

In pursuance of the joint resolution, President Hoover on November 6, 1929, issued a proclamation in which he stated that it had been shown to his satisfaction that the requisite sum of $5,000,000 had been raised and made available to the corporation whose name had been changed to "A Century of Progress" and that the board of trustees had "obtained the assistance of men eminent in science and industry to aid in presenting those historic inventions and symbols which demonstrate the progress and the modern spirit underlying industry and agriculture, and in general to present exhibits showing advancement in the industrial and fine arts."

The President further expressed his belief that "the people of many nations would be pleased to unite with the people of the United States in the celebration of a century of progress and of the centenary of Chicago, itself an outstanding example of the great and rapid changes this century has produced." The President, therefore, in compliance with the joint resolution of Congress, invited "the participation of the nations in this exposition of a century of progress, to the end that there may be shown in Chicago examples of contributions made to that progress by the peoples of many nations; and in order that the achievements and inventions of the great men of the world in science, in art, in drama, and in sport as well as in industry and agriculture, may be fittingly acknowledged and acclaimed."

In response to this invitation of our Government, great interest has been shown among the nations of the world, and among the States of the Union to participate in the exposition. It is clear, however, that an exposition of the world's progress during the last hundred years in art, science, industry, agriculture, transportation, drama, sport, and other activities would not be complete without a demonstration of the contributions of our National Government and an exhibition of many articles in its possession showing the vast participation of that Government itself in all the things that have made the last century one of marvelous advancement. It is felt by the management of the Chicago exposition that the nature and extent of this representation and participation should be determined by the Federal Government itself.

In order to start this movement the pending joint resolution was introduced. It authorizes and requests the President to appoint a committee consisting of one representative of each of the Departments of State, Agriculture, and Commerce, who shall investigate and report to the President for transmission by him to the Senate and the House of Representatives at the opening of the next regular session of Congress in December, 1930, their conclusions and recommendations with refer-

ence to the suitable representation at and participation in the Century of Progress Exposition at Chicago on the part of the Government of the United States and its various departments and activities.

When the report of this committee is received in December it is hoped and expected that Congress will be in position to determine what further legislation should be passed in order to provide opportunity for exhibits in the control of the various Government departments to be added to those of private exhibitors and of other nations, for the purpose of showing the Federal Government's participation in and relation to the progress of mankind and of the people of the United States especially during the century which has passed since Chicago was incorporated as a village with 28 white inhabitants in 1833.

The Century of Progress Exposition at Chicago, as the proposed world's fair is now called, will cover an area of approximately 1,000 acres, including a lagoon of 200 acres. It is located on the shore of Lake Michigan in the heart of the city. Already included in this area are such outstanding institutions as the Chicago Art Institute, the Field Museum, the Adler Planetarium, the Shedd Aquarium, and the Soldiers Field Stadium, all of which will be utilized for purposes of the exposition.

The plans for the selection and grouping of exhibits have been committed to the National Research Council, which for that purpose has appointed a general advisory committee of 57 members divided into three groups, consisting of the executive committee of 7 members, 34 technical and professional members who have the responsibility of preparing the programs in their respective fields, and 16 members at large who are advisors in general. Each of the 34 technical and professional members is chairman of a subcommittee, assigned to a particular subject, thus, for instance, the subcommittee on anthropology has a membership of 4, while the subcommittee on electrical engineering has a membership of 49. The total membership of the subcommittees at this time is 409. Agriculture and transportation have been placed in the foreground in the plans for exhibits. Numerous congresses and conventions, of great interest to the Federal Government, as well as to the general public, will be held during the exposition, and an elaborate program is being arranged for the exhibition of sports and games.

The physical work of the preparation of the grounds and the erection of buildings for the exposition is well under way, and it is expected that most of the buildings will be available for occupancy a half year before the opening of the fair.

It is expected that the reports of the general advisory committee and its subcommittees of the National Research Council, together with all the plans of the exposition corporation, will be submitted to the committee whose appointment is provided in the pending resolution, and that the proposed investigation will in every way be facilitated.

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

There was no objection.

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

A motion to reconsider was laid on the table.

JOSEFA T. PHILIPS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent, because it is an emergency matter, for the present consideration of the bill H. R. 12586.

The SPEAKER. The Chair understands there is an emergency involved and recognizes the gentleman for this purpose.

The Clerk read the bill, as follows:

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 Josefa T. Philips, widow of John Philips, rear admiral, United States Navy, and pay her a pension at the rate of $300 per month in lieu of that she is now receiving.

With the following committee amendment:

Page 1, line 8, strike out "$300" and insert "$100."

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, we are going into the Private Calendar in a few days and I object for the time being.

Mr. STAFFORD subsequently said: Mr. Speaker, I interposed an objection to the bill H. R. 12586 a few moments ago. I am advised that the circumstances are such that even another day may bring great need to this indigent widow, and I therefore withdraw the objection that I interposed.

The SPEAKER. Is there objection?

There was no objection.

The committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

SPEECH OF O. H. P. SHELLEY, OF MONTANA

Mr. McFADDEN. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following speech by O. H. P. Shelley, Republican candidate for United States Senator from Montana, delivered at Billings, Mont., over Station KGHL on Tuesday evening at 6 o'clock, May 27, 1930:

CAUSES OF STOCK-MARKET CRASHES AND DEPRECIATIONS—FEDERAL RESERVE SYSTEM AND WORLD BANK

In choosing between myself and Judge Galen as the Republican nominee for Senator the Republicans of Montana will have an opportunity to express themselves for or against the league court, for or against foreign entanglements which would sacrifice the independence, safety, and prosperity of the United States in behalf of supposed world interests.

Promoters of the League of Nations, having been defeated so often and so decisively in their efforts to drag America into the league, have now unanimously turned to the job of putting over the league court, knowing that once we are in this organ of the league, the task of dragging us out of the vestibule of the league into the league itself will be easy.

Judge Galen has not only signed a petition for the league court but he was one of the signers of the demand on the American delegation to the London Disarmament Conference, cooked up by a group of pro-league leaders in New York City, accusing our delegation in effect of a failure to go far enough in sacrificing American interests at this conference, and advocating our entry into a consultative pact which would have exposed this country to the danger of becoming involved in future European wars. It is well known that this cable with a thousand names attached, worked up at a cost of several thousand dollars by proleaguers, greatly embarrassed the American delegation at London. Up to that time no European nation had asked that the United States enter such a consultative arrangement, but this cablegram made it appear to the foreign delegations that the American people were asking it, whereas 90 per cent of our people are against binding this country to agreements which threaten us with being involved in foreign wars. The text of this cablegram with Judge Galen's name attached, was published in the New York Times under date of March 3 of this year.

In other words, Judge Galen showed by his action before he became a candidate for United States Senator, that he is an internationalist. It is well known what is behind this effort to involve this country in European leagues and tribunals, where this country would have 1 voice in more than 50 in determining questions affecting our national peace and welfare. The reasons behind this effort to involve us in foreign leagues and tribunals are business reasons. They grow out of the fact that American international bankers and industrialists have invested abroad, especially in Europe, billions of dollars which might better have gone for the development of the United States. Their hearts have followed their treasure into foreign lands. Meanwhile the vast resources of States like ours remain undeveloped for lack of capital.

The purpose of these internationalists is to pool American credit with foreign credit to stabilize foreign countries in order that American international capitalists may exploit European countries and people for their own profit, and for the opportunity to do this they are willing to sacrifice American interests and safety and expose the youth of Montana to the danger of being compelled to fight foreign wars to protect investments abroad.

I am in favor of friendly cooperation with other nations to reduce armaments within the border line of safety and for other mutually helpful purposes. But I am not in favor of sacrificing the Monroe doctrine or submitting any other question involving our just national interests to any foreign league or tribunal for settlement. For us to submit such questions as the Monroe doctrine, immigration, and tariffs to foreign adjudication is to imperil our prosperity and safety.

Back of all this movement to involve us politically in the European system is the plan of our international bankers and industrialists to bring the American standard of wages and living down to that of Europe, Asia, and South America, and thus to reduce our farmers and workers to the same status of peasantry they occupy in most of the rest of the world. I say that the billions we are investing abroad must not be protected by the sacrifice of the life and treasure of the millions of Americans who are content to contribute to the prosperity of their own country rather than engage in foreign financial adventures and cash in on them at our expense.

I think the time has come when our Government should focus itself on the job of promoting the prosperity of our own people. The present condition of unemployment in industry and depression of agriculture is due to too much attention to foreign necessities and too little to our own. Through an abuse of the Federal reserve system big finance bankrupted the American farmer in 1920–21. After encouraging the farmers to expand to the limit in their production during the World War, and encouraging the banks to extend credit to the limit to the farmers, the Federal Reserve Board compelled a sudden liquidation,

which broke the banks and the farmers and brought on the whole train of troubles which have pursued the farmers since. The rest of the world was clamoring for cheap food, and it will be recalled that Secretary of the Treasury Glass, in his correspondence with Food Administrator Hoover after the World War, gave that as his reason for asking Hoover to quit resisting the European demand for canceling contracts for American pork and other foodstuffs. The farmer was made the goat of a sudden deflation, which was perhaps the most outrageous single act of a Government agency in our history.

More recently the Federal Reserve Board has made American industry the victim of a single series of manipulations in the interests of European credit, which caused the stock-market crash and the present industrial depression. These manipulations, as shown by the columns of the public press, began in February, 1929, with a visit to this country of the governor of the Bank of England and his consultation with the Federal Reserve Board heads, the subject of these conferences being anxiety as to the financial situation in Great Britain and the fall of the pound sterling. Three billion dollars of French and British capital had been invested in the American stock market, and the purpose was to stop the drain of gold to the United States by breaking American security values. The first effort in March, 1929, caused by public proclamations of the Federal Reserve Board calculated to scare investors, caused a minor panic in March. The second effort, beginning in August, 1929, was made through sales and short sales of British and French investors and by American international bankers and caused the panic of October. An investigation by Congress would show the concerted action by which this blow was inflicted. It was accomplished by manipulations of the discount rate by our Federal Reserve Board and the Bank of England intended to hasten the crash. It is true that this crash was made possible by excessive speculation and inflation, but that speculation and inflation were created chiefly by the Federal Reserve Board inflation and driving up of security prices to perilous heights by the international investors and bankers preliminary to pulling the board out from under.

The Federal Reserve Board is now asking Congress to take the Secretary of the Treasury off the Federal Reserve Board and remove it further from control by the people through their Government. It is trying to set itself up as a financial and industrial supergovernment. Through the world bank our international financiers are seeking further to make credit and prosperity of the United States dependent on conditions abroad. They are preparing to market in this country hundreds of millions of additional securities, including reparation bonds, thus draining out of the United States more money needed for our own development and implicating us further in the European economic and financial situation. Instead of less control over the Federal reserve system I am in favor of more control.

I am against the draining of the money of our people into great centers through the chain-bank system, and the draining of the money out of our financial centers into Europe to build up their competition against us, based on cheap-labor costs. I am against the reduction of our standards of living to meet lower foreign standards. I am against the sacrifice of American prosperity to promote foreign prosperity and stability. This purpose is now being proclaimed in veiled language by our international bankers. There may be money in it for them, but to the American people it means only more blows at their prosperity such as were aimed at them by this same element in 1920 and 1929. And to the rest of the world it will bring no benefit except to a few financiers who are in on the deal, and it will put a premium on the continuance of cheap-labor standards.

There is no excuse whatever for the unemployment we now have in the United States, no excuse for the hard times which have come upon the farmer, except the manipulations of these international bankers who are financing the movement in this country to get us into the League of Nations, the World Court, the world bank, and similar institutions to which we are to contribute the assets and from which we are to take the liabilities. We have a new world of our own on this continent, a new political world based on principles of justice to the masses, which have not prevailed in the old world. Let the rest of the world climb to our level by the use of the principles we have employed here to make what of a right ought to be a country of increasing prosperity and social welfare. Let them not ask us, through the international bankers and industrialists, to come down to their level. Indeed, this country's social fabric will not withstand the strain of such a degradation, and unless this conspiracy against American standards of life is halted our country will go on the rocks.

I promise the people of Montana that if elected Senator I will fight with all my might against the schemes of international bankers and industrialists to reduce our country to the economic level of the rest of the world and sacrifice our independence in working out the high destiny of our people. Whether their program be the League of Nations, the League Court, the World Bank, the creation here of a financial and industrial supergovernment which will crush out the independent farmer, merchant, and manufacturer, which will tear down the protective-tariff barriers behind which alone we can hope to survive in the fight for the maintenance of our standards of wages and living against coolie, peasant, and peon standards, I shall be against them every step of the way.

This is the most important issue before the American people. Beside it all others sink into insignificance. We can make no progress along the lines of social reform or betterment if our people are to be reduced to the level of poverty for the masses accepted in the Old World. Millions of our people have come here from Europe to seek better conditions of life. They do not propose now to be dragged down to the European and Asiatic level in order that a few men here may make greater profits temporarily. It is time that we should rally around a new Declaration of Independence and fight for the right of the American people to enjoy the heritage which has come down to them under institutions which make the measure of national prosperity the degree of comfort, luxury, and opportunity in which the average man can live. We are asked to turn aside from the national and international policies which have made this the most prosperous land in the world. For a dozen years we have been witnessing the disastrous effects of turning our backs on those policies. Let us turn back from the swamp into which we are invited to the solid ground upon which Washington and Lincoln, Roosevelt, and McKinley stood. Upon our ability to do this against the great financial influences which seek to lead our people astray depends our ability to make and keep America the promised land of opportunity for common men.

THE NATIONAL INSTITUTE OF HEALTH

Mr. O'CONNOR of Oklahoma. Mr. Speaker, I ask leave to extend my remarks on the bill S. 1171. I desire to include therein an article written by Hudson Grunewald in the Evening Star.

The SPEAKER. Without objection, it is so ordered.

Mr. O'CONNOR of Oklahoma. Mr. Speaker, by the enactment into law of Senate bill No. 1171, this Congress has made it possible for the Government to perform a too-long-deferred duty to our country and to its people. Although much important legislation has been enacted at this session of Congress, with the passage of time it may well transpire that the greatest legislative achievement of this session of the Seventy-first Congress will prove to be the enactment of this legislation creating the National Institute of Health.

Disraeli, the greatest statesman of his day, and one of the great statesmen of all times, speaking on the subject of health, said this:

> Public health is the foundation upon which rest the happiness of the people and the power of the State. Take the most beautiful kingdom, give it intelligent and laborious citizens, prosperous manufactures, productive agriculture; let arts flourish, let architects cover the land with temples and palaces; in order to defend all these riches, have first-rate weapons, fleets of torpedo boats—if the population remains stationary, if it decreased yearly in vigor and in stature, the nation must perish. And that is why I consider that the first duty of a statesman is the care of public health.

Our very natural and human attitude of taking things for granted had long existed among our people generally in reference to the problem of public health. However, when through our entry into the World War it became necessary to draft many millions of our young men for military service, this attitude of indifference and ignorance to our health conditions received a rude and awakening shock. Since then we have been more or less alive to the vital problem involved in the matter of nation-wide ill health. It became obvious to all that if a large percent of our young men—in those years when health and vigor is at its height—were not in physical health, fit to enter the military service, then we were not the sound, virile, healthy people that we considered ourselves to be.

Good health at once became one of the vital elements of our military strength. This was recognized by all. It is now recognized that in many aspects and from many standpoints it is really a more vital and serious problem to be solved for the strength of our Nation and the well-being of our people in times of peace.

It is this recognition that has lifted the question of public health into the arena of national importance and made it a matter to be met and dealt with as a constitutional duty of our Government—to promote the general welfare.

Then, too, our Government's obligation to the sick and disabled veterans has been met by a national hospitalization policy and program on a large scale. This has further knitted the health problem of our people into the national policy of our Government.

I find it impossible to discuss the matter of public health without paying a brief tribute of the admiration, respect, and deep sense of obligation which I feel to the medical profession. And among the thousands who have slaved for science, who have often sacrificed their lives to save others, who, without any

thought of the great personal risk to themselves, have treated patients with infectious and contagious diseases, who have risked their lives in laboratories doing research work in attempting to discover the cause and cure of these diseases.

We have all been the beneficiaries of the work and service of this great profession. We would pay the highest tribute to the brave men who took the mass of superstition and tradition and guesswork and by applying to this whole field the scientific method as brought therefrom for all the race, its greatest boon of modern scientific medicine.

One of the greatest and earliest pioneers in this movement was not even a member of the medical profession. He was a chemist. But through his years of devoted service, his inspired foresight, he has now become in our memory one of the great "saints of science." I refer, of course, to Pasteur, who, with little or no public funds and with much of the opposition of the orthodox public opinion of his day, toiled on in his little attic laboratory without any laboratory equipment except that which he designed and made with his own hands. But from that humble laboratory, through his devotion and service in fighting disease, has flowed throughout the medical profession the health-giving and healing water of his sacrificial and devoted service. From the practical standpoint it was Pasteur who discovered the origin of germs and that they were the cause of disease, and more important than this, that germs were everywhere. It was the application of his discovery by the great Doctor Lister, who applied the principles in the use of antiseptics in the operating room and sick room, that made possible modern surgery.

Pasteur's tender heart was touched by the heavy toll of human life that was caused by childbirth. He saw that all too often the door that opened to bring life to the new-born babe was an open door to the tomb for its mother—that all too often, and too soon, the tender arms that embraced the new-born babe were forever stilled in death—and that the ravages of childbirth fever were due to germs; that the surgeon's hands, the instruments, the nurses' hands, bandages, dressings, and everything used in the sick room must be sterilized to destroy the germ life.

The best-known result of his many experiments is his isolating the germ which caused rabies and of perfecting the serum which has proved to be a cure for hydrophobia.

But greater than all of Pasteur's experiments and the results flowing therefrom was this: His greatest achievement was that he established the scientific method, which has since been adopted and followed by the medical profession and from which has flowed all its great contributions with its blessings and its benefits to the race, in the discovery of the cause and cure of the ills to which human flesh is heir.

The medical profession has in recent years been giving more recognition to the importance of mental states in the cause and treatment of that wide range of human ills which exist where there is no organic disorder. They have recognized that in many such cases the disease is in the patient's personality and the treatment must be administered to the whole personality.

But there are many people who go far beyond the definite limits of this field, fixed and recognized by the medical profession, and who say that all disease is a matter of the mind. They go further and not only deny the existence of physical disease as a scientific fact but sincerely and vigorously deny the power of the medical profession to successfully treat such diseases. Their sincerity and devotion to their belief is shown by the fact that they will lie on their deathbed and not consult a physician or subject themselves to medical treatment. And they will let those who are near and dear to them "pass out" without asking medical science to try and save them.

If I were such a person, holding such a belief, I could not, of course, support such legislation as created the National Health Institute, for the obvious reason that I did not believe that there is any such thing as organic physical disease and that the medical profession could not do anything in the cure or treatment of the same. And to support such legislation would be to surrender my sincerest convictions and to foist upon the people a palpable fraud practiced by well-meaning but mistaken imposters.

Believing, however, as I do in medical science and recognizing as I do its great contributions in the curing of disease and the prolongation of human life, I can and do support such legislation whole-heartedly, with enthusiasm, and with a feeling that I have done my bit in causing the Nation, through this cooperation with the medical profession, to make a great and further contribution to human health.

I am thankful again that I am not one of those who believes neither in organic physical disease nor in the power of scientific medicine to cope with it, when I am asked to deal with legislation authorizing Government hospitals for the care and treatment of our sick and disabled veterans, because were I such a person I could not support such legislation and appropriate millions of Government funds for hospitals, doctors, and nurses to care for our sick and disabled veterans who sacrificed their health in defense of their country in its hour of need—for the very obvious reason that, believing as I did, that there was no disease and no disability and that the medical profession and hospitals could offer no relief, I could not honestly support such a policy and authorize such an expenditure of the public funds. But I am glad again that my admiration and respect for the medical profession, and my recognition of their great service in dealing with the sick and disabled veterans causes me to support all hospitalization legislation with enthusiasm.

And yet, again, were I one of those who did not believe in the existence of physical disease, I would again come face to face with the insurmountable obstacle of such a belief when it became my duty, as Congressman, to vote large Government funds either as pensions or compensation for sick and disabled veterans. How could I, if I did not believe that there was any such thing as sickness and physical disability, vote to pay men for something that did not exist? If I thought they were not disabled, but only suffering from a mental error, they would not need a pension. All they would need would be to change their minds.

But knowing as I do that our veterans have been wounded and disabled by the thousands, and are sick and suffering by the tens of thousands, I find myself anxious to do my duty as a Congressman in voting in favor of sound legislation, doing justice to all, and not a few, of those who fought our battles "over there," appropriating funds from the Government Treasury to pay these men just compensation and pensions for their illness and disability.

The striking contrast which I have tried to show in the realm of national life can be brought home to everyone if I give you what the pictures would term a "close-up." How many of you have lived in a community where the school board tried to enforce vaccination requirements to prevent the spread of small pox or some other contagious disease, and witnessed the strongest possible opposition and refusal to comply with the regulations on the part of those sincere people who did not believe either in the existence of disease or in anything that the medical profession had to say or proposed to do about it. But not only has this arisen in the school situation, but in local communities, and even in States where legislation authorizing quarantine regulations was proposed or where authorities attempted to enforce quarantine. They have found the law opposed and evaded firmly, sincerely, and vigorously by people who do not believe in the existence of physical disease, and do not believe in medical science's ability to restrict the spread of the same through the enforcement of quarantine regulations.

The creation of the National Institute of Health is a great step, but it is only the first step. Before this Congress adjourns I wish the committee would report out and we would enact into law the Cooper bill—H. R. 12845—which has for its purpose Federal aid to the State in coordinating public-health activities and in setting up and training an adequate local personnel to deal with local health problems. Unless this or similar legislation becomes a law, much of the valuable results of the research and work of the National Institute of Health will lie dormant. What we need is these local health agencies to take out among our people, and into our homes, the benefits and blessings of the new achievements of medical science through the National Health Institute, with the better methods of hygiene to be explained and given to our people.

If we are to overcome disease and ill health, the battle must be won in the local community and in the home. It can not be met by "long-distance" treatment from Washington.

Under the leave given me I now desire to insert in the RECORD an article entitled "War Declared on Disease," from the able pen of Mr. Hudson Grunewald, which was published in the Washington Star on June 15, 1930. This article not only pays fitting tribute to Senator RANSDELL, the distinguished author of the bill, but it is a concise and fair statement of the purposes and the hoped-for achievement of the National Health Institute:

[From the Washington Star, June 15, 1930]

WAR DECLARED ON DISEASE—CAPITAL TO BE CENTER OF BIGGEST FIGHT EVER WAGED UNDER PLANS APPROVED BY CONGRESS

By Hudson Grunewald

The passage of the Ransdell bill to establish a National Institute of Health in Washington, D. C., marks the beginning of a new chapter in the history of medicine; a new contribution by the United States to medical knowledge of the most far-reaching influence in the relief of human suffering. A veritable declaration of war against all the physical forces detrimental to health on a greater scale than ever before attempted, this bill centers in the Nation's Capital all of the country's

medical and scientific resources for the combating of disease, and creates in Washington a clearing house of health for all the world.

Here, under a commander in chief, will be marshaled the Nation's army of experts in the sciences of medicine, surgery, chemistry, physics, biology, bacteriology, pharmacology, pharmacy, dentistry, and allied professions in a concerted drive to prevent disease by ascertaining its cause and applying preventive measures in advance of its outbreak.

Here in the Nation's Capital will be founded an institution devoted solely to the study, investigation, and research in problems relating to the health of man, where every available facility will be provided to aid and encourage scientists to combat illness and to solve the many remaining mysteries of disease, and where all medical knowledge and every advance in the promotion of human health will be pooled and correlated for the benefit of mankind.

PLANNED ON RECORD SCALE

Here will be begun new researches in cancer on a greater scale than ever before attempted; new investigations into the cause and cure of infantile paralysis and heart disease; new studies of influenza and pneumonia. Here for the first time the scientists of an entire Nation will unite in a mass attack against the common cold and against other widespread maladies to which all are heir. Here will be made new discoveries; new and better methods of cure and treatment will be found to replace those now in use, and new and greater safeguards of health will be devised.

No institution has ever been founded anywhere in the world for the combating of disease on so large a scale, and there is no means of foretelling what may be its eventual benefits to humanity.

The bill has been termed "the most forward step ever taken by the American Government." And it affords the United States "the unique opportunity to give to our country a new and powerful weapon for attack on the greatest problems of maintenance of health and cure of disease which is not duplicated or equaled elsewhere."

"While war claims its sacrifices in millions of lives," declared Senator JOSEPH E. RANSDELL (Democrat), of Louisiana, author of the bill, "disease each year claims its tens of millions. * * * Can we not use for the solution of these problems the same methods so successfully employed in the solution of means of making war? The experience of the ages is now being drawn upon in this fight against disease, but the means are entirely inadequate, as shown by the continued ravishment of disease."

"United efforts of the Navy, the Infantry, Artillery, Cavalry, Air Service, etc., is now the self-understood method of campaign against an enemy," Dr. Julius Stieglitz, of the University of Chicago, has pointed out. "Similarly, a campaign against disease, against invading microbes, and disorganized body functions will give the greatest promise of success in an institution that can continuously call upon eminent men in the fields of science studying disease to give their whole service to the planning and execution of the campaign against these deadly enemies to the life of our people."

CONTAINS THREE FEATURES

The definite object of the Ransdell bill is to promote the health of human beings, to improve their earning capacity, to reduce their living expenses, to increase their happiness, and prolong their lives. It has unselfish interests to serve, and its beneficent results will enter every home in the Nation.

The bill contains three distinct features:

First. The creation of a National Institute of Health in the Public Health Service under the administrative direction and control of the Surgeon General, for the special purpose of pure scientific research to ascertain the cause, prevention, and cure of diseases affecting human beings. It does not create any new bureaus or new commissions but utilizes existing Government machinery and provides for such enlargement of the Hygienic Laboratory which is merged in and made an essential part of the national institute. It authorizes the appropriation of $750,000, or so much thereof as may be necessary, for construction and equipment of additional buildings at the present Hygienic Laboratory of the Public Health Service, Washington, D. C.

Second: It authorizes the Treasury Department to accept gifts unconditionally for study, investigation, and research in problems relating to the health of man and matters pertaining thereto, with the proviso that if gifts in the sum of half a million dollars or more are made, the name of the donor shall be attached thereto.

Third: It proposes the establishment and maintenance in the institute of a system of fellowships in scientific research in order to secure the proper personnel and to encourage and aid men and women of marked proficiency to combat the diseases that menace human health.

The main purpose of the bill as reported is "to arouse our people to the imperative necessity and wisdom of preventing the innumerable diseases that affect humanity and of making life more comfortable and happy by assuring good health, the greatest of temporal blessings." The practical effect of the legislation would be to enlarge the work of the Public Health Service and to enable it to fulfill a larger field in public-health research.

"There are millions of sufferers from painful, consuming disease," says Senator RANSDELL, "such as the common cold, about the nature, origin, and cure of which little or nothing is known, and which causes more deaths and economic waste than any other, as influenza, before which modern medicine remains impotent; measles, the offending organisms of which have not as yet been definitely proven; pneumonia, which is still unconquered; tuberculosis and cancer, which baffle the skill of scientists; child-bed sickness so fatal to mothers; infantile paralysis, which remains a curse to childhood; Bright's disease, which is so prevalent among adult men; anemia, mental troubles, heart lesions, and venereal diseases, all of which take heavy toll of human life. Leprosy, life's greatest tragedy, is only slowly being conquered. A great deal has been done recently in a scientific way to conquer malaria, but it, too, is not thoroughly understood. A vast amount of research work is awaiting the attention of scientists in the field of medicine and its application for the alleviation of suffering."

EXPERTS TO WORK TOGETHER

"There should be one place in the United States where unceasing efforts are being made to conquer disease," Senator COPELAND, of New York, told the committee, to which the bill was referred. "It is pathetic to think that infantile paralysis, influenza, and pneumonia are just as fatal to-day as they were a century ago. There must be found means of controlling those dread diseases. The Ransdell bill will help to accomplish this."

The plan of the institute is to make of it a great cooperative, scientific organization in which leading experts in every branch of science will be brought together and given opportunity to work in unison for the purpose of discovering all the natural laws governing human life, and especially to learn those variations of such laws which are detrimental to human health.

The bill authorizes the use of the site now occupied by the Hygienic Laboratory and adjacent lands owned by the Government for suitable and adequate buildings for the use of the institute as well as the acquisition of additional sites in or near the District of Columbia.

Public health investigations by the Federal Government were first authorized in 1901. "Since then," states the committee report, "commendable progress has been made and many new facts discovered which have had an important bearing on the control of disease. The necessity for this work far outstripped the facilities for its conduct."

Reid Hunt, of the Harvard University Medical School, told the committee that "never in the whole history of the world have the efforts to improve health conditions been so far behind the advance in other sciences. The applications to public health are certainly lagging, simply because there are no good places to study them as they should be studied."

Pointing to the fact that the United States has lagged behind in medico-scientific advances because of its lack of adequate research facilities, such as the National Institute of Health will provide, the report showed that the big advances made in medicine in the past 60 or 70 years, with a few outstanding exceptions, have been of foreign origin, and the roots of many of them have been in the German laboratories, supported by the German Government.

"The first duty of the State is the care of the health of its citizens," said Dr. W. J. Mayo in a letter read before the committee. "By means of public health measures in the last 60 years the average life of man has been prolonged 12 years. This extraordinary result has been brought about through researches by medical men and has been possible only through the cooperative labor of many investigators. The physician in his ministrations applies for the benefit of his patients the best which science offers."

"The public-health movement has demonstrated with complete assurance that, at the present time, with all of our health advances, hundreds of thousands of lives are sacrificed to ignorance and neglect, and that the total economic money value of these lives is close to $6,000,000,000," Louis I. Dublin, statistician of the Metropolitan Life Insurance Co., stated in a letter to Senator RANSDELL. "Preventable disease, likewise, costs us well over $2,000,000,000 a year. These are the stakes for which the public-health program is playing."

The scope of work coming under the National Institute of Health is very great. An idea as to some of the problems awaiting solution is clearly set out in a recent study made by the Public Health Service of the cases of sickness in a typical small town and reported to the committee. Translated into terms of the population of the United States it is shown that the number of persons suffering from minor sicknesses in 1927 were as follows:

Colds and bronchitis	50,232,000
Influenza and grippe	17,184,000
Diseases of the digestive system	11,589,000
Tonsillitis and sore throat	7,884,000
Diseases of the nervous system, including headaches	5,292,000
Measles	4,104,000
Whooping cough	2,712,000
Rheumatism and lumbago	2,616,000
Heart and other circulatory diseases	2,196,000
Hay fever and asthma	600,000

MAJOR DISEASES EXCLUDED

"It must be remembered that these figures do not touch on the more dreaded diseases, such as cancer, tuberculosis, etc.," says the report. "Furthermore, it should give rise to serious thought when we read from the report of Dr. George T. White, secretary and manager of the

Association of Life Insurance Presidents, that while the death rate among policyholders of the 52 legal-reserve life-insurance companies was 828 per 100,000 policyholders in 1921, nevertheless, the corresponding figures for 1927 were 823.5, a decrease of only 4.5 deaths per 100,000, which is equivalent to a decrease of only 0.045 of 1 per cent, and this in spite of all the wonderful developments in science during that period of 6 years."

The system of fellowships for researches of demonstrated proficiency, as provided in the bill, is regarded as a most important one. These fellowships would offer inducement and opportunity for those specially qualified in this line of research to serve their fellow men in the most useful of all ways. While it is contemplated that the bulk of this research work will be carried out in the laboratories in Washington nevertheless it is not so limited, for under the terms of the bill these "fellows" could be assigned to a definite problem in educational or endowed institutions in any other part of this or other countries, wherever it would be most advantageous for the problem to be worked upon. The existence of such fellowships will direct the attention of the young men and women of our universities, and even those in our high schools, to the desirability of equipping themselves for lifetime work in this most important of all fields of applied science.

In discussing these fellowships Surgeon Kerr, of the United States Public Health Service, declared:

"The most valuable asset of the people of the country is brains, and, from my experience in college and university life, I know there are young men, have been young men, and I know there must be now, who, by reason of lack of finances and lack of encouragement and the inaccessibility of a scientific environment in which to develop, have fallen by the wayside. Now, the purpose of a measure of this kind should be to have potentially available a provision whereby a young man could be aided, not for a few days or a few weeks, to finish his education, as the universities have some funds of that character, but to aid him, after he has graduated, providing he is an extraordinary student."

Concerning the matter of gifts and donations to the National Institute of Health, Senator RANSDELL said:

"In the field of public health no precedent can be recalled of donations from philanthropists to enable the Federal Government to maintain laboratories and institutions for the promotion of research with possibly one exception. The Smithsonian Institution was founded as the result of the gift of one man. It stands as a monument to his name, and its achievements are known throughout the world.

"With the highest respect for Smithson and full appreciation of the great work accomplished by the Smithsonian Institution and the bureaus directed by it, I believe that the citizens of America would have derived infinitely more practical benefit had he left his endowment for an establishment to study the diseases of man, to relieve human suffering, and prolong human life. * * * I can not suggest anything to the millionaires of America, many of whom are earnestly seeking some wise use for their wealth, that will do as much good to humanity as to contribute generously to their Federal Government for public-health purposes in combating disease.

"A great chemico-medical laboratory, fully equipped to cope with all diseases that afflict mankind, where he can carry on his important work fruitfully and in an unlimited way is the need of the American scientist. Our lagging in the matter of medical research has not been the result of the inefficient mentality of our scientist, but, on the contrary, the lack of facilities and the discouraging insufficiency of funds to stimulate recruits in science."

What results will be accomplished by the national institute of health, which will be perhaps the greatest single agency ever formed for the combating of disease, can hardly be visualized.

MEASURE OFFERED IN 1926

"Encouraged by this Government," Dr. Arthur McCormack, State health officer of Kentucky, declared, "it absolutely startles one's imagination to contemplate the resulting benefits to humanity that can be accomplished."

The passage of this bill is the realization of a dream come true for Senator RANSDELL and is the third great humanitarian measure he has put through, being the author of the bill to establish the National Leprosarium at Carville, La., where lepers are to-day being cured, and having fathered the bill to eradicate Texas fever.

Senator RANSDELL first introduced the measure on July 1, 1926, and for nearly four years he has applied himself unceasingly and untiringly and with undiminished enthusiasm toward the realization of his ideal. The suffering of humanity throughout the centuries has impelled him in his efforts, the great need of his country's physicians and scientists for such a measure to aid them in their battle against suffering, and his patriotic desire to make the United States a leader in this movement of such vast benefit to countless millions in the ages to come has urged him on.

Many men of vision and love for their fellows have assisted him in doing the educational work necessary for the proper understanding of the measure by Congress. "It is impossible to name them all," he says, "but I can not refrain from mentioning President Hoover, ex-President Coolidge, Andrew Mellon, Secretary of the Treasury, and Francis P. Garvan, president of the Chemical Foundation. These four great Americans saw with clear eyes the possibilities of this health institute for preventing or curing disease, with its awful suffering and colossal economic losses not only to our country but to the whole world. They and many others gave their whole-hearted support to the bill.

Since the passage of the measure Senator RANSDELL has been flooded with letters of praise and congratulatory messages, and newspapers throughout the United States have paid him tribute in commendatory editorials.

The time has come to recognize the silent men of medicine and science who are every day accomplishing heroic victories in the warfare against disease and human suffering. There have been greater generals in the laboratories, in the operating rooms, and in the wards of hospitals than any who have won glory on battle fields. Senator RANSDELL has paved the way for this recognition in the National Institute of Health in Washington. Here will arise a Napoleon of science, a George Washington of health. But to Senator RANSDELL will go first honors for this great humanitarian measure, and the institute he has founded will be a lasting memorial to his name.

FLOOD CONTROL

Mr. O'CONNOR of Louisiana. Mr. Speaker, I ask unanimous consent to extend my remarks on flood control and incorporate therein a letter written by a friend of mine.

The SPEAKER. Without objection, it is so ordered.

Mr. O'CONNOR of Louisiana. Mr. Speaker and Members of the House, I have written and spoken on the Mississippi River and the problem its flood waters has brought to the people of the valley, I suppose, as often as any other citizen in or out of public life. I have been the congressional spokesman for several flood-control organizations ever since I came to Congress more than 10 years ago. I thought I knew the subject. I thought I felt the influence of the mighty river only as one born and reared on its banks in the lower reaches. I was certain I knew its story by heart—that I felt the song as it came from all the tributaries from the Alleghenies to the Rockies—from many an "ancient river, from many a palmy plain."

For more than a half of a century I have been "crossing the river," as we call it in New Orleans, and recrossing it. I have jumped across it at the first bridge far away in Lake Itasca. I have swam across it at New Orleans. I know that every drop of rain and every drop and flake of snow, or hail, or sleet that falls between the ramparts of the lordly range of the West and the inspiring crest of the mountains of the Atlantic coast must find its way to the Gulf by the portals of the last city on the Mississippi, except in flood times when the raging waters crash through the Atchafalaya and reach the eternal sea by that shorter route. I suppose I have as much of a recollection as most people in my section of the historic crevasses on both sides between Baton Rouge and New Orleans. Great crevasses are to many people inspiring and terrifying spectacles. The losses of property and life, the suffering and the destruction of homes are saddening to those whose efforts, thrift, and toil have built up the alluvial civilization.

Why do they live there, you ask, at danger's door? Ask the men and women whose ancestors from time immemorial wandered back to the slope of Vesuvius, Aetna, and the giant peaks of Himalayas, after volcanic eruptions had driven them from homes that were obliterated. Ask those that still dwell upon the banks of the Nile, the Tigris, and Euphrates, why they cling to their homes in the face of every disaster and vicissitude of nature, and they will say it was because their fathers knew the same calamities—and it is not as strange as it may appear at first blush, that those that were born and reared behind the levees never know, certainly never betray the same fear and trepidation as is exhibited by the stranger within our gates, and even by those that have been with us for 10, and in some cases, 15 years. Of course, we recognize the devastating effects of floods, and we are looking to the coming of the Mississippi Messiah—and I use that sacred word in the utmost reverence.

It is clear to my mind that if the valley had, as it some day will have, 150,000,000 souls or inhabitants that no one would dream of suffering under the flood-control plan that is, in effect, legally if not in practical operation. We endure it because we have neither the political power nationally, as a result of a lack of population, to secure something better, such as would protect us against the flood waters, which should be stored and reservoired and conserved and made to render beneficial effects. Year-around navigation for the whole waterway system lying between the two mountain ranges of the country, power development lighting a thousand cities, driving the wheels of 10,000 factories, and illuminating millions of homes is not the dream of a dreamer or soothsayer or the song of a poet, but the well-considered plan of the leading engineers of the United States, who say that such a prospect is entirely feasible. It will come. Even the desert will blossom as the rose, and

man, who has conquered many problems, will put this and all other things under his feet.

It will come as the result of correct thinking, for it is on the anvil of discussion that the spark of truth will fly. And for the purpose of igniting the subject anew, of, causing the spark to fly upward until it shall become a conflagration of force, I am going to give you the benefit of a view so daringly advanced, so intrigueingly pictured, that if the writer had never done anything else he would have won the affections of those that admire literary skill and the ability to convey to the written pages the wonders that are yet to come. Mr. O'Donnell's paper, sent to me by himself, should be read by everyone interested in the great valley—by every American who believes in the growth of his country along lines that will insure its prosperity as a result of superior economic advantages, natural and man made. For even if you disagree with him, as I am obliged to do presently in regard to temporarily suspending the activity, the growth, and the importance of New Orleans, you will find food for thought in his marvelous paper. Perhaps many will dismiss him as an idle dreamer of dreams, but I am glad to submit his dream, for, after all, it is the dreamers of dreams, the music makers, who build up the world's great cities with their wonderful ditties and see with prophetic eye the glories of the coming day, for to them each age is a dream that is dying or one that is coming to birth.

THE GREAT MISSISSIPPI HIGHWAY

(A threefold transportation artery, water, rail, and automobile. One thousand two hundred miles of winding channel, hazardous to navigation, reduced to 600 miles of direct, safe, rapid transportation, connecting the heart of the continent with the ports of the world, would permanently eliminate the flood problem. An urgent necessity and a highly profitable investment. Patching of the Mississippi River false economy. The new highway would not disturb the present stream.)

THE DELTA

Geologists tell us that up until about 45,000 years ago the Gulf of Mexico extended about 600 miles farther north than the present Gulf coast line; in other words, to a point above the present junction of the Ohio and Mississippi Rivers at Cairo, Ill. The sediment carried down by these and other streams has since filled this long bay or arm of the Gulf and produced the land now known as the Mississippi Delta. The width of this Delta, for the greater part, is about 40 miles; spreading out to about 150 miles at the coast line.

Ellett (pp. 25–26) says of this territory: "The Mississippi bears along at all times, but especially in the periods of floods, a vast amount of earthly matter suspended in its waters, which the current is able to carry forward so long as the river is confined to its channel; but when the water overflows its banks its velocity is checked and it immediately deposits the heaviest particles it transports and leaves them upon its borders. The consequence is that the borders of the river, which received the first and heaviest deposits, are raised higher above the general level of the plane than the soil which is more remote; and that while the plane of the Delta dips toward the sea at the rate of 8 inches per mile, the soil adjacent to the banks slopes off at right angles to the course of the river into the interior for 5 or 6 miles at the rate of 3 or 4 feet per mile."

"In times of flood the surface of the Mississippi is 18 or 20 feet higher than the level of a great part of the actual Delta and at low water its surface is found at the very lowest depression of the Delta, so that all the lateral streams and adjacent low grounds have a natural drainage toward its channel."

"The lands immediately on the borders of the river are extremely fertile and often highly cultivated; but as they are all subject to inundation during the high floods of the river, they are guarded by artificial embankments. The water presses upon these embankments and often produces breaches through them and rushes in a deep column into the low grounds from which it had been excluded by the levees and sweeps over any improvements that may have obtained a foothold there.

"The immediate borders of each tributary likewise exhibit deposits made by the tributary, highest at the edge of the channel and sloping off laterally to the adjacent lowlands, presenting a narrow strip of cultivated or arable soil near the winding channel and great, unbroken swamps beyond."

The Mississippi River flows through the flat territory of the Delta in a meandering course, covering a distance of about 1,200 miles, with an average fall of about 3¼ inches to the mile. It is probably the most crooked river in the world, and is continually changing its course, in spite of man's best efforts to control it. The average width of the river is about 3,300 feet. The maximum discharge of the river is about 2,000,000 cubic feet per second; the velocity 5 feet per second; the breast 215,000 square feet. The maximum rise above low water at Cairo is about 55 feet, and at New Orleans 24 feet.

FLOODS

Periodically, the Mississippi River overflows its banks and inundates, at times, approximately 20,000,000 acres of land. The great flood of 1927 was the most disastrous in many years, and the destruction wrought by it has caused a widespread demand for better protection of the territory. The United States Government engineers have requested an appropriation of approximately $500,000,000 with which to build bigger and better levees, and to provide spillways. Past experiences have proven, conclusively, that such measures will not be effective. They are mere palliatives and would have to be perpetually applied. At best they could only provide partial relief. They would neither facilitate transportation nor make it safer. The spillways would continue to inundate vast tracts of valuable land. Lack of confidence in these measures would retard development of the country; distress and uncertainty would be perpetuated.

MAKESHIFT SUGGESTIONS

Numerous suggestions have been offered as solutions of the Mississippi flood problem, such as reforestation of the territory at the headwaters of the upper tributaries; impounding dams in the upper streams to hold back the waters at flood times; bigger and better levees along the banks of the lower Mississippi, supplemented by a number of outlets or spillways through these levees to permit some of the excess waters to leave the main channel of the river and find a more direct route to the Gulf.

Bigger and better levees and spillways have been recommended by the Government engineers. The experience of the past shows that these would be merely temporizing expedients; levees can not be relied upon to hold the flood waters in the Mississippi channel; the river is one continuous series of bends, and the swift current of the waters will eat under the embankments at these bends causing them to topple. Even where the levees are back considerable distance from the banks of the river, the prolonged pressure of the flood waters behind them will cause the water-soaked earth from which the levee is made to lose its stability and slump flat away. The proposed spillways would continue to inundate thousands of acres of valuable land, resulting in the same damage that has been heretofore caused by breaks in the levees.

To complete the project of bigger and better levees where needed would require the construction of nearly 1,200 miles of embankments on each side of the lower river. The cost of replacement would never end; the stream would still be crooked; the channel would still be uncertain and hazardous to navigation; the expense of dredging would go on continuously, and there would be no hope of return on the money spent. The lowlands would not be successfully drained, and there would be nothing to stimulate development of the territory nor to encourage progress.

Eminent engineers claim that inasmuch as the most disastrous floods in the lower Mississippi River are caused by melting snow and rain in the headwaters at a time when there are no leaves on the trees, that reforestation would have little effect upon the heights of the floods. Forest litter on the surface has some effect in retarding the flow until the rain and melting snow has formed into streams; after that, only dams will retard the flow.

It has been shown that if all of the available sites for impounding dams had been in use during the 1927 flood, and if the best possible judgment had been used in holding the waters back at that time all of these dams would have been filled and would have lessened the height of the flood in its early stages, but that this particular flood was prolonged by continuous rains in the central Mississippi Basin, so that the waters that might have been held back in the early stages and that might have been effective in lessening the height of the flood waters in a flood of short duration could not have had any beneficial effect on such a flood as that of 1927. It is further shown that while it would be an easy matter to ascertain after a flood has run its course just how much water should have been held back in the many impounding dams in the vast territory of the headwaters to produce the best results, it is a much more difficult matter to guess in advance what to do.

It is estimated that if all possible reforestation plans were put into effect and all available sites for impounding dams were made use of and the plans for bigger and better levees were carried to completion, the total cost would be $1,630,000,000. Should this vast amount of money be spent the flood problem would still remain unsolved; there would be no return on the money spent; large sums would still have to be spent for replacement of levees, dredging of channels, maintenance of signals in the crooked and ever-changing channel of the lower Mississippi; little of the flooded lands could be reclaimed, and what should be the most productive territory in the country would remain a dismal swamp, and the Mississippi unsolved flood problem would continue to disgrace a proud and powerful Nation.

THE COMPLETE, PERMANENT, AND PROFITABLE REMEDY

The creation of a magnificent threefold highway, water, rail, and automobile, as hereinafter described, would completely and permanently eliminate the flood problem, permanently reclaim the 20,000,000 acres of rich land now subject to overflow, and provide an unequalled transportation artery that could be operated with the utmost economy. This highway would have numerous modern harbors along the route, with the most up-to-date facilities for the transfer of goods, and from it would radiate innumerable water and rail branches, reaching throughout the heart of the continent.

DESCRIPTION AND LOCATION

This new highway would ignore entirely the fact of the existence of the present Mississippi River throughout the length of its troublesome

course. It would begin at a point near the junction of the Ohio and Mississippi Rivers, with separate connection to each; these two branches would unite a short distance below the city of Cairo; from thence the highway would run in a direct route almost due south to the Gulf, a distance of 600 miles, as contrasted with 1,200 miles by the course of the Mississippi River. It would consist of a pair of embankments, or improved type of levees, running parallel with each other and 1 mile apart. The distance would be 600 miles, whereas similar levees following the course of the river would require 1,200 miles on each side. The material used in the raising of these embankments would come from the inner side of each. The cuts thus made would create a pair of channels. Each channel would be 300 feet wide and 30 feet deep. The top of each embankment would be 60 feet above the bottom of the channel. On the channel side of each embankment a strong, reinforced concrete wall would be erected. An extension of this reinforced concrete would be spread over the bottom of the channel for the full width of 300 feet and would rise with a slope part way up the other side of the channel. The top of each embankment would be leveled off for a width of 200 feet and covered with a thick coat of reinforced concrete attached to and made a part of the wall near its top, thus providing an automobile highway 200 feet wide and 600 miles long, perfectly straight and practically water level. On a slightly lower elevation of each embankment a level roadway 100 feet wide would be provided for railroad tracks. These railroad lines would parallel the automobile highway on the outer side. The tracks would be electrified and would be supplied with current from Muscle Shoals and other hydroelectric power plants. These tracks being free from grades, transportation costs would be exceedingly small.

All other railroads making contact with these main lines would be privileged to use these tracks, at very small cost, to transport their goods to destination or to other roads. The railroads would all benefit by this arrangement; they would also benefit by being freed from flood damage. The railroads should be as much interested as the farmers in keeping the floods away. Their flood losses in the past have been very great.

Adjoining these railroad lines, on the outside, provision would be made for a local highway 40 feet wide. These local roads would connect with the main highways by means of tubes that would run under the railway lines and emerge onto the main highways with the slow-going traffic in such a manner as to make accidents practically impossible. The roads and highways on either side of the channels would be identical, but in reverse positions.

The space from wall to wall, constituting the big waterway, would have a width of 4,600 feet, and a depth in the channels of 60 feet; the depth between the channels would be 30 feet. This would be ample to take care of the largest possible flood. To give assurance that this statement is reasonable, it might be well to repeat that the present Mississippi River, from Cairo to the Gulf, has an average width of 3,300 feet and a fall of 3¼ inches to the mile, while the new channel would be 4,600 feet wide and would have a fall of more than 7 inches to the mile. The new channel would be capable of carrying in a given time more than twice as much water as the present river channel; and inasmuch as the present Mississippi River channel would still remain in use and still be capable of carrying as much water as it is at the present time, it can readily be seen that the two channels together would be able to take care of a flood three times as large as the great flood of 1927. Should a greater capacity in the new channel be thought advisable, it would only be necessary to increase the distance between the embankments; the cost of construction would not be increased; a little more land would be required.

CONSTRUCTION

Construction should begin at two separate points on the gulf coast. These points would be about 30 miles apart, in an east and west direction. From these two points two separate highways, of the type above described, would extend northwardly and parallel with each other for a distance of about 20 miles, then curve toward each other, and by a reverse curve merge into one. At the coast line, midway between these two highways, an artificial bay and safe harbor would be constructed. A double chain of islands, alternating in position, forming a semicircle, would provide a breakwater to protect the harbor. Each island would be oval in shape, 1½ miles long and one-half mile wide. These islands would be encased in concrete, and would be high enough to resist tidal waves. Fortifications would be placed on these islands; some of them could also be used as recreation centers and for public institutions. The shore line opposite these islands would also be semicircular in form; the bay between would be an oval, 10 miles long and 5 miles wide, from the island to the harbor line, at the widest point.

From the outer edges of this bay two channels, similar in construction to the main highways, would extend northwardly and parallel with each other and 10 miles apart, for a distance of about 10 miles, from which points they would curve toward each other until they met. From this meeting point a single channel, of similar construction, would extend northwardly for a distance of about 10 miles where it would again split, and its two branches, by lines curving outwardly, would extend to and connect with the two separate branches of the main highway. At these points of connection locks would be installed, to provide means of ingress and egress for boats, to and from the main channels and the inner channels, at all times, regardless of the height of the water in the main channels. The combined docking frontage on the harbor and both sides of the inner channels would be nearly 100 miles. The most improved docking facilities that modern engineering skill can provide should be installed, both in the harbor and along the banks of the inner channels. Inasmuch as there exist no natural barriers, and there would be no previous mistakes to be corrected, and no valuable property to be damaged, there could be no excuse for not making this the greatest and most perfect harbor in the world.

The purpose of splitting the main channel at a point 35 miles north of the Gulf coast is to prevent the sediment, amounting to approximately 200,000,000 cubic yards per annum, that is carried down by the river from filling up the harbor and also to keep the water in the inner channel at a permanent level, affected only by tides, which at this point on the coast are only 14 inches.

Continuing the work of construction northwardly from the intersection of the two main channels, 35 miles north of the coast line, when a small stream from the west is encountered, a culvert would be provided under the westerly embankment, at a point a short distance below where the main highway would cut such stream. After the construction of the main highway has proceeded beyond the culvert a sufficient distance to be clear of its effects the water of this tributary would be turned into the new main channel. When larger tributaries are reached an open channel, of construction similar to that of the main highway, would be provided, also at a safe distance below where the new main channel would cut the tributary, and after the work of construction of the new channel had progressed beyond this point the tributary would be turned into the main channel. In this manner most of the construction work could be done in dry earth. The roads on the westerly side of the highway would be carried over the larger tributaries by bridges. This process would be continued northwardly to a point a short distance below Cairo, where the main highway and channels would again split; one fork would connect with the Ohio at Cairo, and the other would connect with the Mississippi River a short distance above Cairo. Only the tributaries from the west would be connected with the new channel; all of the tributaries from the east now entering the Mississippi River would remain undisturbed.

The waters of the Ohio and Mississippi Rivers having thus been turned in between these two concrete-bound embankments, would flow directly south to the Gulf, over a course less than half the length of the present Mississippi River between the same points.

Below Cairo a dam and locks would be provided to form a connection of the new channel with the lower Mississippi for the double purpose of regulating the flow of water into the Mississippi in dry seasons so as to provide a navigable depth, and to make it possible for boats to pass from one river to the other at all times, regardless of the height of the water on either side.

OTHER LOCKS AND DAMS

The low-water elevation at Cairo being 275 feet higher than the waters of the Gulf, other locks and dams, about 30 in number, should be provided in the new channel. These dams should be movable, and their height automatically regulated by the height of the water in the river; as the water rises the dams would drop down, so that in moderately high water and in times of flood boats could pass over these dams on the down trip without the delay of going through the locks. Numerous advantages are to be found in having a number of low dams rather than a few high ones; the territory being exceedingly flat, the lower the dam the less contrast between the elevation of the water in the river and the land adjacent, particularly at the dam; the cuts and fills would be less; the water would flow with a more uniform velocity; two pairs of crossover traffic tubes would be provided under each dam, one pair for railroads and the other pair for general traffic; the more numerous the dams the less distance between crossings.

It would also be advisable, wherever possible, to place these dams just above the larger tributaries that are now subject to overflow; lowering the channel would increase the velocity in the tributary and prevent overflow.

At each dam, and for a distance of several hundred feet above and below, the side channel depth, together with the concrete covering of its bottom, would extend from wall to wall; this would permit boats to cross from one channel to another and would form a wide and continuous slab of reinforced concrete which would protect the dam from the possibility of being damaged by the swift current of the water in times of flood.

RIVER HARBORS

Provision would be made for numerous harbors along both walls of the new river at such points as, in the opinion of experts, towns and cities would be likely to spring up. These harbors would be provided with elevators, varying in size, to meet every requirement; these would be recessed into the concrete retaining walls.

These elevators would be large enough to take care of the transfer of any commodity that might be offered; they would meet the level of the deck of the boat, regardless of the elevation of the water in the river, and would also meet the level of the bed on any railroad car, truck, or other conveyance. All other necessary or desirable transfer facilities

could be afforded. This arrangement would be in striking contrast with the muddy, sloping, ever-changing wharves now to be seen along the banks of the Mississippi River, where the only transfer facilities to be found consist of an indifferent type of manual labor.

The principal excuse offered for not providing transfer facilities along the lower Mississippi has been that it could not be relied upon to stay in the same place, and that the excessive variation in the water level, an extreme variation of 55 feet at Cairo, made it impossible to provide any desirable or economic appliance that would be workable at all stages of the river. With the new channel completed, providing a reliable by-pass for all of the flood waters, the Mississippi channel would be more reliable; there would be little variation in the height of the water; there would be less erosion of the banks, less changing in the course of the river, less trouble from shifting bars, as all of these things are caused by the waters when in flood, and the floods would be a thing of the past. The river channel could with little difficulty be kept permanently in place, dredging costs would cease, the danger from snags would disappear, and navigation would be made easy and safe.

RIVER TRANSPORTATION

To become a successful carrier the river should offer a channel as sure and reliable as the roadbed of a first-class railroad. Not only would this new artery of commerce provide such a channel, but, unlike the present Mississippi River, the channel would be straight for its entire length. This would be an agreeable contrast with the present lower Mississippi, which is admitted to be the most crooked and uncertain river in the world. Not only is the present river lengthened by its continuous bends, but the constant changing of the channel, shifting of bars, constant danger of striking unseen snags, make navigation slow, difficult, and hazardous. The new channel would be straight, permanent, free from hazards of every kind, and could be navigated with ease, speed, and safety at all times.

NO BARRIERS

There would be no difficult engineering problems to solve in connection with the construction of the new highway. With the exception of a narrow ridge at Helena, Ark., the territory traversed is practically flat. There would be little variation in the amount of excavation required; most of the work could be done on dry land; the work could be carried on simultaneously at many different points; if started promptly it would solve the problem of unemployment during the period of construction; and the new industries and developments that the transportation economies resulting from the new highway would induce throughout the vast territory served, would provide permanent employment and widespread prosperity for an indefinite period.

OCEAN VESSELS

This new waterway would permit all but the very largest ocean-going boats to reach the interior of the country; it would bring the ports of the world into the heart of the continent. An extension of this great waterway to St. Louis, Chicago, Pittsburgh, and the Great Lakes, connecting the two great internal waterway systems of the country with the ports of the world would not only be feasible but an attractive and profitable undertaking.

GENUINE AND PERMANENT FARM RELIEF

The savings in transportation cost on farm products and on the things that the farmer must buy, would bring permanent prosperity to those farmers in the Middle West who are now suffering. The cost of transporting the products of these farms to the seaboard for export would be so greatly reduced that these products could be sold at a profit throughout the world in the face of the keenest possible competition. This new economic highway would give us an advantage in the great and growing markets of South America, and the countries across the Pacific.

VITAPORT—A CITY OF UNEQUALED UTILITY AND INCOMPARABLE CHARM

On the Gulf coast, between the two branches of the main channel, a territory comprising about 800 square miles, every facility would be offered for the creation of a magnificent city; a city with ample parks and wide thoroughfares; a city free from slums and without congestion; a city equipped with every facility for the proper handling of the commerce of the world; a city that would be the pride of modern civilization; an ideal city in the truest sense. The best engineering skill from every country in the world should be invited to cooperate in the development of this great city; it should become the masterpiece of the ages; a place in which life would be well worth living; the nearest possible approach to the Garden of Eden. In the creation of this beautiful city and magnificent harbor no hampering conditions would be found; no engineering difficulties would be encountered; no valuable land would be damaged; no costly improvements would have to be destroyed. The engineers and artists would be free to follow their inspirations to their highest points of perfection. This city should eventually become not only the greatest port in the country, but in the entire world; it could be kept perpetually free from the possibility of a railroad monopoly, as the great system of railroad lines provided for in the beginning, and extending from the port up through the heart of the country could be used without discrimination by all roads making contact with it at any point on a fair and impartial basis.

The cost of this project would be large, but unlike the profitless patchwork policy now in effect, and which it is proposed by some to perpetuate, it would produce immense returns on the investment, and be an everlasting monument to those responsible for its construction.

THE TERRITORY TO BE SERVED

John L. Matthews (pp. 1, 2, 3) says: "The map of North America presents no more striking feature than the system of waterways which flow into, or are allied with, the Mississippi River. The land which they drain is the fertile heart of the continent. It includes the greatest wealth of the United States and Canada. In the South, the sugar and rice of the Gulf States and the greatest cotton fields in the world; north of them, the home of American corn; and still north of this the great wheat-growing region, which we shall never see equalled. It is by no figure of speech that I have called this the heart of the continent, for it is the source and center of our circulation; the fount whence springs our lifeblood; the never-ceasing engine.

"It is therefore by a specially bountiful provision of nature that in and from this heart lead the most wonderful arteries for a national life which are provided for any people."

"A parallel to that which the nations have striven for a century to construct, a continental system of internal waterways, America has here already at hand, and so situated that on its banks must be produced and consumed the greater part of all that the Nation produces from fields or factories or buys from other peoples.

"When the settlement of this new center began these rivers formed the natural channels by which people flocked in and by which their cargoes were handled. Later these people gave over the use of their steamboats to develop the faster and more certain railways. To-day these railways are congested and outgrown, and for bulk freights, at least, we are being driven back to the waterways. And when the center is entirely populated no thousands of miles of railways that can be built there, whether operated by steam or electricity, by coal, or by sunlight, will be capable of serving its trade."

Edwin J. Clapp (p. 118) says: "The Mississippi is the American Rhine, Weser, Elbe, and Oder all combined. It furnishes the best American comparison with the Rhine, and perhaps an occasion of applying the lessons in waterway transportation which the Rhine has to teach. Both Rhine and Mississippi flow through the heart of a rich continent; each represents nature's route of communication between its own fertile valley and the outside world. In their history the streams present a striking parallel up to the period of 1860–1870; then transportation on the Rhine is modernized and the river takes its place as the greatest waterway in the world, while the Mississippi retains its ancient form of transportation and goes down under the competition of American railroads."

RHINE VERSUS MISSISSIPPI

In 1907 traffic on the Rhine, which was improved for a length of 350 miles, carried over 64,000,000 tons; the increase from 1885 being over 400 per cent. In 1906 traffic on the Mississippi, with 16,000 miles of channel capable of development to a navigable depth, carried only 19,000,000 tons; the principal cause of this difference being that the Rhine was improved while the Mississippi was not.

MONONGAHELA RIVER

Following the improvement of the Monongahela River by the United States Government, at a cost of $15,000,000, traffic on this river reached 25,000,000 tons per annum, at a saving to shippers of over $25,000,000 per annum; the saving in any one year being much more than the entire cost of the improvement. The traffic and earnings of the railroads which follow either bank of the Monongahela River have increased in proportion to the increase in river traffic. The railroads have not lost, but their gains have been immense.

VAST TERRITORY

The Mississippi Basin drains 785,000,000 acres of the most productive land in the world. Had the best engineering talent of the ages cooperated in designing the central river and Great Lakes waterways system, nature's work could not have been improved upon. The natural direction of traffic through this immensely productive territory is and should be north and south. The products of this district can be transported to the ports of the world and exchanged for the products of the world by this natural route at much less cost than by the unnatural routes east and west over high mountain ranges that are now in use.

CAN THE NATION AFFORD THIS GREAT IMPROVEMENT?

It would seem more appropriate to ask, Can the Nation afford to be any longer without it? Is the country able to invest the amount of money that would be required? A good answer to these questions would be an exhibit of the things that this country has shown that it can afford. The following are a few of them:

The great Mississippi flood of 1927 is said to have cost approximately $1,000,000,000; every dollar of this is lost forever. The World War, at the time of signing of the armistice, was costing our Government $70,000,000 per day. Had the war lasted another 60 days the additional cost would have been $4,200,000,000, or more than the amount necessary to provide for this great improvement. The net war cost was about $18,000,000,000, to say nothing of the value of the lives lost, and for all of this no return was expected. According to Judge Lindley, of Chicago, crime is costing this country $13,000,000,000 annually, and for

this we get no return. Our present national income is said to be $90,000,000,000.

The people of this country have loaned or invested in foreign countries during 1927 alone more than $2,000,000,000; our total investments since the war in foreign countries and at present outstanding is in excess of $14,000,000,000. This is exclusive of war loans made by our Government, which is at present in excess of $11,000,000,000. These outstanding loans of Government and people, amounting in all to over $25,000,000,000, represent the surplus that this country has found it possible to invest abroad in the past few years. Our own national debt is being reduced at the rate of about $1,000,000,000 per year, and we are accumulating a surplus of about $500,000,000 per year. Although our Nation is striving for universal peace, there is talk of entering upon a naval program that would require more than $1,000,000,000. The wealth that we waste annually has been estimated at several billions of dollars.

PATCHWORK A FUTILE WASTE

Should the proposed patchwork plans be carried out in the lower Mississippi River the cost of maintenance and replacements would be enormous and perpetual. The present cost of dredging of the bars alone is $600,000 per year. These expenses, in the aggregate, would exceed the requirements for interest and sinking funds on a bond issue of sufficient amount to build the great, serviceable, and permanent highway herein outlined. With the new highway in operation, the cost of maintenance of the old channel would be reduced to the minimum. When, through the savings in the cost of maintenance of the old channel the bonds for the cost of the new channel were retired, this outlay for interest and sinking fund would cease, but if the proposed patchwork policy is persisted in the expense will never end, and we will have none of the benefits that the new highway would produce.

SAVINGS AND BENEFITS

The construction of the direct, threefold transportation artery would permanently solve the Mississippi flood problem; it would save many millions of dollars annually in transportation costs; it would completely and permanently drain and protect from overflow 20,000,000 acres of rich land in one of the most attractive sections of the country; the enhancement in the value of this land alone would exceed the entire cost of the great improvement project. The time would come when the value of the crops from this land in a single year would exceed the cost of the improvement. The unparalleled transportation facilities that would be afforded by this great highway and its connecting lines and tributaries would cause the great basin to swarm with industries, transforming the various accessible raw materials into finished products. The richness of the soil and the attractiveness of the climate should make this section the garden spot of the earth.

IMPORTANT TERRITORY

The waters of the Mississippi flow from 33 of the 48 States of the Union. The Mississippi Basin drains over 40 per cent of the territory of the United States. This territory produces approximately 80 per cent of the minerals, agricultural, and manufactured articles of the country; it sends to Congress 63 per cent of its Members. These Representatives can perform no greater service to their constituents and to the country as a whole than to promote the construction and early completion of this most essential project.

POPULATION

The density of population in the United States is less than 40 to the square mile; that of Germany nearly 300; and that of Belgium more than 600. The construction of the great Mississippi highway should have such a beneficial effect upon the Delta territory that it would attract, and sustain comfortably, a population more dense and more prosperous than that of Belgium—in other words, 50,000,000 people.

EFFECT UPON RAILROADS

The millions of dollars that would be saved in transporting products over this improved system of highways might at first glance appear to be at the expense of the present east and west transportation lines. This, however, would not be the case. Time would be required to bring about the change and the great stimulus to prosperity that the undertaking would provide, added to the normal progress of the country during the interval, would find the present railway systems overtaxed more than before.

EXPORTS AND IMPORTS

The export and import business now done at New Orleans might be partially diverted to the new port created at the mouth of the new channel, but this would not be an uncompensated loss to New Orleans. On the contrary, the new prosperity that would become general throughout the great Middle West, and particularly in the Delta district, would overwhelm the city of New Orleans.

New York City might lose some part of the export and import business now being done with the interior of the country, but New York, the great financial center of the world, would be called upon to finance the numerous enterprises that would spring up in the Mississippi Basin, and these would pour their tribute in an ever-increasing golden stream into New York. The increased prosperity of the banks in the central territory would necessitate an increase in their cash reserves in the New York banks. Prosperity would become contagious throughout the country; as an economic loss is borne by all, so also an economic gain is shared by all. The economic advantages resulting from the creation of this great highway would exceed anything that this country has ever experienced, and would be felt throughout the Nation. This new highway would create a social, commercial, industrial, and political bond of immeasurable value, both in time of peace and in time of war. Its effects in lessening the cost of transportation on exports and imports would be equivalent to the removal of a high export and import tariff. The benefits to the whole country would be incalculable.

SHARING THE COST

Representatives from the flooded territory have protested against being assessed for any part of the cost of the flood-protection measures proposed by the Government engineers. They may be justified in this stand. But if genuine relief could be had, such as would result from the measures herein proposed, the owners of the land benefited could well afford to pay a fair share of the cost through a separate tax.

ENHANCEMENT

There are 20,000,000 acres of flooded land, of an average present value of less than $20 per acre. The enhancement in the value of this land, being exceedingly rich, but handicapped by constant danger from floods, should be at least $100 per acre, or $2,000,000,000. There are 100,000,000 acres of land adjacent that will not develop under present conditions; these should enhance in value $50 per acre, or $5,000,000,000. Vitaport, the marvelous new city, would beneficially affect 500,000 acres to the extent of $100,000 per acre in the business district, down to $1,000 per acre at the outer boundaries, an average of over $50,000 per acre, or $25,000,000,000. Other cities and towns that would spring up along the route of the highway would beneficially affect 100,000 acres to the extent of $10,000 per acre, or $1,000,000,000. The value of the new industries that this great improvement would induce should exceed $10,000,000,000. The increase in value of agricultural products and minerals should run into thousands of millions of dollars.

RECAPITULATION

20,000,000 acres of flooded land, enhanced	$2,000,000,000
100,000,000 acres adjacent land, enhanced	5,000,000,000
500,000 acres in the city of Vitaport, enhanced	25,000,000,000
100,000 acres in other cities along the route, enhanced	1,000,000,000
New industries	10,000,000,000
Grand total	43,000,000,000

CREDIT

Only the credit of the Government would be needed. The burden on the taxpayers would not be increased. The money wasted in futile patchwork of the lower Mississippi River would be saved and would pay the interest and sinking funds on the bond issue required for the project. The interest on the bonds need not be more than 3½ per cent.

The saving in flood losses, plus the saving in transportation costs, plus the enhancement in the value of land, together with the benefits of the new prosperity that would be sure to result from the improvement, would make the tax burden easier for all.

A careful study of the merits of this great project should convince the most skeptical that it would not be in nature of an expense, but rather a highly profitable investment and an urgent necessity.

JOHN H. O'DONNELL.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CLARKE of New York, indefinitely, on account of illness.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 420. An act for the relief of Charles E. Byron, alias Charles E. Marble;

S. 969. An act for the relief of Edna B. Erskine;

S. 1447. An act for the relief of Pasquale Iannacone;

S. 1469. An act to quitclaim certain lands in Santa Fe County, N. Mex.;

S. 2371. An act to provide for the appointment of two additional justices of the Supreme Court of the District of Columbia;

S. 3784. An act for the relief of John Marks, alias John Bell;

S. 3866. An act for the relief of Joseph N. Marin;

S. 3939. An act to authorize the appointment of two additional justices of the Court of Appeals of the District of Columbia;

S. 4050. An act to confer full rights of citizenship upon the Cherokee Indians resident in the State of North Carolina, and for other purposes;

S. 4140. An act providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes;

S. 4583. An act to amend the act entitled "An act authorizing the construction of a bridge across the Missouri River opposite to or within the corporate limits of Nebraska City, Nebr.," approved June 4, 1872; and

S. J. Res. 127. Joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to William Jennings Bryan.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 2667. An act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes;

H. R. 11679. An act to provide for acquiring and disposition of certain properties for use or formerly used by the Lighthouse Service; and

H. R. 12348. An act to provide for the partial payment of the expenses of foreign delegates to the eleventh annual convention of the Federation Interalliee Des Anciens Combattants, to be held in the District of Columbia in September, 1930.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 59 minutes p. m.) the House adjourned until to-morrow, Tuesday, June 17, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, June 17, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON WAYS AND MEANS

(10.30 a. m.)

To provide for the prohibition upon the importation into the United States of certain anthracite coal (H. R. 12061).

To amend paragraph 922 of this tariff act of 1930 (H. J. Res. 370).

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

For the conservation, care, custody, protection, and operation of the naval petroleum and oil-share reserves (H. R. 7934).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

551. A communication from the President of the United States, transmitting supplemental estimate of appropriations for the Department of Justice for the fiscal year 1931, amounting to $5,500, for the United States Court of Customs and Patent Appeals (H. Doc. No. 474); to the Committee on Appropriations and ordered to be printed.

552. A communication from the President of the United States, transmitting draft of proposed provision pertaining to an existing authorization of the Treasury Department (H. Doc. No. 475); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. COCHRAN of Pennsylvania: Committee on Military Affairs. H. R. 71. A bill amending so much of the sundry civil act of June 30, 1906 (34 Stat. p. 730), as relates to disposition of moneys belonging to the deceased inmates of St. Elizabeths Hospital; with amendment (Rept. No. 1933). Referred to the Committee of the Whole House on the state of the Union.

Mr. O'CONNOR of Oklahoma: Committee on Indian Affairs. S. 2231. An act to reserve certain lands on the public domain in Arizona for the use and benefit of the Papago Indians, and for other purposes; with amendment (Rept. No. 1934). Referred to the Committee of the Whole House on the state of the Union.

Mr. KNUTSON: Committee on Indian Affairs. S. 4051. An act authorizing the Pillager Bands of Chippewa Indians, residing in the State of Minnesota, to submit claims to the Court of Claims; with amendment (Rept. No. 1935). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANSLEY: Committee on Military Affairs. H. R. 12923. A bill to authorize appropriations for construction at military posts and for other purposes; with amendment (Rept. No. 1938). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WOLVERTON of West Virginia: Committee on Military Affairs. H. R. 4799. A bill for the relief of James Johnson; with amendment (Rept. No. 1928). Referred to the Committee of the Whole House.

Mr. COCHRAN of Pennsylvania: Committee on Military Affairs. H. R. 2697. A bill for the relief of Franz J. Jonitz, first lieutenant, Quartermaster Corps, United States Army; without amendment (Rept. No. 1929). Referred to the Committee of the Whole House.

Mr. COCHRAN of Pennsylvania: Committee on Military Affairs. H. R. 4242. A bill for the relief of Fred W. Boschen, lieutenant colonel, Finance Department, United States Army; without amendment (Rept. No. 1930). Referred to the Committee of the Whole House.

Mr. COCHRAN of Pennsylvania: Committee on Military Affairs. H. R. 6763. A bill for the relief of Albert G. Dawson; without amendment (Rept. No. 1931). Referred to the Committee of the Whole House.

Mr. WURZBACH: Committee on Military Affairs. H. R. 8848. A bill for the relief of Daniel W. Seal; without amendment (Rept. No. 1932). Referred to the Committee of the Whole House.

Mr. KNUTSON: Committee on Pensions. H. R. 12586. A bill granting an increase of pension to Josefa T. Philips; with amendment (Rept. No. 1936). Referred to the Committee of the Whole House.

Mr. WAINWRIGHT: Committee on Military Affairs. H. R. 6772. A bill for the relief of Robert H. Wilder; with amendment (Rept. No. 1937). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CHALMERS: A bill (H. R. 12990) authorizing the construction of a breakwater and retaining wall in Maumee Bay, Ohio, for the protection of life and property for extreme high water and storms; to the Committee on Rivers and Harbors.

By Mr. GLOVER: A bill (H. R. 12991) to authorize the creation of game refuges on the Ouachita National Forest in the State of Arkansas; to the Committee on Agriculture.

By Mr. QUAYLE: A bill (H. R. 12992) to amend the act of March 4, 1911, ch. 239, 36 Stat. L. 1267, as amended; to the Committee on Naval Affairs.

By Mr. SPROUL of Illinois: A bill (H. R. 12993) granting the consent to the State of Illinois to construct, maintain, and operate a free highway bridge across the Little Calumet River on One hundred and fifty-ninth Street, in Cook County, State of Illinois; to the Committee on Interstate and Foreign Commerce.

By Mr. LANKFORD of Georgia: A bill (H. R. 12994) to authorize the creation of organized rural communities to demonstrate methods of reclamation and benefits of planned rural development, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. COOPER of Ohio: A bill (H. R. 12995) to provide that the United States shall cooperate with the States in promoting the general health of the rural population of the United States, and the welfare and hygiene of mothers and children; to the Committee on Interstate and Foreign Commerce.

By Mr. RANSLEY: A bill (H. R. 12996) to authorize appropriations for construction at military posts, and for other purposes; to the Committee on Military Affairs.

By Mr. BRAND of Georgia: Resolution (H. Res. 257) for the consideration of House bill 10560, entitled "A bill to amend section 22 of the Federal reserve act"; to the Committee on Rules.

By Mr. TREADWAY: Joint resolution (H. J. Res. 370) to amend paragraph 922 of the tariff act of 1930; to the Committee on Ways and Means.

By Mr. HAWLEY: Joint resolution (H. J. Res. 371) limiting importation packages of cigars; to the Committee on Ways and Means.

By Mr. CARTER of California: Joint resolution (H. J. Res. 372) authorizing the President of the United States to accept on behalf of the United States a conveyance of certain lands on Government Island from the city of Alameda, Calif., in consideration of the relinquishment by the United States of all its rights and interest under a lease of such island dated July 5, 1918; to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUTLER: A bill (H. R. 12997) for the relief of the estate of Thomas Bird, deceased; to the Committee on Claims.

By Mr. CONNERY: A bill (H. R. 12998) for the relief of John Donahue; to the Committee on Naval Affairs.

By Mr. COYLE: A bill (H. R. 12999) granting an increase of pension to Margaret J. Showalter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13000) granting an increase of pension to Ann F. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13001) granting a pension to Mary E. Beggs; to the Committee on Pensions.

By Mr. CRAIL: A bill (H. R. 13002) granting a pension to Mary A. Lockie; to the Committee on Pensions.

By Mr. HUDSON: A bill (H. R. 13003) granting a pension to Lucy May Call; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 13004) granting a pension to James D. French; to the Committee on Invalid Pensions.

By Mr. JONAS of North Carolina: A bill (H. R. 13005) granting a pension to David Franklin; to the Committee on Pensions.

By Mr. KURTZ: A bill (H. R. 13006) granting a pension to John McKinney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13007) granting an increase of pension to Emma J. Mills; to the Committee on Invalid Pensions.

By Mr. LETTS: A bill (H. R. 13008) for the relief of Frank C. Young; to the Committee on Military Affairs.

Also, a bill (H. R. 13009) granting a pension to Martha E. Drenner; to the Committee on Invalid Pensions.

By Mr. LUDLOW: A bill (H. R. 13010) for the relief of George Fling; to the Committee on Military Affairs.

By Mr. PARKER: A bill (H. R. 13011) granting an increase of pension to Ellen Chase; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13012) granting a pension to Margaret Singleton; to the Committee on Invalid Pensions.

By Mr. SWANSON: A bill (H. R. 13013) granting a pension to Clarence H. Cress; to the Committee on Pensions.

By Mr. VINCENT of Michigan: A bill (H. R. 13014) granting an increase of pension to Sarah A. Jones; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7575. Petition of Maryland State and District of Columbia Federation of Labor, requesting that the eighteenth amendment be submitted to the State legislatures for ratification or rejection; to the Committee on the Judiciary.

7576. Petition of American Legion, National Headquarters, Indianapolis, Ind., opposed to the establishment of a municipal and Federal airport adjoining the Arlington National Cemetery; to the Committee on Military Affairs.

7577. By Mr. BOYLAN: Resolution adopted by the Crawford Business Men's League, of Chicago, Ill., urging Congress and National Government to pass legislation which will check the extension of monopolies known as the chain-store system, and to protect the individual business man from domination and destruction of monopolistic and predatory business; to the Committee on Interstate and Foreign Commerce.

7578. By Mr. YATES: Petition of Victor A. Olander, secretary Illinois State Federation of Labor, Chicago, Ill., urging the passage of House bill 6603; to the Committee on the Post Office and Post Roads.

7579. Also, petition of Margaret Devlin Dunn, 201 East Randolph Avenue, Alexandria, Va., urging the passage of House bill 6603, providing half holiday for certain Government employees; to the Committee on the Post Office and Post Roads.

7580. Also, petition of Charles D. Morton, vice president, Morton Manufacturing Co., Chicago, Ill., protesting the passage of House bill 11096; to the Committee on the Post Office and Post Roads.

7581. Also, petition of Paul B. David, secretary-treasurer Building Service Employees' Union, 130 North Wells Street, Chicago, Ill., urging the adoption of House bill 6603; to the Committee on the Post Office and Post Roads.

7582. Also, petition of Mrs. E. H. Cox, 635 Fonti Street, La Salle, Ill., urging the support of House bill 9986 and Senate bill 1003; to the Committee on Interstate and Foreign Commerce.

7583. Also, petition of H. H. Cust, vice president, Mount Vernon Car Manufacturing Co., Mount Vernon, Ill., protesting the passage of House bill 9232; to the Committee on Labor.

SENATE

TUESDAY, *June 17, 1930*

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

Lord of all power and might, author and giver of all good things, without whom nothing is strong, nothing is holy, grant unto us, Thy servants, by the inspiration of Thy Holy Spirit to love the things which Thou commandest and desire that which Thou dost promise, that having a right judgment in all things we may always please Thee in will and deed. Through Jesus Christ our Lord. Amen.

THE JOURNAL

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had agreed to the amendment of the Senate to the amendment of the House to the bill (S. 1372) authorizing an appropriation for payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians.

The message also announced that the House had passed without amendment the following bills of the Senate:

S. 3421. An act to authorize the Tidewater Toll Properties (Inc.), its legal representatives and assigns, to construct, maintain, and operate a bridge across the Choptank River at a point at or near Cambridge, Md.;

S. 3970. An act authorizing the Smithsonian Institution to extend the Natural History Building and authorizing an appropriation therefor, and for other purposes; and

S. 4283. An act ratifying and confirming the title of the State of Minnesota and its grantees to certain lands patented to it by the United States of America.

The message further announced that the House had passed the following bill and joint resolution, each with an amendment, in which it requested the concurrence of the Senate:

S. 3258. An act to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes; and

S. J. Res. 190. Joint resolution authorizing the Postmaster General to accept the bid of the Mississippi Shipping Co. to carry mail between United States Gulf ports and the east coast of South America.

The message also announced that the House had passed the bill (S. 2414) authorizing the Government of the United States to participate in the international hygiene exhibition at Dresden, Germany, from May 6, 1930, to October 1, 1930, inclusive, with amendments, in which it requested the concurrence of the Senate.

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. 3309. An act to provide extra compensation for overtime service performed by immigrant inspectors and other employees of the Immigration Service;

H. R. 8583. An act for the relief of the State of Maine and the city of Portsmouth, N. H.;

H. R. 9990. An act for the rehabilitation of the Bitter Root irrigation project, Montana;

H. R. 10376. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.;

H. R. 12099. An act to apply the pension laws to the Coast Guard;

H. R. 12121. An act to provide for a survey of the Salmon River, Alaska, with a view to the prevention and control of its floods;

H. R. 12284. An act to provide for the construction of vessels for the Coast Guard for rescue and assistance work on Lake Erie;

H. R. 12343. An act to authorize the Secretary of the Treasury to accept donations of sites for public buildings;

H. R. 12586. An act granting an increase of pension to Josefa T. Philips;

H. R. 12842. An act to create an additional judge for the southern district of Florida;

H. J. Res. 306. Joint resolution establishing a commission for the participation of the United States in the observance of the three hundredth anniversary of the founding of the Massachusetts Bay Colony, authorizing an appropriation to be utilized in connection with such observance, and for other purposes; and