COLLECTOR OF CUSTOMS

Edward M. Croisan to be collector of customs, district No. 29, Portland, Oreg.

APPOINTMENT, BY TRANSFER, IN THE ARMY

TO FIELD ARTILLERY

Second Lieut. Frank Neuman Leakey.

PROMOTIONS IN THE ARMY

To be colonel

Lieut. Col. James Aloysius Higgins, Infantry.

To be lieutenant colonel

Maj. Abbott Boone, Field Artillery.

To be majors

Capt. John Henry Nankivell, Infantry.
Capt. Charles Samuel Moyer, Chemical Warfare Service.

To be captains

First Lieut. Eugene Lowry Eubank, Air Corps.
First Lieut. Floyd Lavinius Parks, Infantry.
First Lieut. Lawrence Augustus Lawson, Air Corps.

To be first lieutenants

Second Lieut. Raymond Kimball Quekemeyer, Field Artillery.
Second Lieut. William Everton Pheris, jr., Infantry.
Second Lieut. Alexander Andrew Dobak, Infantry.
Second Lieut. John Howard Bennett, Infantry.

MEDICAL CORPS

To be lieutenant colonels

Maj. James Franklin Johnston.
Maj. Samuel Smith Creighton.
Maj. Henry Clay Michie, jr.

POSTMASTERS

CALIFORNIA

Bertram C. McMurray, Lancaster.
Gertrude B. Leavens, Roscoe.

FLORIDA

Isabelle H. Boyd, Clermont.
Thomas W. Lundy, Perry.

GEORGIA

Mary P. Hughes, Alapaha.
William F. Boone, Baxley.
Joel F. Fountain, Ray City.

MARYLAND

Howard E. Dixon, Brunswick.
Roscoe C. McNutt, Fallston.
Richard B. Woodrum, Fort Howard.
James W. Friend, Friendsville.
George B. Gardner, Jessups.
John S. Dean, North East.

MASSACHUSETTS

Joseph V. Curran, Attleboro.
Walter C. Wright, Graniteville.
Nathaniel P. Coleman, Hyannis.
Elizabeth B. Flint, North Attleboro.
Howard M. Douglas, Plymouth.
Martin H. Hickey, Shrewsbury.
Josephine E. Dempsey, South Ashburnham.

MINNESOTA

Gertrude S. Dyson, Becker.
Adolph Johnson, Clarks Grove.
Kenneth S. Keller, Kasson.
Edwin W. Bergman, McGrath.
Herman E. Kent, Sanborn.
Arnold J. Bauer, Wabasso.

MONTANA

George R. Moshier, Baker.
Claude C. Mills, Big Sandy.
Robert A. Bray, Bigtimber.
Prince A. Mowbray, Brady.
Melvin W. Markuson, Dooley.
John W. Calfee, Frazer.
John O. Dahl, Froid.
Alva M. Mullikin, Hingham.
Roy W. Broman, Ismay.
Harvey St. J. Cannon, Kalispell.
Joseph Brooks, Livingston.
Fred N. Weed, Terry.
Samuel P. Eagle, West Yellowstone.
Stephen E. Sande, Winifred.

NEW JERSEY

Lemuel H. Greenwood, Elmer.
Charles Roeltgen, Rochelle Park.
Harold P. Humphrey, Washington.

NEW MEXICO

Cassius G. Mason, Hagerman.
John N. Norviel, Hatch.

PENNSYLVANIA

Edison A. Brown, Dover.
Amy L. Smith, Wrightsville.

WASHINGTON

Robert L. Wright, Omak.

WISCONSIN

Ambrose M. Steinwand, Colby.

HOUSE OF REPRESENTATIVES

FRIDAY, FEBRUARY 27, 1931

The House met at 11 a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Awaken in us, our Heavenly Father, a deep sense of Thy mercies, which, unasked, fall upon us each day. We trust that we are truly grateful for that gentle One whose soft touch once fell upon the foreheads of little children and opened wide His arms to shelter the world of men. May He steal silently into our hearts, rebuking our tendencies and giving our tongues a ministry of wisdom and inspiration. We pray that our sons and daughters may be preserved from the luxury that shrivels and from the pride that strives. Lead them, our Father, to realize that strength and knowledge are never so sublime as when they stoop to weakness and ignorance. Do Thou impress them that honest toil lends a certain satisfaction which wealth can not increase nor poverty take away. O come and remain with us that we may know that there is nothing so grand as forgiveness and that which is best in life is cheapest. In our Saviour's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 7. An act to amend sections 4, 6, 8, 9, 10, 11, 12, 25, 29, and 30 of the United States warehouse act, approved August 11, 1916, as amended;

H. R. 305. An act for the relief of Northern Trust Co., the trustee in bankruptcy of the Northwest Farmers Cooperative Dairy & Produce Co., a corporation, bankrupt;

H. R. 395. An act for the relief of Alfred Chapleau;

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

H. R. 752. An act for the relief of Wesley B. Johnson;

H. R. 921. An act for the relief of Andrew Kline;

H. R. 922. An act for the relief of William S. Murray;

H. R. 923. An act for the relief of Louis J. Stroud;

H. R. 925. An act for the relief of George Curren;

H. R. 1429. An act for the relief of Thomas Barrett;

H. R. 1610. An act for the relief of Norman Dombris;

H. R. 1891. An act for the relief of Vincent Baranasies;

H. R. 3255. An act for the relief of Sylvester S. Thompson;

H. R. 3256. An act for the relief of David F. Richards, otherwise known as David Richards;

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H. R. 3643. An act for the relief of Alfred W. Mayfield;

H. R. 7555. An act for the relief of Andrew Markhus;

H. R. 9199. An act for the relief of John F. Williams and Anderson Tyler;

H. R. 9245. An act for the relief of Davis, Howe & Co.;

H. R. 9564. An act for the relief of Thomas W. Bath;

H. R. 9674. An act to amend an act to parole United States prisoners, and for other purposes, approved June 25, 1910;

H. R. 10635. An act for the relief of the Robins Dry Dock & Repair Co.;

H. R. 10676. An act to provide for the special delivery and the special handling of mail matter;

H. R. 11015. An act to provide an appropriation for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926;

H. R. 14680. An act to authorize the attendance of the Marine Band at the Spanish-American War veterans' convention at New Orleans;

H. R. 15063. An act authorizing the Secretary of War to reconvey to the State of New York a portion of the land comprising the Fort Ontario Military Reservation, N. Y.;

H. R. 15258. An act to permit the development of certain valuable mineral resources in certain lands of the United States;

H. R. 15496. An act to authorize the Commissioners of the District of Columbia to transfer to the trustees of Howard University title to certain property in the District of Columbia;

H. R. 15591. An act granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a bridge across the Mississippi River, at or near Brainerd, Minn.;

H. R. 15594. An act authorizing the construction of a bridge across the Mahoning River at Edinburg, Lawrence County, Pa.;

H. R. 15767. An act to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near St. Francisville, Mo.;

H. R. 15860. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge across the Fox River east of Serena in La Salle County, Ill., between sections 20 and 29, township 35 north, range 5 east, third principal meridian;

H. R. 15861. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Lansing, Iowa;

H. R. 15862. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Emlenton, Venango County, Pa.;

H. R. 15865. An act for the retirement of employees of the Panama Canal and the Panama Railroad Co., on the Isthmus of Panama, who are citizens of the United States;

H. R. 15869. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebr.;

H. R. 16113. An act to extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near Hastings, Minn.;

H. R. 16302. An act to authorize an investigation with respect to the construction of a dam or dams across the Owyhee River or other streams within or adjacent to the Duck Valley Indian Reservation, Nev., and for other purposes;

H. R. 16471. An act to extend the times for commencing and completing the construction of a bridge across the St. Clair River at or near Port Huron, Mich.;

H. R. 16561. An act granting the consent of Congress to the Department of Public Works of the Commonwealth of Massachusetts to construct, maintain, and operate a free highway bridge across the Connecticut River at or near Erving, Mass.;

H. R. 16691. An act permitting the laying of a conduit across E and F Streets SW., in the District of Columbia;

H. J. Res. 153. Joint resolution to correct section 6 of the act of August 30, 1890, as amended by section 2 of the act of June 28, 1926;

H. J. Res. 192. Joint resolution extending the provisions of sections 1, 2, 6, and 7 of the act of Congress entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor," to the Territory of Porto Rico; and

H. J. Res. 250. Joint resolution to print annually as separate House documents the proceedings of the National Encampment of the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, and the Disabled American Veterans of the World War.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 2047. An act for the relief of R. P. Biddle;

H. R. 2366. An act authorizing the Secretary of War to convey a certain portion of the military reservation at Fort McArthur, Calif., to the city of Los Angeles, Calif., for street purposes and to amend an act to authorize the acquisition for military purposes of land in the county of Montgomery, State of Alabama, for use as an addition to Maxwell Field, approved July 1, 1930;

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. 9599. An act to authorize the Secretary of Agriculture to carry out his 10-year cooperative program for the eradication, suppression, or bringing under control of predatory and other wild animals injurious to agriculture, horticulture, forestry, animal husbandry, wild game, and other interests, and for the suppression of rabies and tularemia in predatory or other wild animals, and for other purposes;

H. R. 10672. An act to amend the naturalization laws in respect of posting of notices of petitions for citizenship;

H. R. 11368. An act to fix the annual compensation of the Secretary and the Governor of the Territory of Alaska;

H. R. 15263. An act to relieve restricted Indians in the Five Civilized Tribes whose nontaxable lands are required for State, county, or municipal improvements or sold to other persons, or for other purposes;

H. R. 17163. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1931, and June 30, 1932, and for other purposes; and

H. J. Res. 303. Joint resolution to amend Public Resolution No. 80, Seventieth Congress, second session, relating to payment of certain claims of grain elevators and grain firms.

The message also announced that the Senate had passed bills and resolutions of the following titles, in which the concurrence of the House is requested:

S. 314. An act relating to the payment of advance wages and allotments in respect of seamen on foreign vessels, and making further provision for carrying out the purposes of the seamen's act, approved March 4, 1915;

S. 1444. An act for the conservation of rainfall in the United States;

S. 2034. An act for the relief of Weymouth Kirkland and Robert N. Golding;

S. 2108. An act for the relief of Don C. Fees;

S. 3032. An act for the relief of Commander Francis James Cleary, United States Navy;

S. 3467. An act authorizing the construction of a drainage channel in the closed basin of the San Luis Valley in Colorado, authorizing investigation of reservoir sites, and for other purposes;

S. 3565. An act for the relief of certain purchasers of lots in Harding Townsite, Fla.;

S. 4260. An act for the relief of the American-La France & Foamite Corporation of New York;

S. 4334. An act for the relief of G. Elias & Bro. (Inc.);

S. 4908. An act for the relief of certain officers of the Dental Corps of the United States Navy;

S. 5172. An act for the construction of a reservoir in the Little Truckee River, Calif., and for such dams and other improvements as may be necessary to impound the waters of Webber, Independence, and Donner Lakes, and for the further development of the water resources of the Truckee River;

S. 5524. An act to coordinate the agricultural experiment station work and to extend the benefits of certain acts of Congress to the Territory of Porto Rico;

S. 5545. An act to amend an act approved February 24, 1925, entitled "An act to provide for the construction of a memorial bridge across the Potomac River from a point near the Lincoln Memorial, in the city of Washington, to an appropriate point in the State of Virginia, and for other purposes";

S. 5546. An act to amend section 2 of Public Resolution No. 89, Seventy-first Congress, approved June 17, 1930, entitled "Joint resolution providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va. and the surrender of Lord Cornwallis on October 19, 1781, and authorizing an appropriation to be used in connection with such celebration, and for other purposes;

S. 5614. An act to provide for the establishment of a construction service in the Bureau of the Census of the Department of Commerce;

S. 5761. An act to amend the act approved June 22, 1926, entitled "An act to amend that part of the act approved August 29, 1916, relative to the retirement of captains, commanders, and lieutenant commanders of the line of the Navy," as amended by the act of March 4, 1929;

S. 5779. An act for the relief of Captain Jacob M. Pearce, United States Marine Corps;

S. 5833. An act to amend an act entitled "An act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act entitled 'An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,' approved July 2, 1862, and all acts supplementary thereto, and the United States Department of Agriculture," approved May 22, 1928 (U. S. C., Supp. III, title 7, secs. 343a, 343b);

S. 5867. An act to amend chapter 15 of the Code of Law for the District of Columbia;

S. 6078. An act to provide for the commemoration of the Battle of Fort Necessity, Pa.;

S. 6097. An act for the construction and equipment of a hospital on Crow Indian Reservation;

S. 6098. An act relating to the adoption of minors by the Crow Indians of Montana;

S. 6099. An act authorizing the Secretary of the Interior to change the classification of Crow Indians;

S. 6132. An act granting the consent of Congress to the police jury of Richland Parish, La., or the State Highway Commission of Louisiana to construct, maintain, and operate a free highway bridge across Boeuf River at or near Buckner, Richland Parish, La.;

S. 6136. An act for the enrollment of children born after December 30, 1919, whose parents, or either of them, are members of the Blackfeet Tribe of Indians in the State of Montana, and for other purposes;

S. 6140. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Lansing, Iowa;

S. 6146. An act to provide for distribution of tribal funds of the Puyallup Indians of the State of Washington;

S. 6153. An act authorizing the construction of a bridge across the Mahoning River near New Castle, Lawrence County, Pa.;

S. 6155. An act authorizing the acceptance by the Administrator of Veterans' Affairs of certain lands in Biloxi, Miss., as a site for a branch home of the National Home for Disabled Volunteer Soldiers;

S. 6159. An act for the relief of Joseph E. Myers;

S. 6160. An act to remove certain restrictions on the expenditure of funds on the distribution system, Pilot Butte division, Riverton reclamation project, Wyoming;

S. 6161. An act granting the consent of Congress to Missouri Valley Pipe Line Co. of Iowa to construct, maintain, and operate a pipe-line bridge across the Missouri River;

S. 6165. An act granting the consent of Congress to the county of Cook, State of Illinois, to construct, maintain, and operate a free highway bridge across the Little Calumet River on Cottage Grove Avenue near One hundred and fifty-eighth Street, in Cook County, State of Illinois;

S. 6173. An act authorizing an appropriation to defray the expenses of participation by the United States Government in the second polar year program, August 1, 1932, to August 31, 1933;

S. 6179. An act to legalize a bridge across the St. Francis River one-fourth mile south of Greenville, Wayne County, Mo.;

S. 6180. An act to legalize a bridge across the St. Francis River 4 miles west of Kennett, Mo., joining Dunklin County, Mo., and Clay County, Ark.;

S. 6181. An act to legalize a bridge across the Eleven Points River at or near Thomasville, Oregon County, Mo.;

S. 6182. An act to legalize a bridge across the James River at Galena, Stone County, Mo.;

S. 6183. An act to legalize a bridge across the White River approximately 11 miles south of Reed Springs, Stone County, Mo.;

S. 6184. An act to legalize a bridge across the White River at Forsyth, Taney County, Mo.;

S. 6185. An act granting the consent of Congress to the State Highway Commission of Missouri to construct, maintain, and operate a highway bridge across the Missouri River at or near Weldon Springs, Mo.;

S. 6186. An act granting the consent of Congress to the Missouri State Highway Commission to construct, maintain, and operate a highway bridge across the White River at Branson, Taney County, Mo.;

S. 6190. An act authorizing the State of West Virginia, by and through the State Bridge Commission of West Virginia, or the successors of said commission, to acquire, purchase, construct, improve, maintain, and operate bridges across the streams and rivers within said State and/or across boundary-line streams or rivers of said State;

S. 6202. An act to provide for conveyance of a certain strip of land on Fenwick Island, Sussex County, State of Delaware, for roadway purposes;

S. 6204. An act prescribing regulations for carrying on the business of lighter service from any of the ports of the United States to stationary ships or barges located offshore, and for the purposes of promoting the safety of navigation;

S. 6206. An act to provide for conveyance of a portion of the Liston Range Rear Lighthouse Reservation, New Castle County, State of Delaware, for highway purposes;

S. 6218. An act granting permission to Harold I. June to transfer to the Fleet Reserve of the United States Navy;

S. 6220. An act granting the consent of Congress to the Charleston & Western Carolina Railway Co. to construct, maintain, and operate a railroad bridge across the Savannah River at or near Augusta, Ga.;

S. 6225. An act granting an increase of pension to Jessie R. Greene;

S. 6233. An act for the relief of Grover Cleveland Ballard;

S. J. Res. 194. Joint resolution authorizing and directing the Comptroller General of the United States to reopen, adjust, and settle the accounts of the city of Baltimore for advances made by the city in 1863 for the construction of works of defense, and for other purposes;

S. J. Res. 244. Joint resolution to extend the statute of limitations, and for other purposes;

S. J. Res. 253. Joint resolution to authorize an appropriation for the expenses of the sixteenth session of the International Geological Congress, to be held in the United States in 1932; and

S. Con. Res. 39. Concurrent resolution providing for the printing of a manuscript entitled "Washington, the National Capital."

SECOND DEFICIENCY APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 17163) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1931, and June 30, 1932, and for other purposes, disagree to all the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speakers table House bill 17163, disagree to the Senate amendments, and ask for a conference. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. SNELL. Mr. Speaker, I reserve the right to object for the purpose of asking the chairman a question. Is this the bill which contains the extra $2,750,000 for the Mount Vernon Road?

Mr. WOOD. It is.

Mr. SNELL. Will the gentleman give the House a chance to vote on that proposition? I am not going to ask the gentleman that question direct, but I wish it could be considered by the House. If I understand the situation correctly, as it was discussed in another body, that road is going to cost $462,000 a mile. I can not understand or conceive how any road could cost that amount of money, even if it is Government money. I wish the gentleman would bring the proposition back to the House and allow the House to express itself upon that proposition.

Mr. GARNER. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. GARNER. I would like to ask the gentleman from New York whether he has examined the other amendments that have been placed on this bill by the Senate? From a casual glance at the RECORD this morning, including the action of the Senate the day before, it would appear that the other body has lost all sense of propriety in the matter of appropriations. The mere matter of $2,000,000 does not amount to much, but $100,000,000 does. I want to suggest to the gentleman from Indiana—and I know this will meet with the sympathy of the gentleman from Tennessee [Mr. BYRNS] and the other gentlemen dealing with this question—that there ought to be some way to impress upon the Members of the other body, or at least upon the conferees, that there is a limit somewhere about this matter of appropriations. [Applause.]

Mr. WOOD. I will say to the gentleman that I am in hearty sympathy with what he has said. I do not know whether or not we can convince them that there is a limit. I will say to the gentleman from New York that the item with reference to the construction of this boulevard will be brought back. There is no authorization, so far as the House is concerned, for that appropriation. It has not passed the House.

Mr. TILSON. Then it has to be brought back.

Mr. SIMMONS. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. SIMMONS. The gentleman from New York has stated what this highway is going to cost per mile. I think I can visualize the cost of this highway to the House if I say this: That if you will take silver dollars and place them side by side and run that silver dollar line 15.36 miles from here to Mount Vernon, you will have the cost of the highway. It actually figures $7.44 per running inch. That will be the cost to the United States. Were it not for the fact that this highway is named after George Washington it would be a major scandal, in my opinion. Here are some silver dollars. There are seven of them. Take them that way [indicating] and lay them 15.36 miles from Washington to Mount Vernon and you have the cost of the highway under the proposal we are asked to approve in this second deficiency bill. I think that visualizes it pretty well.

Mr. TREADWAY. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. TREADWAY. Is it not a fact, as the chairman has brought out, that, so far as the Mount Vernon roadway is concerned, it has not as yet been authorized? As I understand it, the bill carrying $2,700,000 passed the other body but it has never come before this body, because I have been waiting for a chance to knock it. While the expense is tremendous and we ought to go slowly in agreeing to this additional cost of $2,700,000, my principal objection is that that wonderful boulevard is going to run to a private turnstile where you have got to pay admission to a private corporation in order to get into the George Washington shrine. [Applause.] That is the limit.

Mr. BYRNS. Mr. Speaker, reserving the right to object, I want to agree with what these gentlemen have said with reference to the tremendous cost of this highway. I can not believe there is any excuse for building a highway, whether it be in the name of George Washington or anyone else, which will cost $462,000 a mile. Certainly that was never contemplated by the Congress. Even this appropriation, which provides for $2,700,000, does not require completion within that amount. It simply provides for an additional sum. But there is this thing, of course, to be considered: Congress has appropriated $4,500,000. I do not know anything about the facts, nor has the committee had any opportunity to make an inquiry about them, but if it appears that the $4,500,000, as the papers have stated, has already been expended, then we may be in a situation whereby we must appropriate something to complete this roadway. I say that without intending for one moment to disagree with the gentleman from New York, the gentleman from Nebraska, or the gentleman from Massachusetts with reference to the outrageous cost of that highway.

Mr. SNELL. If the gentleman will permit, perhaps, it would be better for Congress to stop the work now and find out how much it is going to cost to finish this project before we go any farther.

Mr. BYRNS. I will say this to the gentleman: If I am one of the conferees, and I assume I will be, so far as I am personally concerned I want some additional facts to show where this money has gone and how any future appropriation is to be expended, and how much it is going to take to complete the highway, before I shall ever attach my name to a conference report.

Mr. LINTHICUM. Will the gentleman yield?

Mr. BYRNS. Yes.

Mr. LINTHICUM. Does the gentleman realize that the Congress decided finally to build this road along the river front and part of the roadway which was built sunk and has to be built up again?

Mr. BYRNS. I have heard that statement made, and I think that is one of the mistakes that was made. It ought to have been a ridge road instead of a river road, as provided by those in authority.

Mr. LINTHICUM. And following the route they selected required the building of several addition bridges.

Mr. O'CONNOR of Oklahoma. If the gentleman will yield, I was very much impressed by the statement of the gentleman from Nebraska [Mr. SIMMONS], as to paving this highway with silver. I wonder if it has been called to the committee's attention how many gold miners are out of work. We could pave it with gold at sixteen times as much expense, and in this rivalry between the two bodies as to who can appropriate the most Government money and place the biggest burden on the taxpayers of the country, why would it not be the smart thing to beat the Senate to this and pave the highway with gold and show the world that we can outdo them? Is there any information here on the relative cost?

Mr. SNELL. It would be 16 to 1.

Mr. SLOAN. Oil would, perhaps, help it out a little.

The SPEAKER. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. WOOD, Mr. CRAMTON, Mr. WASON, Mr. BYRNS, and Mr. BUCHANAN.

ADJUSTED-COMPENSATION CERTIFICATES

Mr. SELVIG. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on pending veterans' legislation.

The SPEAKER. Without objection, it is so ordered.

Mr. SELVIG. Mr. Speaker, the controversy that has arisen in regard to the so-called bonus bill, which liberalizes the borrowing power of the adjusted-compensation certificates, has the more firmly fixed the conviction that the bill which passed both the House of Representatives and the Senate is only a makeshift. This bill does not pay $1 in adjusted compensation to the 3,500,000 veterans who hold these certificates. It liberalizes the borrowing power, it is true, and that will be of benefit to a limited class, but it does not do what, in my opinion, the great majority of the veterans themselves requested.

I am in favor of paying these certificates in cash under plans of financing that could be worked out without great or insurmountable difficulties. The bill, as passed, and which we accepted during the closing days of this short session of Congress, is the best compromise offered. Failure to have voted out some kind of a bill near the close of the session would have jeopardized any veterans' relief bill, so the Ways and Means Committee agreed to this loaning proposal though it is reliably reported that a number on the committee did not join in the report.

So much has been said and written about this bill that I felt it incumbent upon myself to secure the basic facts in regard to it. These facts, as set forth, are included in the testimony presented to both the House and Senate committees and in the debates which subsequently took place. To the many inquiries which I have received from my constituents this statement will provide facts that will assist in arriving at a correct conclusion in regard to the bill.

There are many who have become gravely alarmed over the bugaboo which has been created in regard to alleged difficulties in Treasury financing. The opponents of this measure have sought by every means at their command to becloud the issue and to create impressions that are not justified by the facts. Careful students agree that the bill would necessitate no additional Treasury financing.

Do these people know that Senator SMOOT said on the floor of the Senate:

> I thought it was understood that there would be no financing at all necessary, but that the amount of money to the credit of all of the veterans, if the securities held in the Treasury of the United States to meet the certificates were disposed of at the present time, would be sufficient to pay whatever the legislation passed on Thursday would require. There is no doubt about that at all.

I am firmly convinced that the people of our country want to do justice to the boys who bore arms during the World War, and that if even this compromise bill requires the imposition of increased surtaxes on personal incomes there should be no hesitancy in amending the revenue act of 1926 to accomplish that purpose. However, there is no new tax whatever involved in this loan plan.

What are the actual facts in regard to the veterans' loan bill?

First. A total of 3,500,000 adjusted-compensation certificates were issued, with a maturity value of $3,500,000,000, the average certificate being $1,000.

Second. The total loan value on the certificates to date is $730,000,000.

Third. Total loans on the certificates to date are $325,000,000, leaving $405,000,000 in unused loan privileges.

Fourth. To date 48 per cent of certificate holders have used 43 per cent of existing loan privileges.

Fifth. The veterans' loan bill increases from 22 per cent to 50 per cent the amount that may be borrowed on the face value of certificates, adding a grand maximum of approximately $1,000,000,000 to loan privileges. But if the same percentage of loans persists under the bill as under the present law it has been calculated that it will add only about $430,000,000 to outstanding loans.

Sixth. The $430,000,000, therefore, is the additional financing required by the bill. In other words, it is a little more than the Treasury already is obligated to make all veterans.

Seventh. The Treasury has deposited $750,000,000 in certificates of indebtedness to the maturity fund and can cover the $430,000,000 by these certificates leaving $326,000,000 over in the fund. According to a recent statement an additional $112,000,000 may be provided by advancing this amount to the maturity fund at the present time instead of waiting until July 1, 1931, when this annual increment would be added.

Eighth. To finance the $430,000,000 additional loans the Treasury must redeem for cash certificates of indebtedness in the fund. In the next 12 months the Treasury will have $403,000,000 to reduce the public debt and under the law it can retire the certificates up to this amount.

Ninth. Even if total loans exceed expectations, the handling will only, in the opinion of close students of this financing problem, be a credit operation and does not involve any additional tax burden at any point in the calculation.

Tenth. If the insurance were a regular one, payment 20-pay life policy, the loan value to-day would be 53 per cent instead of 50 per cent, as proposed. Even on the basis of the present terms of the compensation certificates the loan value would reach the same 50 per cent in 1937. The only thing, therefore, that is proposed is to move the loan privileges ahead by six years.

It would necessarily follow that a veteran securing this aid now will have no loan privileges at all during this future period at least. Interest, compounded annually, if not paid, would defer any further aid and in many instances would consume the remainder of his equity.

Eleventh. In the financial page of the New York Herald Tribune, of the issue of last Saturday morning, appeared the following:

> Preliminary announcement of a new United States Treasury offering of securities was sent yesterday by the Federal Reserve Bank of New York to member banks, State banks, trust companies, and other institutions in this district. Details of the issue are to be disclosed March 2, and it is assumed by bankers that it relates to the extensive refunding operation on March 15, when $1,109,000,000 of called 3½ per cent notes are payable.
>
> * * * * * * *
>
> Bankers are of the opinion that the Treasury will offer approximately $500,000,000 in 3¼ or 3⅜ per cent bonds with a maturity of 12 or 15 years. In addition, a large issue of certificates of indebtedness with maturities of six months to a year appears inevitable. Such certificates could be marketed, it is held, with coupons of 1½ to 2 per cent. It is possible that the Treasury will also utilize the discount-bill method of financing in connection with the refunding operations.

I call your attention particularly to this sentence:

> In calling the $1,109,000,000 of 3½ per cent notes for payment next month the Treasury anticipated the maturity by about a year.

That there is no financial difficulty facing the Treasury is evident from this statement, which states further:

> Owing to the great ease in the money market and the lack of other maturities on March 15, it appears certain that a twofold benefit will accrue to the Treasury from the refunding operation. There will be, firstly, a very substantial saving in interest charges since the refunding bonds will bear interest at a slightly lower rate than the notes, while the certificates of indebtedness will be at a far lower figure. The Treasury, secondly, will reduce by the amount of the long-term issue its problem of meeting the heavy maturities of issues due in the next two weeks.

This bill authorizes the Veterans' Bureau to advance loans on the adjusted certificates we gave the veterans in 1924 to an extent of 50 per cent on their face value and at an interest rate of 4½ per cent per annum. The certificates were originally issued on the basis of $1 a day pay during service in the World War for soldiers who remained in this country and $1.25 per day to those who were overseas. A limit of 500 days was placed on the basic pay. This amount was made payable in 1945, with compound interest at 4 per cent, and life insurance during that period based on the length of service with extreme amounts due any soldier in

1945 of less than $1,500 and an average certificate around $1,000.

It does not provide what every Legion post that advised me of its wishes wanted done. Scores of these men stated they wanted a cash payment; that they needed it; that they would use it in a constructive and beneficial manner best adapted to their own individual needs. They are correct in claiming that it is a direct obligation to them by the Government and that plans should be made to meet this obligation.

To them and to me the solution of this problem has not yet been attained. Because of this fact it will become a major item in the unfinished business of this Congress which must at this late date go over to the next session.

Many Members of Congress back in 1924 fought for the payment of the adjusted-compensation certificates in cash. It is recalled that a compromise was adopted at that time. The final solution has not been reached. The issue still exists. It will have to be met. This country is too rich and powerful to deny to these men what in right and justice ought to be granted to them.

Leaving aside for the moment any further comment in regard to the cash-redemption issue, because by action of the House and Senate the loan bill was adopted, I am of the opinion that the bill which was passed will be helpful not only to many veterans who are in need but in bringing about the resumption of the business prosperity of our country. This money will be placed by them into circulation and enter into business and industrial channels in every community of our land.

I am following my sincere conviction in supporting this bill, and believe it will be approved by all thinking men and women who will take the time to inquire fully into the matter. I do regret, however, that it was impossible to bring about the full cash payment of these adjusted-service certificates. The task for the future is to see that the full amount is paid to the soldier in cash which it should have been, when the adjustment was made in 1924.

A word here regarding the veterans' hospitalization bill. All the members of our delegation earnestly supported the hospitalization program presented at the meeting of the Legion groups last November which was attended by members of the delegation. Increased hospital beds are urgently needed at Fort Snelling and at St. Cloud. I voted for the increased funds which would be required to provide increased hospital facilities throughout the Nation, and hope the Senate amendments will ultimately be adopted by the House before adjournment so that we can be certain of the inclusion of both our projects instead of the St. Cloud hospital alone. General Hines is in full possession of the facts, and we confidently believe that from this fund the necessary allocations will be made for the additional beds urgently needed at both the institutions in our State.

The Swick bill providing pensions for widows and dependent children of World War veterans is another subject near to my heart. It should be passed at this session of Congress. There are many of these widows in my district who are absolutely dependent. They need this assistance and it should be granted now.

The record of our country in caring for the sick and disabled veterans of all wars challenges the admiration of the world. I am proud of the record already made and want to see the program go forward. Our people desire that the Government deal justly with our soldiers and their dependents. I am certain that the people of the United States intend that this be done. It is to their praise and glory that the hearts of our citizens go out to those who served their country in the time of stress and to the many thousands of our soldiers and sailors who gave their last full measure of devotion to our beloved country.

MIGRATORY-BIRD AND WILD-LIFE REFUGE ON THE ILLINOIS RIVER

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD concerning a game-migratory-fowl refuge on the Illinois River and to include therein a letter from my colleague the gentleman from Illinois [Mr. WILLIAM E. HULL], and to also include an extract from the report of the Conservation Committee and the bill (H. R. 13070).

The SPEAKER. Without objection, it is so ordered.

Mr. CHIPERFIELD. Mr. Speaker, the proper conservation of the fast disappearing wild bird and animal life and its adequate protection is well worthy the attention of Congress. Migratory wild birds and fowls are peculiarly the victims of those so-called sportsmen whose only interest in them apparently is to improperly destroy them. The natural resting and breeding places of such wild fowl along our rivers and lakes have been invaded wantonly and ruthlessly by such unsportsmanlike and greedy hunters, and the consequent extermination of such birds has been carried on in a manner that is distressing to those who would see them properly protected, preserved, and perpetuated. The feeding and resting places that I have mentioned are baited with corn, wheat, and other feed attractive to these birds, and when the flight so attracted settle there by thousands the ruthless slaughter begins.

The emergency conservation committee describe this practice in the following language:

We are approaching a condition where ducks and geese in general can be brought back only as the wood duck has been restored in the United States and the eider duck in Canada—by many years of complete protection. There is no chance, however, of such action being taken until conditions force it. Hindsight always rules conservation.

What, then, is the irreducible minimum of reform that might avert the need of complete closure? It is this:

ABOLISH SHOOTING OVER BAITED WATERS

* * * * * * *

This proposal is profanation and sacrilege. It asaults the holy of holies of the wealthy club shooter. It will be met by a thousand twisting, squirming arguments, * * *.

* * * * * * *

1. BAITING MEANS EXTERMINATION

Shooting over baited waters is a development of the last 15 years. It is a result of bird scarcity and a cause of greater scarcity. It will be defended to the last ditch by wealthy shooters whose influence is paramount in the official realm of Federal bird protection, and whose unspoken motto is: "To hell with the future. The birds are going, and we'll get ours."

* * * In public, in congressional hearings, and in talks by "conservative conservationists" who play the game of duck-shooting clubs, baiting is not called "baiting." It is called "feeding the ducks." * * * The whole thing is pictured as a philanthropic undertaking by which kind-hearted men keep migratory wild fowl from starving on their way south, in return for which charity they bring down a few birds as they pass along.

In isolated cases this is true. There are clubs and private hunting preserves in which the owners have become so intimate with the wild fowl, tamed by feeding, that shooting has been much reduced or even abandoned. The birds are fed not because they need the food but for the pleasure of having them about, and to give them a refuge from near-by slaughtering ponds. Such feeding is not "baiting" as commonly practiced. Typical baiting is feeding for the sake of killing the bag limit.

AND THEY CALL THIS SPORT

Ducks are quickly tamed, even after being fired upon. Wild mallards, driven by gunfire from the baited marshes of the Sacramento River, alight nervous and fearful on Lake Merritt, in the business section of Oakland, Calif., and in four days' time are taking food from the fingers of children. This quick response to feeding is what makes baiting so deadly and destructive. This is what makes so-called "rest days" a hypocritical pretense. Rest days give the ducks a chance to forget the guns and come back to the bait.

"Baiting the water" consists of sprinkling corn thickly over a small pond, within reach of gunfire from several angles. The wild ducks, called by the quacking of live decoys, congregate on this corn. When the sportsmen are ready to start the day's "hunt," they send hired men to chase off the ducks. The sportsmen then take their day's exercise by walking from the clubhouse to a boat. They are rowed to the blinds and comfortably await the return of the "wild" ducks.

A flight of ducks driven from feeding grounds always returns two or three or half a dozen at a time. This allows a flock of hundreds to be slaughtered in driblets. A pigeon released from a trap has some chance to escape, for his flight is wavering and he is going away from the gun. A duck coming to feed on corn, toward the guns, hasn't a chance in the world. If one misses, another gets him. If it is a club where bag limits are observed, or a commercial duck-shooting club, there is a steady shift of gunners in the blinds. If not, they just keep on shooting.

WHY THIS MEANS EXTERMINATION

Under natural conditions as game gets scarcer it grows warier and is harder to locate. This tends to perpetuate it, even in the face of odds. But "baiting" creates an artificial condition. The wealthy sportsman does not hunt. He betrays. The bird is de-

ceived by food and by the quacking of live decoys. The wild goose, whose wariness gave rise to the expression "a wild goose chase," can be slaughtered at 10 yards range, from pit or sunken barrel, when bait and live decoys are used. The diminishing remnants of ducks and geese come into baited fields as readily as the great flocks of yesterday. The proportion of hunters to birds rises; fewer birds, more guns.

And as birds get scarcer, baiting spreads. Ten years ago it was confined to isolated patches on the Atlantic and Gulf coasts, and to such great concentration areas as the Sacramento and San Joaquin marshes. To-day it is everywhere on the coasts. It flourishes with deadly effect on the Illinois River and is spreading up and down the Mississippi. In California artificial ponds are dug in the desert sand, irrigation water is turned in, the surface is baited, and the hungry, thirsty, flight-weary birds are butchered by a steadily changing procession of "sportsmen." Each man gets the limit when conditions are good, because ducks will respond to bait even when at the brink of extermination.

Baiting is now used in the Middle Atlantic and Middle Western States to keep ducks from migrating southward. By skillful handling, driving the big flocks away and never "burning them out" by firing on more than can be killed at one time, they can be induced to return again and again to the baited fields until every duck is dead.

And the public is told that this is good for the ducks!

It is of no avail to appeal to the sense of the sportsmanship or fair play of these greedy hunters, for there are many of them who possess no such quality. The continuation of this practice means the extermination of the migratory ducks and wild geese of the country, many species of which are now almost extinct and those that are left will in time become as scarce as the swans which are now practically nonexistent upon our rivers and lakes.

Adjacent to the Illinois River and its tributaries there is and has been a marvelous flora and a fauna that is indigenous to these streams. In a state of nature it was a place of remarkable beauty and harbored and protected much wild life that was of great interest to every nature lover.

It has been sadly marred by the despoiling hand of man who, for selfish purposes, has been willing to virtually annihilate a beautiful spot of nature. It will not take long, with proper protection, for the beauty of such places to be restored and to fully return as a result of adequate care.

Along the Illinois River that traverses the central part of Illinois, with its approximately 25,000 square miles of watershed, there are many thousand acres of lowlands and lakes that have been always and are yet to a certain extent the resting and feeding places of wild migratory waterfowl. In many instances they breed there.

The backwaters of the Illinois River on these lands have always been the spawning places and breeding beds of the fish of that stream, such as black bass, sunfish, crappie, perch of various kinds, cat, carp, buffalo, and many other varieties of valuable edible fish which at one time formed a considerable part of the food supply of the Nation. Suffice it to say that at one time, not many years ago, the value of the catch of fish from the Illinois River and its tributaries compared favorably in value with the value of the catch of edible fish of the entire New England States.

Because of the destruction of these breeding and spawning beds the fishing industry of the Illinois River has been virtually destroyed, depriving thousands of families of a means of livelihood. These lands have now, so it is asserted and claimed, been acquired by hunting clubs; the public that have claimed that the lakes along the Illinois River were public places and open to the public use have been ruthlessly excluded.

In a number of instances these clubs have obtained injunctions from Federal and State courts enjoining the citizens from resorting to such lands and the waters and lakes and streams thereon, now claimed to be the private property of such hunting clubs.

Federal marshals and deputy marshals have patrolled such waters by order of such courts and ejected citizens therefrom, and in many instances such citizens have been charged with and prosecuted for contempt by United States district attorneys in contempt proceedings that such district attorneys have made criminal in character, and which have been carried on by the Government in the name of the United States, for going upon such lands and waters in the exercise of their claim of right. The basis for such contempt proceedings by the Government is the contention that going upon such premises constituted a violation of the Federal injunction. United States marshals have posted and caused to be posted on certain lands protected by Federal injunction notices forbidding the public to resort to the lakes and waters upon such lands. Such a course has produced, as might be expected, great irritation upon the part of thousands of worthy citizens who live adjacent to the Illinois River.

I do not mention this matter with any thought of forestalling the ultimate decisions of the courts, but merely to depict the situation that has been made to exist.

In the counties of Peoria and Tazewell, represented by the Hon. WILLIAM E. HULL, and in the counties of Fulton and Schuyler, represented by myself, are located large tracts of land, marshes, lakes, and waters, which, as I have said before, have been the natural habitat and place of refuge of these birds and the breeding and spawning places of fish. Almost without exception these places are in the possession of and claimed by the hunting clubs I have just mentioned.

Common sense suggests that such places be speedily preserved for the benefit and use of the migratory wild fowl of which I have been speaking. If it is not done now it will soon be too late.

The restoration of such natural places of refuge has been the subject of many conferences between Representative WILLIAM E. HULL and myself since the short session of Congress convened. As a result of such conferences I have prepared and introduced a bill designed to protect migratory fowl and wild life in general. It is as follows:

H. R. 17030

A bill authorizing the establishment of a migratory bird and game refuge along the Illinois River in Illinois

Be it enacted, etc., That the Secretary of Agriculture be, and he is hereby, authorized to acquire by purchase, gift, lease, or exchange, not to exceed 12,000 acres of land along and adjacent to the Illinois River in Fulton, Schuyler, Peoria, and Tazewell Counties, Ill., or in lieu of purchase, to compensate any owner for any damage sustained by reason of the submergence of his lands. Not less than 3,000 acres of ground suitable for the purpose herein indicated shall be obtained in each of the said counties, namely, Fulton, Schuyler, Peoria, and Tazewell Counties, Ill.

SEC. 2. That such lands when acquired in accordance with the provisions of this act shall constitute the Illinois River Migratory Bird Refuge and shall be maintained as a refuge and breeding place for migratory birds, included in the terms of the convention between the United States and Great Britain, for the protection of migratory birds, concluded August 16, 1916, and (b) to such extent as the Secretary of Agriculture may by regulations prescribe as a refuge and breeding place for other wild birds, game, animals, fur-bearing animals, and for the conservation of wild flowers and aquatic plants, and (c) to such extent as the Secretary of Commerce may by regulations prescribe as a refuge and breeding place for fish and other aquatic animal life.

SEC. 3. That no such area shall be acquired by the Secretary of Agriculture unless or until the Legislature of the State of Illinois has consented to the acquisition of lands by the United States for use as refuges for migratory birds, and shall have provided for the use as refuges for migratory birds by the United States of any lands or public waters owned or controlled by the State in or on the Illinois River and vicinity, which the Secretary of Agriculture may deem necessary for such purpose and which the Secretary of Agriculture is hereby authorized to accept on behalf of the United States.

SEC. 4. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $300,000, or so much thereof as may be necessary, to be available until expended, to purchase or otherwise acquire the land described in section 1 of this act.

SEC. 5. The Secretary of Agriculture and the Secretary of Commerce are authorized to make such expenditures for construction, equipment, maintenance, repairs, and improvements, including expenditures for personal services at the seat of government and elsewhere, as may be necessary to execute the functions imposed upon them by this act and as may be provided for by Congress from time to time.

SEC. 6. That the Secretary of Agriculture may do all things and make all expenditures necessary to secure the safe title in the United States to the areas which may be acquired under this act, including purchase of options when deemed necessary by the Secretary of Agriculture, and expenses incident to the location, examination, and survey of such areas and the acquisition of title thereto, but no payment shall be made for any such areas until the title thereto shall be satisfactory to the Attorney General. That the acquisition of such areas by the United States shall in no case be defeated because of rights of way, easements, and reservations which from their nature will in the opinion of the Secretary

of Agriculture in no manner interfere with the use of the areas so encumbered for the purpose of this act.

SEC. 7. Sections 7, 8, 9, 13, and 15 of the migratory bird conservation act, approved February 18, 1929, are hereby made applicable for the purposes of this act in the same manner and to the same extent as though they were enacted as a part of this act.

SEC. 8. That no person shall knowingly disturb, injure, or destroy any notice, signboard, fence, building, ditch, dam, dike, embankment, or other improvement or property of the United States on any area acquired under this act, or cut, burn, or destroy any timber, grass, or other natural growth on said area, or occupy, use, or enter thereon for any purpose, or take any wild animal or bird or nest or egg thereof on any area acquired under this act, except in accordance with regulations of the Secretary of Agriculture; nor shall any person take any fish or other aquatic animal life within the boundaries of said refuge established hereunder except in accordance with regulations of the Secretary of Agriculture.

SEC. 9. That any person, association, partnership, or corporation who shall violate or fail to comply with any provisions of this act or any regulation made pursuant thereto shall be deemed guilty of misdemeanor and upon conviction thereof shall be fined not less than $10 nor more than $500 or be imprisoned not more than six months, or both.

I think I may say with propriety that this measure has been submitted to the Bureau of Biological Survey of the United States with a request for its unofficial comment, and that it is in substantial accord with the views of the bureau.

After the introduction of this bill I have received the following letter from Representative WILLIAM E. HULL, of the sixteenth congressional district of Illinois:

Hon. B. M. CHIPERFIELD,
Washington, D. C.

MY DEAR COLLEAGUE: H. R. 17030, your bill authorizing the establishment of a migratory bird and game refuge along the Illinois River in Illinois is a very commendable bill. As your neighbor and colleague and living along the Illinois River, being very familiar with the situation and the needs of such a law, I will be glad to aid in the passage of this legislation.

The Illinois River bottoms in the counties indicated in your bill have been the greatest hunting grounds in the whole United States, but because of improper use of these grounds the migratory bird has in many instances been driven from this, their natural feeding ground.

It is an absolute necessity that the Government should have jurisdiction over these lands and should establish on the Illinois River a migratory bird refuge and maintain a breeding place for migratory birds. Unless this is done this great hunting ground will eventually become extinct. The young men of the coming generation will have no place to hunt. The birds will be gone, and as the lands are taken up by private parties the opportunity for conservation of wild life will be a thing of the past.

There are thousands of our citizens in this vicinity whose chief enjoyment is in hunting and fishing, and therefore I want to commend you for the fight that you are making for the preservation of these great hunting and fishing grounds, and I shall support you in this worthy undertaking at all times. It is my sincere hope that this bill will eventually become a law.

Yours sincerely,

WM. E. HULL, *Member of Congress.*

I greatly appreciate the very sincere interest which Mr. HULL has stated in his protest.

The bill is drafted along substantially the same lines as the law establishing the Upper Mississippi River Wild Life and Fish Refuge and other places of bird protection and refuge in various parts of the United States.

It is obvious that it is a much-needed piece of legislation, and it is equally apparent that it must be enacted soon if it is to accomplish its purpose; that is, to protect and preserve the wild bird and animal life of which I have been speaking.

That it is desirable to preserve such wild life is apparent to all except the vandal and the game hog.

In the introduction of this bill I have not had any idea that it would be possible to have the same passed at the present session of Congress, but I have endeavored in this manner to bring to the attention of the Members of Congress what, in my opinion, is a valuable and much-needed piece of contemplated legislation. Its passage will be earnestly urged at the next session of Congress. Its enactment will be most beneficial to such wild bird and game life and to its conservation and protection.

It will remove a source of irritation that should not exist and which is caused, as I have stated, by the action of courts, Federal and State, in acting as game wardens for property privately owned. It will be remembered in this connection that such places have been used as places of resort since "the memory of man runneth not to the contrary."

Each of these objects is worthy of accomplishment, and I commend this matter and this proposed legislation to the attention of my colleagues in the next session of the Congress and respectfully invite and seek their cooperation in behalf of the conservation of the wild life of the Nation as proposed by this measure.

ENCAMPMENT OF THE GRAND ARMY OF THE REPUBLIC

Mr. JAMES of Michigan. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 5920) authorizing the attendance of the Army Band at the annual encampment of the Grand Army of the Republic, to be held at Des Moines, Iowa, and agree to the same.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to permit the United States Army Band to attend and give concerts at the annual encampment of the Grand Army of the Republic to be held at Des Moines, Iowa, September 13 to 16, inclusive, 1931.

SEC. 2. For the purpose of defraying the expenses of the band in attending such reunion there is hereby authorized to be appropriated, out of any money in the United States Treasury not otherwise appropriated, the sum of $7,500, or so much thereof as may be necessary.

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.

FORT M'ARTHUR, CALIF.

Mr. JAMES of Michigan. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2366) authorizing the Secretary of War to convey a certain portion of the military reservation of Fort McArthur, Calif., to the city of Los Angeles, Calif., for street purposes and to amend an act to authorize the acquisition for military purposes of land in the county of Montgomery, State of Alabama, for use as an addition to Maxwell Field, approved July 1, 1930, with Senate amendments, and agree to the Senate amendments.

The Clerk reported the bill by title and read the Senate amendments, as follows:

Page 4, after line 4, insert:

"That the proviso to the first section of an act entitled 'An act to authorize the acquisition for military purposes of land in the county of Montgomery, State of Alabama, for use as an addition to Maxwell Field,' approved July 1, 1930, which reads as follows: '*Provided*, That no part of the amount authorized to be appropriated shall be expended until it has been determined to the satisfaction of the Secretary of War that acquisition of all additional land required at Maxwell Field for the proper and necessary accommodation of the Air Corps Tactical School and one Air Corps observation squadron can be accomplished by purchase or donation without exceeding expenditure by the Federal Government of the amount of such authorization,' be, and the same is hereby, repealed."

Amend the title so as to read:

"An act authorizing the Secretary of War to convey a certain portion of the military reservation at Fort McArthur, Calif., to the city of Los Angeles, Calif., for street purposes and to amend an act to authorize the acquisition for military purposes of land in the county of Montgomery, State of Alabama, for use as an addition to Maxwell Field, approved July 1, 1930."

Mr. GARNER. Mr. Speaker, I am informed by the gentleman from Alabama [Mr. HILL] that the committee met this morning and unanimously requested this action.

Mr. JAMES of Michigan. That is true.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Senate amendments were agreed to.

VOCATIONAL EDUCATION AND CIVILIAN REHABILITATION IN PORTO RICO

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 5139) to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Porto Rico, and pass the same with an amendment, which I send to the desk.

The Clerk read the bill, as follows:

Be it enacted, etc., That Porto Rico shall be entitled to share in the benefits of the act entitled "An act to provide for the promotion of vocational education; to provide for cooperation with

the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," approved February 23, 1917, and any act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1932, and annually thereafter, the sum of $105,000, to be available for allotment under such act to the island of Porto Rico: *Provided*, That of the sum authorized to be appropriated for the purposes of this act, the sum of $30,000, if expended, shall be expended for the salaries of teachers of agricultural subjects; the sum of $30,000, if expended, shall be expended for the salaries of teachers of home-economics subjects; the sum of $30,000, if expended, shall be expended for the salaries of teachers of trade and industrial subjects; and the sum of $15,000, if expended, shall be expended for the maintenance of teacher training, including supervision.

SEC. 2. Porto Rico shall be entitled to share in the benefits of the act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," approved June 2, 1920, and any act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1932, and annually thereafter, the sum of $15,000, to be available for allotment under such act to the island of Porto Rico.

With the following committee amendment:

On page 2, line 24, after the word "appropriated," strike out "the fiscal year ending June 30, 1932, and annually thereafter, the sum of $15,000" and insert in lieu thereof "the sum of $15,000 annually for a period of two years commencing July 1, 1931."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The amendment was agreed to.

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.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On February 26, 1931:

H. R. 458. An act for the relief of Catherine Panturis; and

H. R. 14255. An act to expedite the construction of public buildings and works outside of the District of Columbia by enabling possession and title of sites to be taken in advance of final judgment in proceedings for the acquisition thereof under the power of eminent domain.

On February 27, 1931:

H. R. 7272. An act to provide for the paving of the Government road across Fort Sill (Okla.) Military Reservation;

H. R. 8736. An act to authorize and direct a preliminary examination of the Hocking River for the distance it flows through Athens County, Ohio;

H. R. 10017. An act to provide for a survey of the Mouse River, N. Dak., 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; and

H. R. 14922. An act to amend the acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia traffic acts, etc.

THE COLONIAL NATIONAL MONUMENT

Mr. HOOPER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 15984) to amend an act entitled "An act to provide for the creation of the Colonial National Monument in the State of Virginia, and for other purposes," which I state to be an emergency measure and so regarded by the Public Lands Committee.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I think we should have some explanation as to the amount that will be involved in the total expenditure for the purchase of the land in this proposed national monument.

Mr. HOOPER. I think a brief explanation of the purpose of the bill is necessary at this time.

It grows out of an act that we passed in 1930 to establish the Colonial National Monument in Virginia, including Yorktown, Williamsburg, and Jamestown.

In the bill that was passed in 1930 it was provided that the authorization of the sums to be appropriated should not exceed $500,000. As reported by the House committee and passed by the House it carried no limit of cost.

The change that is made here is merely to remove the limitation. The reason for the removal of the limitation, as gentlemen know from the reading of the bill, that the limit of acreage of the Yorktown battlefield is increased to 4,500 acres of land instead of 2,500 as in the original bill. This increase must necessarily be added to the Colonial Monument in order that the battlefield and the position of the British and American troops at the Battle of Yorktown may be properly marked and memorialized.

The Committee on the Public Lands thinks that the passing of this bill, sponsored by Mr. CRAMTON, who has given such signal service in making the monument possible, is necessary.

The bill has received the approval of the Interior Department. It receives strong approval from Director Albright, of the Park Service. The emergency consists in the fact that a part of the lands are being transferred and a very serious question of jurisdiction arises which should be settled at once.

Mr. STAFFORD. Does the proposed amendment in any way change the law that we passed last year with the provision that the local authorities should contribute?

Mr. HOOPER. No; in no wise.

Mr. STAFFORD. How much will this additional land cost?

Mr. HOOPER. It would be difficult to state that, but the purpose of removing the limit was that they might purchase the necessary lands.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 4 of an act entitled "An act to provide for the creation of the colonial national monument in the State of Virginia, and for other purposes," approved July 3, 1930 (46 Stat. L. 855), is hereby amended to read as follows:

"SEC. 4. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act, to be available for all expenses incident to the examination and establishment of the said colonial national monument and the protection and maintenance of lands and of buildings as acquired and/or constructed, as well as for the acquisition of lands needed for the completion of the monument, including the securing of options and other incidental expenses. The area of the Yorktown battlefield, authorized for inclusion in said monument, is hereby extended to not to exceed 4,500 acres, and all Government-owned lands within the boundaries of said monument as established by presidential proclamation, except those determined by the Secretary of the Interior as not necessary in carrying out the objects of said monument, are hereby transferred to the administrative jurisdiction and control of the National Park Service."

With the following committee amendment:

Page 1, line 5, after the figures "1930" and before the comma, insert the following "(46 U. S. Stat. at Large 855)."

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.

On motion of Mr. HOOPER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

OPENING OF THE REPTILE HOUSE IN THE ZOO

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SIMMONS. Mr. Speaker and gentlemen, to-night at the National Zoo there will be opened one of the finest exhibit buildings known anywhere in any zoo in the world. The Zoo people and the Smithsonian Institution have ex-

pedited the completion of the building in order to open it before Congress adjourns. They are very anxious to see as many Members of Congress as can go to see the opening of this unique building. The entrance to the Zoo grounds will be by the Harvard Street entrance. Entertainment and a pleasant evening is promised to those who can attend to-night.

TWENTY-FOUR-HOUR QUARANTINE INSPECTION

Mr. PARKER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 5743) to authorize 24-hour quarantine inspection service in certain ports of the united States, and for other purposes, and consider the same, a similar House bill being on the calendar.

The SPEAKER. The gentleman from New York asks unanimous consent to take from the Speaker's table the bill S. 5743, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service," approved February 15, 1893, as amended, is further amended by adding at the end thereof the following new sections:

"SEC. 13. The original bills of health required to be obtained in duplicate in foreign ports under the provisions of section 2 of this act shall be presented to the collector of customs in accordance with the provisions of section 5 of this act, and the duplicate copies of such bills of health shall be presented to the quarantine officer at the time quarantine inspection is performed by him.

"SEC. 14. The Secretary of the Treasury shall establish by regulation the hours during which quarantine service shall be performed at each quarantine station, and, upon application by any interested party, may establish quarantine inspection during the 24 hours of the day, or any fraction thereof, at such quarantine stations as, in his judgment, require such extended service; but the Secretary may restrict the performance of quarantine inspection to hours of daylight for such arriving vessels as can not, in his opinion, be satisfactorily inspected during hours of darkness. Nothing herein contained, however, shall be construed to require a vessel upon arriving at the quarantine anchorage to undergo quarantine inspection during the hours of darkness, unless the quarantine officer at such quarantine station shall deem an immediate inspection necessary to protect the public health; nor shall any provision of this act be construed to require uniformity in the regulations governing the hours during which quarantine inspection may be obtained at the various ports of the United States.

"SEC. 15. The certificate of health required by section 5 of this act shall, upon the arrival of any vessel from foreign ports at the anchorage or place established for quarantine inspection purposes in any port of the United States, be procurable at any time within which quarantine services are performed at such station from the quarantine health officer, following satisfactory inspection.

"SEC. 16. The Secretary of the Treasury is authorized and directed to prescribe a schedule of charges for quarantine services rendered to vessels at each of the national quarantine stations, which charges shall be reasonable and uniform for all ports, including the port of New York. The quarantine officer in each port of entry shall promptly forward to the collector of customs at such port an itemized statement of the quarantine services rendered to each vessel at the prescribed charges, which charges shall be paid to the collector of customs by said vessel prior to clearance or departure from such port. All such collections shall be accounted for by the collector of customs and shall be covered into the Treasury as miscellaneous receipts.

"The provisions of the act of June 5, 1920 (41 Stat. 876), relating to the schedule of fees and rates of charges to be adopted and promulgated by the Secretary of the Treasury at the New York Quarantine Station is hereby repealed.

"SEC. 17. Any officer or employee of the Public Health Service on duty at any national quarantine station or on a national quarantine vessel, or detailed for duty in foreign ports, under the provisions of sections 2 and 5 of this act, who is suffering from sickness or injury incurred in line of duty, shall be a beneficiary of the Public Health Service and shall be entitled to receive all necessary medical treatment and other benefits authorized to be furnished to beneficiaries."

SEC. 2. There is hereby authorized to be appropriated the sum of $100,000, or so much thereof as may be necessary, to carry out the provisions of this amendatory act.

SEC. 3. Whenever steamship companies desiring the benefits of such extended quarantine service at any port, shall offer to advance funds in order to permit the immediate institution of such service at such port, the Secretary of the Treasury may, in his discretion, receive such funds and expend the same for such purpose; and the moneys so contributed shall be repaid by the Secretary, without interest, from any funds appropriated under authority of section 2 of this act.

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, what is this?

Mr. PARKER. This is a 24-hour quarantine law which is very much desired by New York, Philadelphia, Charleston, Norfolk, San Francisco, and Seattle. Under the present law the quarantine service is limited from sunrise to sunset. This allows 24-hour quarantine in the discretion of the Secretary of the Treasury. This is a Senate bill, with a similar House bill on the calendar.

Mr. LAGUARDIA. What kind of quarantine?

Mr. PARKER. Personal quarantine.

Mr. GARNER. And this has the approval of the gentleman's committee?

Mr. PARKER. Yes.

Mr. STAFFORD. Under existing law quarantine regulations are obliged to be administered between sunrise and sunset, and this enables the Secretary of the Treasury at the principal ports to grant quarantine between sunset and sunrise?

Mr. PARKER. Yes.

The SPEAKER. Is there objection?

There was no objection.

Mr. PARKER. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to correct a typographical error on page 3, line 20, by striking out the figures "876" and inserting in lieu thereof the figures "875," and also on the same page in line 22 by striking out the word "is" and inserting the word "are."

The SPEAKER. Without objection the corrections will be made in accordance with the statement of the gentleman from New York.

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

OVERTIME SERVICE OF IMMIGRANT INSPECTORS

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3309) to provide extra compensation for overtime service by immigrant inspectors and other employees of the Immigration Service, with Senate amendments thereto and concur in the Senate amendments.

The SPEAKER. The Clerk will report the bill and the Senate amendments.

The Clerk read the title of the bill and the Senate amendments, as follows:

Page 1, line 9, after "steamships," insert "trains, airplanes, or other vehicles,"

Page 1, line 10, after "water," insert "land, or air,"

Page 2, line 14, strike out all after "fixed" down to and including "schedules" in line 20.

Page 2, line 22, after "vessel," insert "or other conveyance."

Page 3, line 4, after "not," insert "*Provided*, That this section shall not apply to the inspection at designated ports of entry of passengers arriving by international ferries, bridges, or tunnels, or by aircraft, railroad trains, or vessels on the Great Lakes and connecting waterways, when operating on regular schedules"

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. GARNER. Reserving the right to object, from what committee does this bill come?

Mr. JENKINS. The Committee on Immigration and Naturalization. I have consulted with the ranking member on the Democratic side.

Mr. GARNER. That committee is something like some other committees. They do not always entirely agree with the ranking member on the respective sides. Is there a minority report upon this?

Mr. JENKINS. No. This bill was passed last year on the Unanimous Consent Calendar. Several amendments were suggested. Those amendments were inserted in the bill hurriedly. They went over to the Senate and the Senate rewrote the amendments. I have consulted with everybody interested in the corrections, and there is no objection upon the part of anyone.

Mr. GARNER. The bill was originally passed by unanimous consent?

Mr. JENKINS. Yes.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendments were concurred in.

NAVY APPROPRIATION BILL

Mr. FRENCH. Mr. Speaker, I present a conference report upon the bill (H. R. 16969) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1932, and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Idaho presents a conference report upon the naval appropriation bill and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I am particularly interested in Senate amendment numbered 24. What happened to that?

Mr. FRENCH. The Senate receded from that amendment.

Mr. LAGUARDIA. So that we have nothing to vote on?

Mr. FRENCH. No.

Mr. LAGUARDIA. I am sorry.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16969) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1932, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 9, 10, 24, and 25.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 6, 11, 13, 14, 15, 20, and 21, and agree to the same.

The committee of conference have not agreed on amendments numbered 5, 7, 8, 12, 16, 17, 18, 19, 22, and 23.

BURTON L. FRENCH,
GUY U. HARDY,
JOHN TABER,
W. A. AYRES,
W. B. OLIVER (except as to amendments numbered 9, 10, and 16),
Managers on the part of the House.

FREDERICK HALE,
L. C. PHIPPS,
HENRY W. KEYES,
CARTER GLASS,
CLAUDE A. SWANSON,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16969) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1932, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

On No. 1: Permits the use of $3,000 of the appropriation "Pay, miscellaneous," for the expenses of attendance of civilian officers and employees upon meetings of technical, professional, scientific, and other similar organizations, as proposed by the Senate, instead of $2,000 for such expenses, as proposed by the House.

On No. 2: Corrects the text of the appropriation for the operation and conservation of the naval petroleum reserves, as proposed by the Senate.

On No. 3: Appropriates $4,620,835 for the Naval Reserve, as proposed by the House, instead of $4,394,365, as proposed by the Senate.

On No. 4: Increases the limitation on the amount that may be expended from the appropriation, "Engineering" for pay of classified employees from $1,624,340, as proposed by the House, to $1,644,340, as proposed by the Senate.

On No. 6: Permits the use of $2,000 of the appropriation for transportation and recruiting for the expenses of attendance of naval personnel upon meetings of technical, professional, scientific, and other organizations, as proposed by the Senate, instead of $3,000 for such expenses, as proposed by the House.

On Nos. 9 and 10, relating to the appropriation for pay, subsistence, and transportation of naval personnel: Provides for the appointment of three midshipmen to the class entering the Naval Academy in June, 1932, as proposed by the House, instead of four appointments, as proposed by the Senate.

On No. 11: Modifies, as proposed by the Senate, the provision with respect to midshipmen appointed from enlisted men of the Navy so as to require nine months' service prior to admission to the Naval Academy "aboard a vessel of the Navy in full commission," instead of aboard a vessel "at sea with the fleet," as proposed by the House.

On No. 13: Increases from $20 to $25, as proposed by the Senate, the per diem rate of pay of engineers and architects who may be employed part time or intermittently under contract and paid from the appropriation "Maintenance, Bureau of Yards and Docks."

On Nos. 14 and 15: Appropriates $125,000 for extending the laboratory building of the Naval Research Laboratory at Bellevue, D. C., as proposed by the Senate.

On Nos. 20 and 21, relating to increase of the Navy: Appropriates $38,300,000 for construction and machinery, and armor, armament, and ammunition, as proposed by the Senate, instead of $28,300,000, as proposed by the House, the additional amount to be applied toward the construction of 11 new destroyers.

On No. 24: Strikes out the provision inserted by the Senate dealing with the wages of employees in navy yards, arsenals, and Coast Guard stations.

On No. 25: Strikes out the provision inserted by the Senate making the appropriation for the "adjusted service certificate fund" in the independent offices appropriation act, 1932, available July 1, 1931.

The managers on the part of the House have agreed to recommend that the House either recede and concur or recede and concur with amendments in the following amendments of the Senate:

On No. 5: Relating to the disposal of naval vessels pursuant to the terms of the London naval treaty.

On No. 7: Relating to the commissioning of surplus graduates of the Naval Academy class of 1931.

On No. 8: Relating to the retirement of officers commissioned in the line of the Navy from sources other than the Naval Academy.

On No. 12: Relating to the purchase of fuel oil of domestic production.

On Nos. 16 and 17: Appropriating $200,000 for experimental and research work in connection with the development of a metal-clad airship.

On Nos. 18 and 19: Relating to the participation of the Marine Band in the Yorktown sesquicentennial celebration.

On No. 22: Relating to the procurement of articles of the growth, production, or manufacture of the United States.

On No. 23: Relating to the award of work to navy yards or arsenals.

BURTON L. FRENCH,
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Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

Mr. OLIVER of Alabama. Mr. Speaker, will the gentleman yield me a little time?

Mr. FRENCH. I yield five minutes to the gentleman from Alabama.

Mr. OLIVER of Alabama. Mr. Speaker, I wish to submit some personal views as to what I feel should be the attitude of House conferees in reference to matters inserted by the Senate in bills passed by the House, and as to which there is good reason to believe that a large number of House Members desire the opportunity of voting on before a final agreement is reached by the conferees. As a conferee serving the House at times, I have always felt that where the House has previously taken action on any matter which may have gone out on a point of order in the House and later was inserted by the Senate, if the action of the Senate was in accord with the previous action of the House that the conferees of the House would not be authorized to reject the matter so inserted by the Senate without giving the House an opportunity to vote thereon. As an illustration of this, let us take the Dallinger amendment. A point of order was sustained to it when it was offered in the House on the pending bill for though it had been carried in every bill for the past three or four years. After the Senate inserted it in this bill I felt it was due the House to say to the Senate conferees at once that we were willing to bring it back and permit the House to vote on it. That is what the House had a right to expect of its conferees, since it declared on several occasions for the very provision inserted by the Senate.

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. VINSON of Georgia. I wish the gentleman from Alabama would advise the House as to whether or not, in view of the fact that the conference report is not yet printed, the Dallinger amendment is in the bill?

Mr. OLIVER of Alabama. Yes; but assented to and brought back only after great pressure on some of the House conferees.

I mention this for the reason that when this matter was first taken up I said that as to this Dallinger amendment though personally not favoring it, yet in view of the previous action taken by the House thereon, the House has a right to expect an opportunity to pass on it. There should have been no hesitancy on the part of House conferees to bring it back and permit a vote thereon. I think my views are in accord with the views of a large majority of the Members of the House, whether such Members favor the Dallinger amendment or not. Otherwise you will and should have frequent instructions to conferees by the House, which I feel are both unnecessary and unwise so long as the House can feel that its conferees will not be unresponsive to the wishes of any large number of its Members. The wishes of a substantial minority should be respected.

With reference to the metal-clad airship, there was long debate on it in the House. Although I did not favor it, yet the House by a large vote placed it on the appropriation bill for the War Department. By some kind of legerdemain it was left out in conference in the War Department bill and transferred by the Senate to the Navy bill. I was asked over the phone whether I would consent to bring it back to the House. I replied, if the Senate has put it on the Navy bill there is but one thing we can do, and that is to allow the House to again express itself on the question. I favored bringing it back just as it recently passed the House and was inserted in the Navy bill by the Senate. Failure to bring it back in that form is why I am in dissent from the report of the other conferees as to this matter. The House had declared for it in that form, and the action of the House by a large majority should have been tantamount to an instruction from the House.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. OLIVER of Alabama. I yield.

Mr. VINSON of Georgia. The amendment to which the gentleman refers is what is known as the construction of a metal-clad airship?

Mr. OLIVER of Alabama. Yes.

Mr. VINSON of Georgia. Which the Navy Department has never asked for?

Mr. OLIVER of Alabama. That is right.

Mr. VINSON of Georgia. And now that is in this report?

Mr. OLIVER of Alabama. It is in there with an amendment, whereby you strike out "$200,000," the amount recently approved by the House, and carry an appropriation for only $75,000, and limit the purposes for which the appropriation may be used?

Mr. VINSON of Georgia. Does the House have an opportunity to vote on that amendment?

Mr. OLIVER of Alabama. The House always has the right to vote down a conference report, but at this late day of the session it is not right to compel the House, in order to exercise a right to which it is clearly entitled, to vote under the possible compulsion of causing the defeat of this very important appropriation bill. For that reason I have always felt that with reference to matters of this kind, about which the House has recently expressed itself in no uncertain way, you should have the untrammeled right to vote on the question without feeling that by doing so you may imperil the passage of an important appropriation bill.

Mr. VINSON of Georgia. But the gentleman is not according us that right, because it is either vote up or vote down the conference report.

Mr. OLIVER of Alabama. Well, I dissented, because it denied that right to you, and failed to sign the report as on this item.

The SPEAKER. The time of the gentleman from Alabama [Mr. OLIVER] has expired.

Mr. FRENCH. I yield the gentleman from Alabama five additional minutes.

Mr. OLIVER of Alabama. There are two other important amendments.

Mr. LAGUARDIA. Before the gentleman leaves that point will the gentleman yield?

Mr. OLIVER of Alabama. I yield.

Mr. LAGUARDIA. The gentleman referred to amendment 23. It is my understanding that the conferees will recede and concur in amendment No. 23.

Mr. OLIVER of Alabama. They have receded and concurred.

Mr. LAGUARDIA. So we are in agreement on it, are we not?

Mr. OLIVER of Alabama. Certainly we are now; but if the gentleman knew the whole history of it and how that agreement was reached, he would understand the relevancy of the statements I have just made.

Mr. LAGUARDIA. I am interested in the result.

Mr. OLIVER of Alabama. Yes; but you might not approve the methods. There were two other amendments added by the Senate, from which the Senate was forced to recede, when I felt the House should have been given an opportunity to express itself thereon. I refer to amendments 9 and 10, on which there was some discussion when the bill was before the House. I stated to the House when the bill was being considered by the House that the number of appointments to Annapolis should be retained at 4 and not reduced to 3 after August, 1931, but in order to expedite the passage of the bill no amendment was then offered, because I then announced that the Senate would, in my opinion, restore the number of appointments to 4, and if so, I felt it would be brought back and the House then given an opportunity to vote on the question. The subcommittee handling the bill were divided 3 to 2 as to whether the appointments should be retained at 4.

Certainly a large number of the Members of the House expected and desired an opportunity to vote on this question, and in all fairness I felt the House should have been allowed to express itself in reference thereto, and since they were not I refused to concur in the report of the conferees. The near end of this Congress forced the Senate to yield to the demand of a majority of the House conferees.

Mr. BRITTEN. Will the gentleman yield?

Mr. OLIVER of Alabama. In just a moment. This is an important matter, and I have made this statement that you

may read and consider the testimony, so that when the matter is brought to your attention, as it will be early in the next Congress, you will be prepared to vote on it.

Mr. BRITTEN. Will the gentleman yield?

Mr. OLIVER of Alabama. I yield.

Mr. BRITTEN. In other words, as I understand the gentleman's remarks, this is not establishing a precedent for future classes of the Naval Academy?

Mr. OLIVER of Alabama. No; not at all. I think the House will have an opportunity to vote as to whether they want to retain four or three in the next Congress at its first session.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. OLIVER of Alabama. I yield.

Mr. VINSON of Georgia. Not at this session of Congress, however.

Mr. OLIVER of Alabama. No.

Mr. VINSON of Georgia. Of course, as the conference report is submitted, every Member has the right to appoint only three members.

Mr. OLIVER of Alabama. Yes; after August, 1931.

Mr. VINSON of Georgia. While the Senate bill provided for the appointment of four?

Mr. OLIVER of Alabama. Yes.

Mr. VINSON of Georgia. The Senate receded from its position?

Mr. OLIVER of Alabama. Yes.

Mr. HASTINGS. When is that effective?

Mr. OLIVER of Alabama. Next year. Now, every study that the Navy Department has submitted shows that with the vessels now building, and for which you have made appropriations, you will require these officers when the ships go into commission. Unquestionably the sentiment of this House favors the building program which the House Committee on Naval Affairs reported, and which will be acted on by the next Congress.

Every member of our subcommittee favors that program, and, so far as I can learn, two-thirds of the Members of the House favor it, and it will unquestionably be passed at the next session of Congress. If you authorize a further building program, you must have officers to man your ships.

Mr. HILL of Alabama. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. HILL of Alabama. In that connection, what does this bill do with reference to the commissioning of midshipmen who graduate this year?

Mr. OLIVER of Alabama. They are commissioned.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. VINSON of Georgia. Then, as I understand, for the next term at the Naval Academy there will be only three midshipmen.

Mr. OLIVER of Alabama. After January, 1932, only three appointments.

Mr. VINSON of Georgia. And yet at the same time there come into commission 3 ships next year, 3 the following year, and this bill carries appropriations for 12 ships heretofore authorized; in addition to that there are 11 ships now being authorized, making 23 ships, yet to man those ships we are proceeding to cut down the officer personnel. That being so, I ask the gentleman this question: Unless we go back to 4 how are we going to man these 23 ships?

Mr. OLIVER of Alabama. In fairness to the other members of the committee, as I stated when the bill was before the House, the committee was divided three to two as to the number of appointments. Three members of the committee believe that with three appointments there will be a sufficient number of graduates from Annapolis to supply the officer personnel required for the Navy. There is a sharp difference of opinion between the members of our subcommittee on this question, and I now undertake to say that the Navy Department insists that four appointments to Annapolis should be continued if we are to meet the officer requirements of the Navy. It is my opinion that they are correct in their insistence on four appointments.

Mr. VINSON of Georgia. It is the gentleman's opinion, however, that at least in the next Congress it will be necessary to go back to four.

Mr. OLIVER of Alabama. That is what I now think, and I feel the next Congress will be impressed with that necessity.

The SPEAKER. The time of the gentleman from Alabama has again expired.

Mr. FRENCH. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Speaker, I simply want these two minutes to call the attention of the distinguished chairman to amendment 24, which is as follows:

> The scale of wages established January 1, 1929, by the Navy Department for civil employees of groups 1, 2, and 3 (laborer, helper, and mechanical service) shall not be reduced, nor shall the proportion of such employees in the maximum rate at the several navy yards be less than the proportion of such employees in the maximum rate on January 1, 1929, nor shall the proportion of workmen employed in the minimum rate be greater than obtained on that date. The pay of employees at the arsenals and Coast Guard stations shall correspond to the average pay received by workmen of corresponding occupations and trades, as hereby made effective for the Boston, New York, Philadelphia, Washington, Norfolk, Mare Island, and Puget Sound Navy Yards.

I want to ask the distinguished chairman this question: If the Senate does not accept the report of its conferees, shall we then be given an opportunity to vote for it, because I am in favor of that amendment?

Mr. FRENCH. Oh, no; the Senate conferees have receded, so the matter is ended, so far as the House is concerned, on the adoption of the report.

Mr. LAGUARDIA. But suppose the Senate does not accept the report of their conferees, then will we get it back?

Mr. FRENCH. If the Senate refuses to accept the report of its conferees, then it would come back to the House.

Mr. Speaker, I yield two minutes to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON of Georgia. Mr. Speaker, I rise for the purpose of calling the attention of the House to the fact that upon the adoption of this conference report in 1933 we will only be permitted to have three midshipmen. In one portion of the bill we are cutting down our midshipmen, while in another portion of the bill we are building ships. Now, that can not be done in that way. You have either got to reduce your construction program or else you have got to increase the number of midshipmen.

Mr. TABER. But the figures do not show that we need them. There is a surplus now.

Mr. VINSON of Georgia. I beg to differ with the gentleman, and so does the gentleman from Alabama. We are not taking a single ship out of commission, and in this appropriation bill we are providing for the construction of 12 ships.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. OLIVER of Alabama. I will be very glad to ask unanimous consent for an opportunity to discuss that matter with my distinguished friend from New York.

Mr. VINSON of Georgia. I hope the gentleman will do that in his own time and not take it out of my time. In one breath we are authorizing in this appropriation 23 ships, while in the next breath we are reducing the officers. There are more ways of scrapping your Navy than by conferences. You scrap your Navy when you refuse to have officers to man your ships. I ask the gentlemen who brought this conference report in how we are going to man these ships? You can build a ship within two years, while it takes four years to qualify a midshipman to become an officer to man your ships. I put the gentlemen on notice now that at the next session of the Congress this House will have an opportunity to express its opinion as to whether or not we shall scrap our Navy by reducing the number of officers to man them.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. FRENCH. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. BRITTEN].

Mr. BRITTEN. Mr. Speaker, ladies and gentlemen of the House, when this appropriation bill was before the House the leaders of the House wished to expedite its passage. Everybody was crowded for time, because the session was nearing its close, and we were importuned to say nothing about this reduction in the number of our appointments to the Naval Academy from four to three. We were told that the Senate would change the House number of three back to four, where it belongs, and the House conferees would agree upon the Senate amendment. We now find ourselves in a position where the Senate has receded from its own amendment to the bill, and Members of Congress will have but three appointments to the Naval Academy next year.

The question of a reduction from four to three to many minds may not mean very much, but let me call this fact to your attention. The reserve force of the British Navy is always taken from the British merchant marine. The reserve force for the American Navy has to be hastily built up in times of emergency and come from the interior of the country. It comes from Oklahoma and Illinois and Arkansas and all the other interior States, and the only way we can build up reserve force officer personnel is by having a fine foundation of officers who have graduated from the Naval Academy who are qualified to build up such a force. Therefore it is very important.

The reduction also makes for classes which are not uniform, the result being that after these men have come up to the grade of lieutenant commander or commander or captain with 25 or 30 years of service, those in the large classes have more competition for promotion than those in the smaller classes. There is a line promotion bill pending, which I hope to bring up to-morrow, that will equalize these matters, but there are a number of elements that are very, very important in connection with this drastic change, and I am very sorry that the conferees of the Senate have agreed to recede on its amendment to our bill. It is too bad, and it is going to work against the Navy.

Mr. LINTHICUM. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. LINTHICUM. Is there no way by which we can rectify this wrong?

Mr. BRITTEN. Oh, there would be a way if we overrode the conference report, and personally I think this ought to be done, because we in the House know, and the gentleman from Idaho [Mr. FRENCH] knows it as well as any of us, that there were 75 or 90 per cent of the Members present and ready to override the provision for but three appointees to the Naval Academy.

Mr. TABER. But the gentleman knows——

Mr. BRITTEN. I wish the gentleman would not interrupt me without first getting my permission to do so.

Mr. TABER. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. TABER. The gentleman knows that there is a large surplus this year of 200, and next year there will be a surplus of 150, the year after that 175 to 200, and the following year 200.

Mr. BRITTEN. In the parlance of the street, the gentleman is "talking through his hat."

Mr. TABER. I am talking about facts, based on the history of the Navy and the line officers of the Navy. We have not reduced the number of officers.

Mr. BRITTEN. The truth of the matter is that with aviation expanding as it has in the past five years, with fire control becoming one of the most intricate problems of the Navy, with the building of more and smaller ships, the Navy needs more young men, and when I say young men I mean young line officers, and the only place we can get young officers for the line of the Navy is through the Naval Academy. We can not get them in any other way.

Mr. COYLE. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. COYLE. And the supposed surplus is because there are not places, due to limitations put in by the Appropriations Committee.

Mr. BRITTEN. And it is purely a supposition.

Mr. COYLE. There is need for the men, but there is no money to pay them, and so they say there is a surplus of graduates.

Mr. BRITTEN. That is true. The best evidence that the conferees themselves agree that we need more men is the agreement with the Senate amendment to commission all the graduates from the Naval Academy this year.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. VINSON of Georgia. In view of the present situation, however, we have nothing to do but accept or reject the conference report.

Mr. BRITTEN. Yes; and that is too bad.

Mr. VINSON of Georgia. But the gentleman from Illinois will join with others to give the House an opportunity at the next session to provide for four midshipmen?

Mr. BRITTEN. I certainly will; yes.

Mr. FRENCH. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD. Mr. Speaker, ladies and gentlemen of the House, this conference report, like every other conference report where there are a great many controversial questions involved, is the result of a compromise. If it were not so near the close of the session—if there were not a possibility, if this conference report is not agreed upon, of there being an extra session, I never would have consented to this report.

The Navy has no reason to complain by reason of what is contained in this bill. They have fared exceedingly well, and the question that has been referred to here of whether we should have 3 or 4 or 5 appointments to Annapolis is a controversial matter as to which there may be two opinions based upon sound judgment; but this is a matter the permanent solution of which must be determined by legislation, and I am speaking now in the interest of what is immediately before us, and that is whether we are to agree to this conference report so that we may pass this, the last general appropriation bill.

Mr. VINSON of Georgia. If the gentleman will permit us, we will agree right now.

Mr. WOOD. Then I would move the previous question.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 5, page 17, line 11: "and to permit the President to dispose of other vessels of the Navy in such manner as in his judgment may be advisable."

Mr. FRENCH. Mr. Speaker, I move that the House recede and concur in the amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 7, page 25, line 24, insert "*Provided further*, That the President of the United States, by and with the advice and consent of the Senate, is hereby authorized to appoint as ensigns in the line of the Navy all midshipmen who graduate from the Naval Academy in the year 1931, but if the number so commissioned should exceed the total number of officers of the line of the Navy authorized by existing law, the excess shall be carried in the grades of lieutenant (junior grade) or ensign."

Mr. FRENCH. Mr. Speaker, I move that the House recede and concur with an amendment.

The Clerk read as follows:

In lieu of the matter inserted by said amendment, insert the following:

": *Provided further*, That the President of the United States, by and with the advice and consent of the Senate, is hereby authorized to appoint as ensigns in the line of the Navy all midshipmen who graduate from the Naval Academy in the year 1931, but if the number so commissioned should exceed the total number of officers of the line of the Navy authorized by existing law, the excess shall be carried in the grade of ensign."

The motion was agreed to.

The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 8, page 26, line 7, insert:

"*Provided further*, That any officer, other than commissioned warrant or warrant officers, commissioned in the line of the Navy from sources other than the Naval Academy, may, upon his own application, in the discretion of the President, be retired from active service and placed upon the retired list with retired pay at the rate of 2½ per cent of his active-duty pay multiplied by the number of years of service for which entitled to credit in computation of his pay on the active list, not to exceed a total of 75 per cent of said active-duty pay: *Provided further*."

Mr. FRENCH. Mr. Speaker, I move to recede and concur in the amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 12, page 29, line 21, strike out "*Provided further*, That no part of this appropriation shall be available for the purchase of or payment for any kind of fuel oil of foreign production, except by or for vessels in a foreign port."

Mr. FRENCH. Mr. Speaker, I move to recede and concur with an amendment.

The Clerk read as follows:

Restore the matter stricken out by said amendment, amended to read as follows:

"*Provided further*, That no part of this appropriation shall be available, any provision in this act to the contrary notwithstanding, for the purchase of any kind of fuel oil of foreign production for issue, delivery, or sale to ships at points either in the United States or its possessions where oil of the production of the United States or its possessions may be procurable, notwithstanding that oil of the production of the United States or its possessions may cost more than oil of foreign production, if such excess of cost, in the opinion of the Secretary of the Navy, which shall be conclusive, be not unreasonable, but nothing herein shall apply to fuel oil on hand or on order on July 1, 1931."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 16, page 38, line 16, strike out "$2,220,000" and insert "$2,420,000, of which $200,000 shall be available for experimental and research work in connection with the development of a metal-clad airship."

Mr. FRENCH. Mr. Speaker, I move to recede and concur with an amendment.

The Clerk read as follows:

In lieu of the matter inserted by said amendment insert the following:

"$2,295,000, of which $75,000 shall be available for experimental and research work in cooperation with other Federal agencies in connection with the development of a metal-clad airship, and in connection with such work the Secretary of the Navy is hereby authorized to contract for such outside engineering services as may be deemed necessary and desirable."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 17, page 39, line 17, strike out "$31,070,000" and insert "$31,270,000."

Mr. FRENCH. Mr. Speaker, I move to recede and concur with an amendment.

The Clerk read as follows:

Amendment No. 17: In lieu of the sum inserted by said amendment insert "$31,145,000."

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 18: Page 47, line 19, insert:

"For participation by the band of the United States Marine Corps in the celebration to be held at Yorktown, Va., October 16, 17, 18, and 19, 1931, permission for said participation being hereby authorized, and for the purpose of defraying the expenses of the band, the sum of $2,000, or so much thereof as may be necessary, is hereby appropriated."

Mr. FRENCH. Mr. Speaker, I move that the House recede and concur in the amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 19, page 48, strike out "$8,596,435" and insert "$8,598,435."

Mr. FRENCH. Mr. Speaker, I move that the House recede and concur in the amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 22: Page 49, line 1, strike out all of the paragraph and insert:

"That in the expenditure of appropriations in this act the Secretary of the Navy shall, unless in his discretion the interest of the Government will not permit, purchase or contract for, within the limits of the United States, only articles of the growth, production, or manufacture of the United States, notwithstanding that such articles of the growth, production, or manufacture of the United States may cost more, if such excess of cost be not unreasonable."

Mr. FRENCH. Mr. Speaker, I move that the House recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 23: Page 50, line 23, after the word "plant," insert a semicolon and the following: "and that no part of the moneys herein appropriated for the Naval Establishment or herein made available therefor shall be used or expended under contracts hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government navy yards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary of the Navy, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government: *Provided*, That nothing herein shall be construed as altering or repealing the proviso contained in section 1 of the act to authorize the construction of certain naval vessels, approved February 13, 1929, which provides that the first and each succeeding alternate cruiser upon which work is undertaken, together with the main engines, armor, and armament shall be constructed or manufactured in the Government navy yards, naval gun factories, naval ordnance plants, or arsenals of the United States, except such material or parts as are not customarily manufactured in such Government plants."

Mr. FRENCH. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. BLAND. Is that the amendment carried in preceding legislation?

Mr. FRENCH. Yes.

Mr. BLAND. Exactly the same?

Mr. FRENCH. It is exactly as written by the Senate.

The SPEAKER. The question is on the motion to recede and concur.

The motion was agreed to.

MAKING UNITED STATES PARTY DEFENDANT IN CERTAIN CASES

Mr. GRAHAM. Mr. Speaker, I call up the conference report upon the bill (H. R. 980) to permit the United States to be made a party defendant in certain cases, which I understand is the unfinished business.

The SPEAKER. The unfinished business is the consideration of the conference report on the bill H. R. 980. The conference report has been read. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the present consideration of House Concurrent Resolution 52, which I send to the desk and ask to have read.

The Clerk read as follows:

House Concurrent Resolution 52

Resolved by the House of Representatives (the Senate concurring), That the report of the committee of conference on the disagreeing votes of the two Houses on the bill of the House (H. R. 980) entitled "An act to permit the United States to be made a party defendant in certain cases," heretofore agreed to by the two Houses be amended by adding at the end of the amendment agreed to in the report the following new section:

"SEC. 7. This act shall not apply to any lien of the United States held by it or for its benefit under the Federal reclamation laws."

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

NAVAL WAR COLLEGE, NEWPORT

Mr. BURDICK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 5083, a similar House bill being on the calendar.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to remodel and extend existing structures and to construct an additional building at the Naval War College, Newport, R. I., at a cost not to exceed $400,000.

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

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

A similar House bill was laid on the table.

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF SURRENDER OF LORD CORNWALLIS

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 6032) amending section 1 of Public Resolution No. 89, Seventy-first Congress, approved June 17, 1930, entitled "Joint resolution providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis on October 19, 1781, and authorizing an appropriation to be used in connection with such celebration, and for other purposes," and to discharge the committee from the consideration of the Senate bill. A similar House bill has been reported.

The SPEAKER. The gentleman from Virginia asks unanimous consent to discharge the committee from further consideration of the bill S. 6032, and consider the same at this time. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of Public Resolution No. 89, Seventy-first Congress, approved June 17, 1930, entitled "Joint resolution providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis on October 19, 1781, and authorizing an appropriation to be used in connection with such celebration, and for other purposes," be, and the same is hereby, amended to read as follows:

"SECTION 1. That the commission heretofore created pursuant to House Concurrent Resolution 43, Seventieth Congress, first session, and known as the United States Yorktown Sesquicentennial Commission, be, and the same is hereby, continued by the same name and hereinafter referred to as the commission.

"The membership on the commission of Senators and Members of the House of Representatives shall continue irrespective of their terms as Members of Congress. Any vacancies arising in the personnel of the said commission shall be filled as follows: Any vacancies occurring among Senators shall be filled by the President of the Senate, and any vacancies occurring among Members of the House of Representatives before the organization of the Seventy-second Congress shall be filled by appointment by the present Speaker of the House of Representatives."

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

A similar House bill was laid on the table.

LEO N. LEVI MEMORIAL HOSPITAL ASSOCIATION

Mr. FULLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 6106, to authorize the Leo N. Levi Memorial Hospital Association to mortgage its property in Hot Springs National Park, and consider the same, a similar House bill being on the Calendar.

The SPEAKER. The gentleman from Arkansas asks unanimous consent for the present consideration of S. 6106, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Leo N. Levi Memorial Hospital Association is hereby authorized, with the approval of the Secretary of the Interior, to execute mortgages upon its rights in and properties upon lots Nos. 1, 2, 3, and 4 in block No. 114 in the city of Hot Springs, Ark., and such mortgages, together with the approval of said Secretary of the Interior, may be filed for record in the office of the Secretary of the Interior, and when so recorded shall have all the effect of a public record.

Mr. LAGUARDIA. What have we to do with this?

Mr. FULLER. The Government owns these four little lots down there and by special act they gave this hospital association a lease upon them. This is a charitable Jewish institution. This bill is recommended by the Secretary of the Interior and by Mr. Albright, who concluded his remarks by saying that this is similar to other legislation with reference to similar situations in national parks. It authorizes them to make certain improvements.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

A similar House bill was laid on the table.

FIVE CIVILIZED TRIBES

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 15263) to relieve restricted Indians in the Five Civilized Tribes whose nontaxable lands are required for State, county, or municipal improvements, with Senate amendments thereto, and agree to the Senate amendments.

The SPEAKER. The Clerk will report the bill and the Senate amendments.

The Clerk read the title of the bill and the Senate amendments, as follows:

Page 1, line 8, after "purposes," insert "or is sold under existing law to any other person or corporation for other purposes."

Page 2, line 4, strike out all after "lands" down to and including "purposes" in line 6, and insert "from which the reinvested funds were derived."

Amend the title so as to read: "An act to relieve restricted Indians in the Five Civilized Tribes whose nontaxable lands are required for State, county, or municipal improvements or sold to other persons or for other purposes."

Mr. STAFFORD. Mr. Speaker, I think we have to have some explanation of this bill.

Mr. McKEOWN. The bill was originally introduced to permit the Indians whose lands were restricted and nontaxable, where such lands had been taken for municipal purposes, such as the building of a dam to supply water for a city, to reinvest that money in similar land with the same nontaxable protection that he had with reference to the land that was sold.

Mr. STAFFORD. And this has the approval of the Secretary of the Interior?

Mr. McKEOWN. Yes. This is to let him secure land under the same restrictions, and nontaxable.

Mr. STAFFORD. And this has the approval of the Secretary of the Interior?

Mr. McKEOWN. Absolutely; yes, sir.

The Senate amendments were agreed to.

HEALTH AND WELFARE OF MOTHERS AND INFANTS

Mr. FORT. Mr. Speaker, by direction of the Committee on Rules, I call up a privileged resolution, H. Res. 369.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 255, for the promotion of the health and welfare of mothers and infants, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. FORT. Mr. Speaker, this is simply the ordinary form of rule to make in order the bill S. 255, which has been elaborately amended in the Committee on Interstate and Foreign Commerce.

I yield 30 minutes to the gentleman from North Carolina [Mr. POU] for distribution as he sees fit, and reserve the balance of my time.

Mr. POU. Mr. Speaker, I shall support the rule and the bill which the rule brings before the House. No nation can perform a higher service than taking care of child life. The very strength of the Nation is the strength, vigor, and health of the children of the Nation. The world never did rest on the shoulders of Atlas. It has always rested, generation after generation, upon the shoulders of the children of the world.

The women of America know what strong healthy childhood means, and the women of the Nation favor this legislation. I believe the bill made in order has the nation-wide indorsement of the women's organizations. The bill should become a law before this Congress adjourns.

I reserve the remainder of my time and will yield 10 minutes to the gentleman from New York [Mr. O'CONNOR].

Mr. O'CONNOR of New York. Mr. Speaker and Members of the House, this is a very important measure, involving not only the appropriation of money, but involving a much-controverted policy of government. It is similar to questions which have been before us for 10 or 20 years. This bill, in effect, continues the provisions of the Sheppard-Towner Act.

Mr. UNDERHILL. Will the gentleman yield?

Mr. O'CONNOR of New York. I yield.

Mr. UNDERHILL. And the entire history of this, running over a 20-year period, has been a history of broken promises?

Mr. O'CONNOR of New York. That may be. This bill continues the Sheppard-Towner Act which expired about two years ago.

The Sheppard-Towner Act was first passed in 1921 and was a departure from the policy of Government with reference to interfering, as I call it, with the rights and affairs of the States. I believe that Congress was misled then; that statistics and arguments were offered to Congress, inducing them to pass the Sheppard-Towner Act which were not, as subsequent events turned out, justified.

I believe my own State, New York, was misled and deceived by the arguments and sentiments into accepting the provisions of the Sheppard-Towner Act, and I believe that now, after learning by experience, we should not continue that undemocratic policy of Government.

The Sheppard-Towner Act was distinctly offered by its proponents in 1921 as a temporary measure to be in effect for only five years, to encourage, to stimulate the States into protecting mothers and infants. It was held out that it was merely a temporary expedient to meet the needs in some rural sections, and Congress, by inference at least, was told that after that 5-year period there would be no request for its continuation. Like many similar measures passed by Congress under the guise of a temporary need, they become permanent when once the door has been opened. At the end of the five years the proponents of this "temporary measure" were back for a 2-year extension, and again they told the American Congress that the extension was merely to meet a temporary situation which would terminate in two years, and there would be no further request. But here we are again. The bill is once more before us; and, ladies and gentlemen, if it passes the House to-day it will become a permanent, unalterable policy of our Government, although it is outrageously one of the most far-reaching steps ever taken by our Government into the field of the State. I can not imagine its support on my side of this House, and I call ex-President Coolidge as a witness on that side of the House in opposition to it on the grounds that it was an invasion of the rights of the States.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. O'CONNOR of New York. I yield.

Mr. COOPER of Ohio. Did the gentleman vote for the Wagner bill the other day?

Mr. O'CONNOR of New York. Yes; I did. And I voted for it on the theory that we were really in a great national emergency, probably the greatest emergency we have had within the time of anyone of us in this House, and no one disputes the existence of that emergency. If that emergency did not exist, I will tell the gentleman, I would not have voted for it, no more than I will ever vote for some measures that have been put through here under the guise of the existence of an emergency.

In addition to the Sheppard-Towner feature of this act they have added what they call the public-health service in the rural communities. That is brand new. A new field of the States to be invaded. Of course, we never hear anything else in this House but taking care of the rural communities. The money of the Federal Treasury will still further be appropriated to States to be used in the rural communities, matched by the money of the States, parceled out to the States without respect to what their contribution to the Federal revenue is. For instance, last year the State of New York contributed $900,000,000 to the Federal Treasury and received under this act some $80,000. I do not complain about New York's contribution to the support of the Federal Government. I regret, however, that the State of New York even accepted the $80,000 under the Sheppard-Towner Act.

You have been talking here for months against doles, and against the parternalism of charity, and one of the stock arguments has been that when you give out a dole or charity you break down the morale of the individual; you destroy his initiative; you take away from him his ambition. That same argument applies to States. When the Federal Government steps into a State and says, "Now, we will take care of this situation for you; we will show you how the baby shall be born; we will show you how the mother should be taken care of during the prenatal or postnatal period; we will come in and show you how you should wash and dress your babies," the States, like individuals, lose their initiative. The States accept the dole, and all but a few States in the Union have accepted it up to this time. Such is always the experience when such assistance is offered the States. It happened under the Federal road act and several other acts. Oh, yes; I would vote against that act if you gave me the opportunity, whenever it was not justified except on the theory of building post roads.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. O'CONNOR of New York. Yes.

Mr. COOPER of Ohio. I would like to say to the gentleman that the Federal appropriation that has been spent in the past under the provisions of the Sheppard-Towner bill has been supervised and controlled by State health agencies and not the Federal Government.

Mr. O'CONNOR of New York. If there has been such State control in the past it would not necessarily continue under this bill, because this is what the bill says—this Federal board, this bureau, this new or additional or continued instrument of bureaucracy in Washington may do and shall do:

> The board shall have the power to approve or disapprove all plans providing for cooperative work between the United States and the several States. * * *

In other words, the States have nothing to say about it.

Mr. FORT. Will the gentleman yield?

Mr. O'CONNOR of New York. Yes.

Mr. FORT. The States do not have to share in the appropriation?

Mr. O'CONNOR of New York. The gentleman means that the States need not accept the money, but the answer is that the temptation is too strong and they yield to a natural weakness and thereby surrender their sovereignty.

Mr. FORT. If they do not share they do not yield any sovereignty, do they?

Mr. O'CONNOR of New York. Well, the Federal Government is handing out money, and whenever anybody is handing out money, whether it is to an individual or to a State,

there is always somebody willing to take it. You say to the States, "We will give you the money but you will have nothing to say about how you shall spend it or as to any plan or method of teaching a mother how to bring a baby into the world, how to dress it, or how to wash it after it is born." There is the fundamental objection to this bill. It is not a new objection. It is an objection that has continued since its first enactment, but it is made worse to-day because Congress was deceived. It was deceived into going into this in 1921, it was deceived into continuing it later, and it has been deceived into reviving it now after the Congress and the country, I believe, had thought that the need for it had expired and never again would be asked for.

I am not going to spend any more time, ladies and gentlemen, in calling your attention to what I believe is a rank departure from the fundamental policy of this Government. Of course, it will be said that this has been done in the past and that the same thing was done in connection with the Wagner bill; but that does not answer the fundamental objection to it, namely, that it is an interference with State rights.

Mr. SHORT. Will the gentleman yield?

Mr. O'CONNOR of New York. Yes.

Mr. SHORT. The gentleman from New York will concede, however, that the same principle was involved in the Wagner bill?

Mr. O'CONNOR of New York. Oh, no.

Mr. SHORT. And in bills providing for the construction of highways, and so on.

Mr. O'CONNOR of New York. No.

Mr. SHORT. Surely the gentleman does not think the Federal Government should have more concern about transportation than about public health?

Mr. O'CONNOR of New York. Oh, that is the chief argument for this bill—sentiment—little babies. It is that sentimental appeal which put this bill over. It is said to be in the interest of a little baby in the country sections or the mother of the darling. Let me say to you that there is a difference between a bill of this kind and a bill which provides for an emergency. I do not begrudge the Federal funds that were spent in the flood districts during the Mississippi floods, or do I begrudge money spent to relieve conditions in a place where there has been an earthquake or some extraordinary catastrophe. Individuals and governments will always make exceptions and stretch a point when you have real misery and suffering. The Wagner bill presented an opportunity for insuring jobs for the men of this country in the future, and by all of the past history of this country we could well afford to do that, but here there is no emergency; there is no great misery or distress. I submit, ladies and gentlemen, that of all the measures that will come before the House in these closing days of the session this bill should receive most earnest attention. I suggest that the Members read the able minority views filed by two men on that side of the House, men who are not State rights Democrats like myself. I refer to the gentleman from Connecticut [Mr. MERRITT] and the gentleman from Pennsylvania [Mr. BECK]. Their views, intelligent and deliberate, should be given real consideration in this House before any Member votes for this bill under the delusion that it is a party measure and that it should receive support because it is reported from the committee.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. FORT. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. MAPES].

Mr. MAPES. Mr. Speaker, I have taken this time to quote from the hearings before the Committee on Interstate and Foreign Commerce during the consideration of this bill in order to answer the argument of the gentleman from New York. One of the witnesses before that committee was Dr. A. T. McCormack, the head of the State Health Department of the State of Kentucky. I think he answered, as specifically and as concretely as a person could answer, the argument of the gentleman from New York. He emphasized the fact that the work of the health departments in the different States is not interfered with at all by the Federal Government, that the Federal Government does not send employees into the States at all, but that the entire work is done by the State health authorities under the direction and supervision of the State health authorities. I would like to read from the statement by Doctor McCormack, who, as I said, is the head of the State health department of the State of Kentucky, and knows whereof he speaks. On page 11 of the hearings before the Interstate and Foreign Commerce Committee on January 20, 1931, Doctor McCormack said:

> I think it is very unfortunate that the impression has gotten into the minds of many people that the Children's Bureau and the United States Public Health Service are sort of benevolent despots that are imposing their will on the States. Nothing of that sort has ever happened. There is not a single activity in any State in the Union under the Sheppard-Towner law or under the rural sanitation appropriations for the United States Public Health Service that was not initiated by the States. There is not a single activity that has been controlled in any way, shape, or form by the Federal Government. They have been approved, as far as coming within the domain of the law, by the Federal Government, but the work has been in every instance by the State, done under medical supervision.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. MAPES. I yield to the gentleman.

Mr. O'CONNOR of New York. I do not dispute that they have not done it, but under the bill they can do it. They can send their agents into the State. There is no difficulty about it. The mere fact they have not done this in the past is no assurance or guarantee that they may not do it.

Mr. MAPES. I think the gentleman is unduly alarmed about what will happen under this bill. It is based upon the principle of the maternity and infancy legislation that Congress has heretofore passed, and the witnesses before the Committee on Interstate and Foreign Commerce during the consideration of this bill said that the provisions of this bill would be administered the same as they have been under the former Sheppard-Towner law or the former maternity and infancy law.

Mr. O'CONNOR of New York. When this matter was discussed before the Rules Committee, I endeavored to get an answer to a question and, whatever the answer was, it was not satisfactory to me. I ask the gentleman if he can clear up the question. There is a board of three, the Surgeon General, the Chief of the Children's Bureau, and the Commissioner of Education, and thereafter in the act nothing is said about the educational feature of the bill. Will the gentleman tell me why the Federal Commissioner of Education is put on this board that has power, at least, to go through the States? Why is that particular official put on this board?

Mr. COOPER of Ohio. If the gentleman will yield to me, I will tell the gentleman why the Commissioner of Education is on there.

Mr. O'CONNOR of New York. The gentleman tried to do it the other day, but did not succeed.

Mr. MAPES. I yield to the gentleman from Ohio.

Mr. COOPER of Ohio. To-day nearly all the schools in the States include a department that teaches hygiene and physical education, and therefore we thought the United States Commissioner of Education would be a valuable asset to such a board.

Mr. O'CONNOR of New York. Does the gentleman mean to tell me that the Federal Commissioner of Education is going to tell them how to teach medical hygiene in the schools—not with my vote.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. FORT. Mr. Speaker, I yield the gentleman an additional five minutes.

Mr. MAPES. I want to continue reading from the statement of Doctor McCormack about this matter. He said in his statement before the committee that the purpose of this legislation is very much misunderstood in the mind of the general public, and he might have included some of the Members of the House. Doctor McCormack goes on to say:

> But the fact—and if we can get this idea before us I think it will clarify the whole situation—that neither the Public Health

Service in regard to the establishment and maintenance of the county health departments nor the Children's Bureau in regard to maternity and infancy problems has ever set up one single, solitary plan to be carried out by the State. What they have done—the State of Kentucky or the State of Maine submits its plan to the Federal authority. If it comes within the appropriation made by Congress, then that money is sent to the State treasury of the State affected, and it becomes a part of the appropriation of the State. There is no Federal employee in Kentucky under the operation—there was not under the operation of the Sheppard-Towner law at any time.

In other words, the money appropriated by the Federal Government goes into the State treasury or is under the control of the State authorities to help maintain the State agencies, the State nurses, and other State health workers, who give instruction and aid to the people of the States; but the Federal Government and the Federal authorities have no control over the employees that do the work in the different States except as the general plan is approved by the Federal Government.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. MAPES. I yield to my colleague from Michigan.

Mr. McLAUGHLIN. Does the gentleman understand that Federal money is going into these States to be used and that there is to be no inspection and no control over it whatever by Federal authorities?

Mr. MAPES. The general plan is to be approved by the Federal Government, the same as in the use of the Federal appropriations for the improvement or building of roads.

Mr. McLAUGHLIN. The plan may be all right——

Mr. MAPES. The State Highway Commissioner for the State of Michigan, for example, submits his plans to the Bureau of Public Roads of the Federal Government, and if the Bureau of Public Roads approves these plans, then Federal aid is given to the State of Michigan to be expended by the State highway commissioner.

Mr. McLAUGHLIN. The gentleman will pardon me if I say I do not think he has answered the question. Does the gentleman mean to say that the Federal Government is going to send money into the States and make no inspection and give no direction whatever as to how it is to be spent?

Mr. MAPES. I will say to my colleague that that question can not be answered yes or no.

Mr. McLAUGHLIN. This gentleman from Kentucky, I think, covers a great deal of territory when he says that in no State of the Union is there any interference whatever with local control.

Mr. MAPES. That is true; but perhaps it should be qualified to this extent: The plans of the State authorities must be approved by the Federal authorities before the State authorities get the money.

Mr. SHORT of Missouri. The money is not forced upon them.

Mr. MAPES. And the work is done by State agencies and under the supervision of the State authorities.

Mr. McLAUGHLIN. The gentleman from Missouri [Mr. SHORT] says that this money is not forced upon them, but I have seen measure after measure dangling an appropriation before the States and they will surrender their rights and permit the Federal Government to carry on such activities in the States.

Mr. MAPES. I will say to my colleague that there is no forcing upon any State of any of this fund. If the State does not want it, the Federal Government does not force the State to take it.

Mr. McLAUGHLIN. I realize that, and I am reminded of a statement made to me by a very competent and very fine gentleman from one of the Southern States with whom I served on a committee for a long time. He said, "I am a man from the South, I am a Democrat, and I believe in States rights, but I never object to an appropriation of which my State is to have a part." [Laughter.]

Mr. POU. Mr. Speaker, I yield the remainder of the time allotted to me to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Speaker and gentlemen of the House, I am very sincerely in favor of the passage of this bill. [Applause.] This question of the conservation of the health of our people has been a matter, if I may use the term, which has captivated my interest for a number of years.

I took the occasion when we had this matter up for consideration before on the floor of the House to express the opinion that as far as the meager appropriation now available for the purpose of rural sanitation is concerned, its use by the Public Health Service cooperating with the States was the very best money the Government of the United States spends. [Applause.]

In the time allotted to me I desire to give to you some of the reasons that impel me to support this legislation. I realize that there are some gentlemen on my side of the aisle, and I suppose on the other side, who are opposed to the principle of the Federal Government participating in any sort of activity where there is a distribution of funds to the States.

No man respects more than myself the profound conviction of those who take that attitude. But I respectfully call attention, in answer to that argument made here, that as far as precedents are concerned the Democratic Party has not opposed the principle of Federal participation.

I want to say in the beginning that this principle under which we are now acting was first incorporated in the law as far back as 1893, when Grover Cleveland was President of the United States. I think he will be regarded as a pretty sound Democrat on the question of State rights.

The first authorization made by Congress for Federal participation in activities of this sort was the act approved February 15, 1893, when a law was passed cooperating with the different States and municipalities—it even included towns—in uniform rules and regulations made by the Secretary of the Treasury to prevent the introduction of contagious and infectious diseases into the United States from foreign countries, and from one State to another.

I want to say that looking back on the achievements of the last Democratic administration, and in reviewing some constructive work placed on the statute books by the genius and foresight of my party when it was in power, I believe that few acts of Congress have surpassed the benefits to the masses of our people those which were involved in this very character of Federal legislation.

I think the Federal act providing assistance to the States in the construction of highways, which has been subsequently followed by the Republican administrations, has been more advantageous in a practical way in the development of our country than any other piece of legislation enacted in modern times. [Applause.]

I believe that the Smith-Lever Act, providing county agents for scientific agriculture, has been a tremendous practical benefit to the farmer. And so with the Smith-Hughes Vocational Education Act which has been followed as a permanent policy, has been of great advantage. I say I am in favor of the provisions of this bill.

Now, let us see, gentlemen of the House, the theory which is involved in presenting this bill for the consideration of Congress. I want to quote from a statement issued by Dr. W. F. Draper, Assistant Surgeon General, of the Public Health Service, of the fundamentals of rural-health work.

This bill goes to the very fundamentals of the useful and practical application of these Government funds, especially as far as rural activities are concerned:

The first and greatest need is for the coordination of the health activities which are being introduced into rural communities. Under present conditions many rural districts are periodically aroused by a campaign in the interest of some particular health problem. The arguments put forth in favor of each immediately win the sincere support and interest of various elements in the community. Tuberculosis stands third as a cause of mortality in the United States; yet there are many rural communities in which little or nothing is being done to combat this disease. Surely a campaign directed toward its control and eradication should be most welcome. The venereal diseases bear a most important relationship to the welfare of the family and the progress of the race. Syphilis alone, if we are to accept the estimate of Osler, is responsible for approximately 125,000 deaths each year. Certainly the campaign to control venereal diseases should have every encouragement. But there are 50,000 mothers and infants dying each year from preventable causes; and there is the big problem of school-health work, which must be encouraged if we are to develop a citizenry of young Americans 47 per cent of whom will not be

physically defective, as was the case among the men of the recent draft.

What is the actual need, as shown by a survey of the whole country, for this additional appropriation? There is no new procedure involved here. There is no new principle of government or of appropriations involved here. Let me call attention to this fact, and these are the things that make me approve this legislation. Only about 24 per cent of our rural population is as yet provided with local health service approaching adequacy under the direction of whole-time local—county or district—health officers. Because of lack of efficient whole-time rural-health service infections of man are conveyed very frequently across interstate lines. In our rural communities there are about 1,000,000 persons incapacitated all the time by illness, most of which is preventable; about 70 per cent of the school children are handicapped by physical defects, most of which were preventable or are readily remediable; about 30 per cent of the persons of military age are incapacitated for arduous productive labor or for general military duty, largely from preventable causes; and over 60 per cent of the men and women between 40 and 60 years of age are in serious need of physical reparation, largely as a result of preventable causes. In view of these conditions, there is no room for reasonable doubt about the need for more and better rural-health service in this country.

As has been pointed out, there has been nothing compulsory about accepting the provisions of this bill on the part of the different States. I regret exceedingly, and I have taken occasion to call attention to it heretofore, when this same question was under discussion, that there are so many of the States in the Federal Union to-day which are not taking advantage of the appropriations for this sanitation work. I present for your view here a chart illustrating the counties which have taken advantage of this, and you will see from it that some of the large States in the Union have so far failed to take advantage of this provision, but in those States and counties where cooperation has been effected, no man can doubt the actual, practical, economic, and humane value this money has contributed to the general health and happiness of the community.

I shall not attempt to go into the provisions of the bill. It has been very carefully thought out by the committee. As far back as 1929 I introduced a bill in the House which was referred to the Committee on Interstate and Foreign Commerce dealing with the rural sanitation features of this legislation. The maternity features that are incorporated in the bill were not incorporated in my bill. I have been interested in this great problem because of the rural sanitation feature involved in it, but the committee in its wisdom has seen fit to reincorporate the provisions of the Sheppard-Towner Act making provision for the continuation of the maternity work, and that having been done I shall give to the bill as a whole my hearty support.

Mr. FORT. Mr. Speaker, I ask unanimous consent that in the Committee of the Whole, when the bill is ready for purposes of amendment, the House committee substitute be read in lieu of the Senate bill as an original bill.

The SPEAKER pro tempore. Is there objection?

Mr. MERRITT. If that request is not objected to, my understanding is that the amendment will be subject to amendment.

Mr. FORT. Yes.

Mr. BLANTON. That will delay matters and probably cause it not to pass.

Mr. FORT. No; it will not.

Mr. O'CONNOR of New York. I reserve the right to object.

Mr. BLANTON. The quickest way to expedite the passage of this bill is to pass the bill just as it is.

Mr. FORT. I do not know anything about that. The House committee has reported a complete substitute bill. The purpose of my request is to avoid the necessity in Committee of the Whole of reading eight printed pages of the Senate bill which have been struck out.

Mr. BLANTON. There will be no trouble about that, but there will be a chance for the House to pass the Senate bill without adopting the House substitute.

Mr. FORT. Oh, yes.

Mr. STAFFORD. I reserve the right to object. I think the gentleman's request is premature. We are not as yet considering the Senate bill. The rule for the consideration of the bill has not as yet been adopted. It is customary in House practice, just preceding going into the Committee of the Whole for the consideration of a bill, to make such a request. I suggest the gentleman withdraw his request for the time being.

The SPEAKER pro tempore. The Chair would suggest that the better practice to pursue is the course suggested by the gentleman from Wisconsin.

Mr. FORT. Mr. Speaker, I withdraw my request. I simply want to say in reference to this legislation, in view of the questions raised as to its propriety, that it seems to me if there is any type of legislation which is within the scope of that catch-all phrase of the Constitution, "the public welfare," it is legislation relating to the public health. We have as a nation adopted quarantine legislation to prevent the spread of disease among human beings. We have quarantine and other legislation both with and without State aid to prevent not only the spread of disease but its beginning and continuance among cattle and hogs.

This proposal is for the Federal Government to do for human life exactly what we have done for generations for the animal life of the Nation. [Applause.]

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. FORT. Mr. Speaker, I ask unanimous consent that in reading the bill in Committee of the Whole House, the committee amendment may be read in lieu of the Senate bill, as though it were an original bill, for the purpose of amendment.

The SPEAKER pro tempore (Mr. MICHENER). Is there objection to the request of the gentleman from New Jersey?

Mr. HUDDLESTON. Reserving the right to object, Mr. Speaker, I see no occasion for that. There is no reason why we might not deal with this in the regular manner, under the rule, and that will be that when the first section of the Senate bill is read, to offer the other as a substitute for it, and to strike out the remaining sections of the bill?

Mr. BURTNESS. Will the gentleman yield?

Mr. HUDDLESTON. I yield.

Mr. BURTNESS. It would not come up in that way. What the gentleman referred to as the substitute is the committee amendment, and it would therefore come up as one committee amendment. Of course, the committee amendment will be offered at end of the first section.

Mr. HUDDLESTON. Yes; the committee amendment is subject to amendment, so that there is no right lost to amend it by taking it up in the regular way. If the committee amendment should be adopted in lieu of the bill, that disposes of reading the balance of it.

I am constrained to object to the request, Mr. Speaker.

Mr. PARKER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 255, with Mr. STAFFORD in the chair.

The Clerk read the title of the bill.

Mr. PARKER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. Under the rule, the gentleman from New York is recognized for one hour.

Mr. PARKER. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. COOPER].

Mr. COOPER of Ohio. Mr. Chairman, ladies and gentlemen of the committee——

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. BLANTON. The point of order is that the gentleman from Wisconsin [Mr. STAFFORD] being removed from the floor by having been placed in the chair to preside, we should have the balance of the House here in order to make a quorum, but I shall not insist upon it.

The CHAIRMAN. The point of order is not well taken, as far as the gentleman from Wisconsin is concerned.

Mr. BLANTON. The gentleman from Wisconsin, however, will watch things even from the Chair, so I will not insist on the point of order.

The CHAIRMAN. The gentleman from Ohio will proceed, notwithstanding the untimely interruption of the gentleman from Texas. [Laughter and applause.]

Mr. COOPER of Ohio. Mr. Chairman, ladies, and gentlemen, many misstatements have been broadcast all over this country regarding the provisions of this bill. It has been called the baby bill, the birth control bill, and many other names. The impression has been left that the passage of this bill will permit Federal spies and snoopers to go into homes and take charge of the mothers and children. Such a statement as that insults the intelligence of the committee which report this bill to Congress. I would be the last man in the world to stand on the floor of this House and advocate the passage of a bill that carried such provisions as that. It is my intention for a few minutes to try to tell the House just what this bill provides.

The measure we have before us at this time for consideration combines the features of two bills introduced in the present Congress—Senate bill No. 255 by Senator JONES and H. R. 12995 by myself.

It provides for the reestablishment of activities by the Children's Bureau in the Department of Labor for the promotion of the health and welfare of mothers and children, and also, the enlargement and systemization of the activities of the United States Public Health Service; for the promotion of well-rounded general health work among the rural population of the United States.

Under the act of February 15, 1893, it is the function of the Federal Government, through the Public Health Service, to aid and cooperate with the States in carrying out their laws and regulations for the protection of public health.

The duties of the Federal Government in preventing the spread of disease between the States and in promoting public health are best served by aiding, establishing, developing, strengthening, and maintaining efficient State and local health departments and all Government health activities in cooperation with the States should be directed toward this end. The health agency of the Federal Government, the United States Public Health Service, should be in a position to work out with each State its own peculiar health problems, and to extend the kind of assistance that is most needed. The fundamental need at the present time is for the establishment of efficient whole-time local health service, through which the measures necessary for the benefit and protection of public health, may be conducted in logical sequence and in proper relation to one another. This need is constantly reiterated by official public-health authorities, National, State, and local, and emphasized by all recognized in public-health work throughout the United States. Subsidies or appropriations for special lines of health activities are wrong in principle, and have proved by past experience to yield unsatisfactory results. Tuberculosis, for example, stands sixth as a cause of mortality in the United States. Should a special appropriation be made by the Federal Government, for a campaign to eradicate this particular disease? There are 50,000 mothers and infants dying each year from preventable causes, and there is the great problem of school-health work, which must be provided for, if we are to develop a manhood and womanhood that will not be physically defective. Mental hygiene is important in rural communities, and sanitation work, malaria control, and so forth, are entitled to all the militant enthusiasm that can be aroused.

Should a special appropriation be made to some branch of the Federal Government to meet each of these needs? The whole problem of health and disease is so complex and interrelated, that it is impossible to make satisfactory progress along one line unless it is conducted in a definite and proper relation with all others. What worth-while results can be accomplished in tuberculosis for example, unless conditions effecting the spread of all communicable diseases that lower the vitality and render the individual an easy victim to tuberculosis are controlled? Safe milk and water supplies must be assured. Satisfactory methods of sewerage disposal must be installed. Infants must be properly reared, personal and school hygiene must be taught and observed. Medical examinations of school children must be conducted and abnormalities corrected. In short, the control of tuberculosis is not a problem by itself but depends upon all the varying activities that go to make up a well-balanced public health department. The purpose of section 3–A of this measure, is to authorize annual appropriations and to provide facilities for health work among the rural population of the United States. The sums appropriated under the terms of the bill, will be distributed among the States on a rural population basis, and the work would be conducted in cooperation with the State and local health agencies. If this bill should become law after three years of continuous operation in a local health project, the Federal contribution shall not exceed 25 per cent of the total funds made available for that project for one year. By this means, undue dependence upon Federal assistance is prevented and an increase in local interest and responsibility is encouraged. The detailed operations under the provisions of section 3–A of this bill are similar to those carried out with annual appropriations made by Congress to the Public Health Service for studies of and demonstration work in, rural sanitation each year since 1916.

During this period, it has been proven that the plan is economical and effective. No complaints have ever been made against the participation of the United Public Health Service in this field of work, in the 500 counties in which the plan has been conducted. There are in the United States, approximately 2,500 counties of comparable jurisdiction to which organized whole-time rural health is applicable. At the present time, there are only about 500 of these counties, in which are included about 24 per cent of our rural population, are so provided. Until assistance such as that contemplated in the pending measure is provided, the cost in unnecessary loss of life and preventable sickness and suffering will many times exceed the cost of such service.

Paragraph B of section 2 of the bill is for the purpose of enabling the Children's Bureau of the Department of Labor, under the general supervision of the board, to cooperate with the State agencies of health to promote the health and welfare of mothers and children as it was administered under the provisions of the Sheppard-Towner Act. The splendid service rendered in the past by the Children's Bureau through the provisions of the Sheppard-Towner Act is well known in every State where this work has been carried on. Under the provisions of the bill, while the activities relating more generally to public health will be administrated by the Public Health Service and those more directly relating to child and maternal welfare by the Children's Bureau, it is the intent of the bill that all activities shall be coordinated under the general supervision of the Federal coordinating board, which consists of the Surgeon General of the United States Public Health Service, the Chief of the Children's Bureau, and the United States Commissioner of Education. .

At this time I want to read from the message of President Hoover to the second session of the Seventy-first Congress, which has a direct relation to the measure we are considering to-day. In his message he said:

The advance in scientific discovery as to disease and health imposes new considerations upon us. The Nation as a whole is vitally interested in the health of all the people; in protection from spread of contagious disease; in the relation of physical and

mental disabilities to criminality; and in the economic and moral advancement which is fundamentally associated with sound body and mind. * * * The Federal Government through its control of contagion, acting through the United States Public Health Service and State agencies, has in the past and should in the future concern itself with this development, particularly in the many rural sections which are unfortunately far behind in progress. * * *

I recommend to the Congress that the purpose of the Sheppard-Towner Act should be continued through the Children's Bureau for a limited number of years. * * *

Again in his message to this session of Congress the President urges the further consideration of his previous message in the following words:

I urge further consideration by the Congress of the recommendations I made a year ago looking to the development through temporary Federal aid of the adequate State and local services for the health of children and the further stamping out of communicable disease, particularly in the rural sections.

The advance of scientific discovery, methods, and social thought imposes a new vision in these matters. The drain upon the Treasury is comparatively small. The results, both economical and moral, are of the utmost importance.

In the Cosmopolitan magazine of this month, in a published article, President Hoover is quoted in the following words:

One of the biggest of all problems is to drive in this idea, the necessity of properly born, trained, educated, and healthy moral children to the voters and officials of America." If we could have but one generation of properly born, trained, educated, and healthy children, a thousand other problems of government would vanish.

Again I quote:

To-day we think little of spending $700,000,000 annually on our two great arms of defense—yet it is with difficulty that we vote a twentieth part of that sum toward national health and education. Somehow it is hard to "sell" an intangible thing like protection of children, yet we "buy" a $17,000,000 cruiser without raising an eyebrow.

Those are not my words, but they are the words of the President of the United States.

Mr. Chairman and Members of the House, I believe that the enactment of this bill into law would foster the development of efficient and economical local health service in communities of the United States which comprise the aggregate population of about 75,000,000 people. It would be in effect the extension of the helpful hand of the United States Government through proper channels and in a most vital and important way to a large proportion of our people at their very hearthstones.

It would not be a usurpation of State or local governmental authority, but it would be an augmentation of the machinery to enable the State and local health agencies better to meet their obligations and responsibilities, to conserve and promote the health, the lives, and the general welfare of their constituencies. [Applause.]

Mr. MORTON D. HULL. Will the gentleman yield?

Mr. COOPER of Ohio. I yield.

Mr. MORTON D. HULL. The Sheppard-Towner law lapsed for a year or two?

Mr. COOPER of Ohio. Yes.

Mr. MORTON D. HULL. During the period of that lapse was there any experience which enables the gentleman to make a comparison of the effect of the absence of that law as compared to the period when that law was in effect?

Mr. COOPER of Ohio. I am sorry to say to the gentleman I have not looked up that information. I wish we had it.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. COOPER of Ohio. I yield.

Mr. COCHRAN of Missouri. Is there any definition whatsoever in this bill as to what is to be an infant, within the meaning of this act? Although Senator SHEPPARD and Representative TOWNER appeared before the Senate and House committees and stated the purpose of the old legislation was to take care of the infant and mother at the time of birth, immediately after the bill became a law various States called the attention of the Children's Bureau to the fact that an infant was a child until it reached its majority, and the Children's Bureau approved of the plans of numerous States not to take care of the infant at the time it was born, or the mother at the time of birth, but for dental work and many other activities in connection with grown children.

Mr. COOPER of Ohio. I thought the gentleman was going to ask me a question.

Mr. COCHRAN of Missouri. I want to know whether the gentleman is going to define "infant" in this bill?

Mr. COOPER of Ohio. Well I can not do that now. The time is limited. I would rather leave that to some of the medical profession later on. That is not a question.

Mr. COCHRAN of Missouri. The gentleman is the author of the bill. Does the gentleman want to take care of the child and the mother at the time of the birth of the child, or does the gentleman want to take care of all children up to 21 years of age with this appropriation?

Mr. COOPER of Ohio. I am not going to answer that question. It is not a fair question.

Mr. COCHRAN of Missouri. Why is it not a fair question?

Mr. ARNOLD. Will the gentleman yield?

Mr. COOPER of Ohio. I yield.

Mr. ARNOLD. I understand it is optional with the States to accept Federal contribution for this purpose?

Mr. COOPER of Ohio. Yes.

Mr. ARNOLD. In the States which do not accept the Federal contribution, has the Federal Government, through its agencies, any power or authority to go into those States and carry on this work?

Mr. COOPER of Ohio. None whatever. I will say that the wrong impression has gone out about the workings of the Sheppard-Towner Act. As I said, the supervision and control of all of this work has not been conducted by the agents or representatives of the Federal Government, but by local and State health authorities. [Applause.]

Mr. RAYBURN. Mr. Chairman, I yield myself 10 minutes. Mr. Chairman and members of the committee, whether we are for this bill or not we should approach it with our eyes open. The old phrase that the Old Guard dies but never surrenders can hardly be applied to this measure. This is another evidence that when a Federal bureau is once created it is never destroyed.

I think it was about 9 or 10 years ago when this measure was first brought to the attention of the committee. Some very sincere and earnest men and women came into the committee asking for this authorization on the theory that they had some theories of child welfare that they wanted to teach the States, which they could teach to them in five years and then their task would be over. The committee reported the bill and the Congress enacted it. When these five years were up they came back to us and said their work was not yet completed and wanted another five years' extension. The committee, upon the request for a second five years, granted two years, thinking that in that time they would be able to teach the States what they ought to know.

At the conclusion of the 2-year term they came back to us asking that this bureau and this activity be continued, and it is going to be done, of course, for the simple reason that many of us voted for the 5-year law, thinking that we were justified in doing that thing because these people said they could teach this to the States in that time; then we voted for the 2-year extension, and we are bogged down with this bureau and this 50–50 bribe to the States, just like we are bogged down and bought out by the bribe on roads and every other activity in which the Government is interested on a 50–50 basis. None of us can criticize the other for voting for a 50–50 proposition, because I doubt if there is a man in this Congress who has not been guilty of voting for some one or many of them.

It matters not what the doctor from Kentucky, Doctor McCormack, said. The gentleman from Michigan [Mr. MAPES], who is always accurate in his statements and always fair in his statements, read what the doctor said before the committee. He read it into the record.

They say, of course, that the States have not been interfered with in the administration of this law. That may be true; but the power is carried in this bill for the Federal Government to absolutely control this thing, and which they

will ultimately do, in my opinion, if they stay in the business. The Federal bureau created under this bill will have the power and right to withhold every dollar of the money that would go to a State unless the State authorities agree to every condition that they desire to impose.

There is one other thing, and that is one of the reasons why it is so hard to oppose measures of this sort in the beginning or to oppose their continuance.

Mr. SIROVICH. Will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. SIROVICH. Can the gentleman tell the committee what regulations the National Government has made for the States to follow which the gentleman opposes or which he considers vicious in their nature?

Mr. RAYBURN. I said they had not any now. I tried to make that very clear. But the power is there to do it, and, in my opinion, they will ultimately do it. I have never known the Federal Government to vote money for use with the States on a 50-50 basis, and it ran over a term of years, but what the Federal Government did not ultimately take full charge and make full rules and regulations regardless of the States. Then the States, of course, in order to get their money, came crawling up and agreed with those conditions. As I started to say, another thing that makes it hard to oppose measures like this is that they tell you that you have done this for the hog, you have done this for the cow, you have done this for corn and oats and wheat and every other thing.

Of course, on a moment's reflection anybody will know that Congress never made an appropriation for the hog as such or for the cow as such. Congress makes appropriations to stamp out diseases among horses in order that they may pull plows and till the soil. Congress makes appropriations to stamp out diseases in hogs and cattle in order that they may have pure milk to drink and pure meat to eat. It is not a question of appropriating money in order to make the hog healthy. It all goes back to the proposition of making the hog healthy so that he may be killed when he is fat and healthy, and the cow well fed so that she will give pure milk and furnish pure food.

Mr. PARKER. Will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. PARKER. Is not that exactly what this bill does—improve the health of the general inhabitants of the country?

Mr. RAYBURN. I had not denied that. I was talking about some people who believe in some of the original and ancient fundamentals of government when they get up and maintain a position opposed to this exceptional 50-50 proposition, which was inaugurated before any of us came to Congress.

In this bill there is not only a continuation of the maternity and infancy act, but there is another 50-50 bureau built up. That is this rural sanitation. In my opinion, instead of having another 50-50 proposition with reference to rural sanitation we should, if it is a proper activity for the Federal Government to engage in, have the Federal Government appropriate all the money that they intend to spend and not force the States to go into it with them on a 50-50 basis. It may result in this: That the poorest State in the Union, where its legislature will not make an appropriation to match the Federal Government, may have more rural population than any other State in the Union, and yet that State will be deprived of any of this Federal money, when they pay their taxes into the fund the same as any other State, for the simple reason that their legislature does not feel able and the people do not feel able to raise the money under taxation.

Allow me to call your attention to one other thing which I think should be stricken out of this bill.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. RAYBURN. Mr. Chairman, I yield myself three additional minutes.

Mr. Chairman, allow me to call attention to section 7 of this bill that this House, in respect to itself, should strike out of the bill. I do not believe there is anybody anywhere who believes that any Federal agent under any department of the Government has the right or the power to go into a man's home and take charge of his wife or his child without his consent; and yet, inferentially, we are saying in section 7 of this bill that we believe they may have the right to do it unless we specifically prohibit it by law. Listen to section 7 of this bill:

> No official, agent, or representative of the board or of any organization represented thereon shall, by virtue of this act, have any right to enter any home over the objection of the owner or occupant thereof, or to take charge of any child over the objection of the parents.

Surely the Congress of the United States will not pass a measure containing a provision that in the least semblance would give caste to the thought that any agent of this Government has the right or the power under any law that Congress is competent to pass to enter into the home of a man over his objection and take charge of his wife or his child. Surely this House of Representatives will strike this provision out of the bill and not send it out to the country that we have so far forgotten what this Government means and what liberties and rights the citizen has under the Constitution and laws of this land as to believe that we have to pass a law that says they can not go into a man's home and take charge of his child without the consent of the parents. [Applause.]

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. O'CONNOR of New York. If the gentleman will permit me, with no powers of a soothsayer, I prophesy on this 27th day of February, 1931, that if the gentleman lives long enough—and I hope he lives long—he will see that done, and the Federal Government will send its agents into the home. This is but a forerunner of what will happen in the future.

Mr. RAYBURN. Mr. Chairman, I live in a section of the country—and I hope it will never change—where no man will ever come into a home and take charge of a man's wife or his child without his consent and leave there standing up. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. RAYBURN. Mr. Chairman, I yield myself two additional minutes.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. COOPER of Ohio. May I ask the gentleman from Texas if he voted for the Sheppard-Towner bill?

Mr. RAYBURN. I have stated I voted for the Sheppard-Towner bill providing for five years and I voted to extend it two years, and I have not said I would not vote for the Cooper bill. I am calling this to the attention of the House and asking them to go into it with their eyes open. I will not vote for the Cooper bill with this provision in it.

Mr. COOPER of Ohio. The gentleman is aware of the fact that he did vote for the other bill that had the same provision in it?

Mr. RAYBURN. I did not. I am informed that provision was put in by the Senate. I do not think I had ever voted for the passage of a bill through this House with a thing like that in it; and, furthermore, I intend to move, when we reach the reading of this amendment, to strike out the provision that requires a 50-50 matching by the States and the Federal Government before the rural districts of some of the States where the legislature may not make an appropriation, can participate in this fund.

If this is a proper Federal activity, then the Federal Government should appropriate all the money for it and not send the States crawling to a Federal bureau and agreeing to every condition that a Federal bureau desires to impose, in order to get the money that they pay into the Treasury as taxes to run the Government through this activity and all others. [Applause.]

Mr. PARKER. Mr. Chairman, I yield 15 minutes to the gentleman from Connecticut [Mr. MERRITT].

Mr. MERRITT. Mr. Chairman, there is no need, I think, for any very extended discussion of this measure, and par-

ticularly of that part of it which is known and has been known for many years as the maternity bill. The committee will note that this is a case of the tail wagging the dog, because, although the major part of the appropriations are to be used for general health purposes and are first set forth in the bill, the title of the bill places the emphasis on the health and welfare of mothers and infants, and the heading of the report is "Maternity and infancy."

Legislation on this subject is now nearly 10 years old, the first bill having been approved in November, 1921, and was then known as the Sheppard-Towner Act. The agitation in favor of it had then been going on for a number of years. The act was the result of the activities and efforts of the Children's Bureau of the Department of Labor, of which the head was then Miss Julia Lathrop, and she has been succeeded by Miss Grace Abbott. Both of these women are of great ability and have rendered and are rendering distinguished public service.

Like the heads of other governmental bureaus, these women felt that their work was not only of great importance, but, as time went on, that it was of the greatest importance, and that the extension of their activities into other fields and throughout the whole United States was essential.

Accordingly, as a result of their efforts, or of the efforts of Miss Lathrop, the Sheppard-Towner bill was enacted, as I have said, in November, 1921.

It was argued at the time, and doubtless believed, that the benefits from the work would be so apparent that the interest of the States and different communities would be aroused, so that at the end of the five years, which was the limit of the original act, the work would continue under State support and supervision, without the aid of the United States.

But the results of the work from the beginning were not as evident or as prompt as its promoters had hoped, so that before the five years ran out, in June, 1927, the proponents asked for legislation to extend it for another five years. There was, however, so much opposition in the Senate to the proposal that the extension was finally limited to two years, so that the appropriations for this work were discontinued in the fiscal year ending June 30, 1929. They were discontinued, however, only against the effort of the Children's Bureau. In fact, a bill for such continuance was passed both in the House and the Senate, but President Coolidge thought that either the experimental work had gone on long enough to give the necessary demonstration to the States, or that the work was primarily the responsibility of the States and the different communities, and was not properly the work of the Federal Government. Perhaps the combination of both these reasons accounted for the fact that he let the bill for extension die by means of a pocket veto.

The bill now before us revives the work of the Children's Bureau substantially on the lines of previous legislation, with the important exception, however, that there is no limitation to its continuance, but the authorization for the appropriation is permanent.

In the minority report there are set forth reasons why many think that this legislation is unconstitutional.

The proponents of the measure maintain that that question is settled by a decision of the Supreme Court in favor of its constitutionality. The fact is, I believe, that when the State of Massachusetts endeavored to bring that question before the court, the court declined to pass directly upon the question of constitutionality on the ground that neither the State nor a taxpayer had the right to raise the question of constitutionality in the suit then pending. But our colleague [Mr. BECK], who, as we all know, is a high authority on the Constitution, states in his minority report that a law may be juridically constitutional and yet politically anticonstitutional.

Anyone who has been a Member of Congress for the last 10 years or so, or anyone who has kept track of the doings of Congress and of the Federal Government, must agree, I think, that the tendency has been very strong in the direction of legislation and of administration which is politically anticonstitutional.

I need not take time to elaborate or particularize, for every man here knows of the varied and increasing demands on the Federal Government for help or for interference in all conceivable directions in connection with interests or work which more properly belong to the States. I am aware, as you are, that the platforms of political parties are said to be built to get in on rather than to stand on. But the point I am stressing is that public apprehension of the extension of Federal bureaus has grown sufficiently to attract the attention of both political parties.

The platform of the Republican Party in the last presidential campaign, held in Kansas City, June 12–15, 1928, has this to say:

> The Federal Government should zealously protect the national and international rights of its citizens. It should be equally zealous to respect and maintain the rights of the States and Territories and to uphold the vigor and balance of our dual system of government. * * *
>
> There are certain other well-defined Federal obligations, such as interstate commerce, the development of rivers and harbors, and the guarding and conservation of national resources. The effort which, however, is being continually made to have the Federal Government move into the field of State activities has never had, and never will have, the support of the Republican Party. In the majority of the cases State citizens and officers are most pressing in their desire to have the Federal Government take over these State functions. This is to be deplored, for it weakens the sense of initiative and creates a feeling of dependence which is unhealthy and unfortunate for the whole body politic.
>
> There is a real need in the country to-day to revitalize fundamental principles; there is a real need of restoring the individual and local sense of responsibility and self-reliance; there is a real need for the people once more to grasp the fundamental fact that under our system of government they are expected to solve many problems themselves through their municipal and State governments, and to combat the tendency that is all too common to turn to the Federal Government as the easiest and least burdensome method of lightening their own responsibilities.

And only two weeks later, at Houston, Tex., the Democratic convention said the same thing in more condensed form, as follows:

> We demand that the constitutional rights and powers of the States shall be preserved in their full vigor and virtue. These constitute a bulwark against centralization. * * *
>
> We oppose bureaucracy and the multiplication of offices and officeholders.
>
> We demand a revival of the spirit of local self-government without which free institutions can not be preserved.

I venture to state that if the question were put to Members of this House, whether, in his or her opinion, the care of mothers and babies is a proper Federal function, the answer in a great majority of cases would be "No."

The reason, I think, why previous legislation of this sort has been passed by the Congress and why it is now reported out favorably in this bill is another shining example of the effect of agitation and propaganda by an active minority. We have all been deluged by resolutions from various leagues of women voters and from mothers' societies stressing the great importance to the community of proper care of mothers and babies in time of pregnancy and childbirth. No one is so foolish or so hard-hearted as to deny this, but when one agrees to this proposition it does not carry with it the sequence that this care should be provided by the Federal Government. In fact, the contrary is true, and the efforts of these mothers' societies and other societies, which are properly influenced by sentiment, should be governed by reason. Reason would show them that, in the end, it would be better for the mothers and babies and for the communities at large if their efforts were directed to stirring up local sentiment and building up local public opinion, which would not only benefit the mothers and babies involved but strengthen the communities themselves.

So far as any reliable statistics can show, there has been no marked advantage from the interference in this work by the Federal Government. As we all know, statistics on a subject of this sort, involving so many factors, are difficult to obtain, and still more difficult to analyze as a basis of judgment after they are obtained.

The only statistics to which I shall refer, and which, I suppose, are the latest available, are some which were used by Miss Grace Abbott, Chief of the Children's Bureau, in a paper printed last September in the Annals of the Ameri-

can Academy of Political and Social Science. In this paper the infant mortality is shown in a number of States which availed of the Sheppard-Towner Act, and in two States—Connecticut and Massachusetts—which did not accept its provisions or aid from it. The comparison is made between the years 1917 and 1921, exclusive of 1918, which was an epidemic year, and the six years under the Sheppard-Towner Act, from 1922 to 1928. This shows that the infant mortality during those years in the State of Connecticut decreased 20 per cent and in the State of Massachusetts 19 per cent, which was a greater percentage of decrease than in any of the States accepting aid from the Sheppard-Towner Act.

In the same paper is a table showing maternal mortality during the same dates, and in that table the percentage of reduction is less in the case of Connecticut and Massachusetts than in 14 other States shown, but the reason for that is that the initial percentage, with which the last percentage is compared, is less in both those States than in any of the others. The actual percentage of maternal deaths in Connecticut, a nonassisted State, is the lowest except two in any of the States shown, and the percentage in Massachusetts is lower than any except eight.

But whatever may be said about the value or the wisdom or the propriety of help in some of the States, it approaches the ridiculous to maintain that, for the proper care of their mothers and babies, States like New York, and Pennsylvania, and New Jersey, and Illinois, and Ohio, and California, need the help of the Federal Government.

It seems to me, therefore, that this bill is a good example of bureaucracy run wild, of sentimentality supplanting reason, and of an active minority imposing its will on Congress to enact anticonstitutional legislation. [Applause.]

Mr. PARKER. Mr. Chairman, I yield three minutes to the gentleman from Michigan [Mr. MAPES].

Mr. MAPES. Mr. Chairman, this session of Congress is rapidly drawing to a close. When it ends the services in this body of the gentleman from Connecticut [Mr. MERRITT], who has just addressed us, will come to an end, temporarily at least. This bill probably will be the last one of any importance reported by the Committee on Interstate and Foreign Commerce to be considered in the House in this Congress. The gentleman from Connecticut has been for a great many years, in fact ever since he has been in Congress, an influential and leading member of that committee. For myself I do not want his services here to close without paying my tribute of respect and admiration for the gentleman from Connecticut and my regret at his departure as a Member of the House of Representatives. [Applause.] I think it will be agreed by every Member of the House that there are few men in Congress who have the affection and warm-hearted regard of their colleagues to the extent that our friend from Connecticut has. He is a man of conviction and of high character, a courageous and able legislator, broad-minded, always courteous and considerate, but a man who does not surrender his principles or convictions upon questions of legislation. I take this opportunity of expressing my own personal regret at his departure and to wish him and his all happiness and Godspeed. [Applause.]

Mr. RAYBURN. Mr. Chairman, speaking for the minority of the Committee on Interstate and Foreign Commerce, we indorse every word said by the gentleman from Michigan [Mr. MAPES] about the gentleman from Connecticut [Mr. MERRITT]. The gentleman from Connecticut is an able legislator, a fine friend, and a gentleman of the best type. [Applause.]

I yield two minutes to the gentlewoman from Florida [Mrs. OWEN].

Mrs. OWEN. Mr. Chairman, I rise to call the attention of the House to the fact that there is present in the gallery a group representing the best young citizens of the fourth congressional district of Florida. Every high school in my district, by a vote of the pupils, selected the boys and girls who had been the best citizens during the past year, and in every county the school board chose from that group one boy and one girl who by qualities of dependability, service, leadership, and patriotism may be said to constitute the best young citizens in the State. This group represents not tourists coming to visit Washington but good citizens coming to have the inspiration of the Nation's Capital. I take pleasure in presenting to the Members of the House the group in the gallery, the best young citizens of my district. [Applause.]

Mr. RAYBURN. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, it is true that for the activities provided for by this bill there is no direct warrant in the Constitution. In that respect it is on a parity with many other measures that we have passed, and with many other activities upon which we have embarked the Federal Government.

But we did not start on this practice yesterday. It has been going on for more than 100 years. I believe that a careful examination of the appropriations made by the Congress will disclose that for at least half of them there is no direct warrant in the Constitution, and that the activities which they provide were never in the contemplation of those who wrote the Constitution.

If this were the original entry into such fields, I should support it with reluctance, but for this measure there are a multitude of precedents. There are a multitude of vastly larger appropriations and more important activities which are of greatly inferior worthiness to this measure, and why gentlemen will avail themselves of constitutional qualms with regard to this measure when they are caused no distress when we deal with measures of just as little constitutional warrant and carrying vastly greater amounts is more than I can understand. Even on yesterday I observed gentlemen who now lean back on constitutional grounds voting to use the taxing power of the Government to protect the dairy industry from what they consider unfair competition on the part of another American industry, to wit, the production of imitation butter.

I have observed these same gentlemen voting to use the taxing powers of the Government, and priding themselves in doing so, to protect American industries from foreign competition. I have observed them, under color of the Constitution, not really under its true significance, but under a pretext of constitutionality, voting hundreds of millions of dollars for the construction of roads throughout the country. I have observed them voting $500,000,000 as a subsidy to agriculture. I have observed them voting vast sums as subsidies to shipping and aviation interests.

And so I might go on down the line. They feel no pain when it is the interest of industry that they serve, but when it is interest of humanity, then it is a very different matter. They lend Uncle Sam's money for the benefit of industry, but they can not bring their consciences to vote even a penny to buy a mouthful of food for a starving child.

I have, I think, due respect for the Constitution of the United States. Indeed, I have too much respect to use it as a pretext for refusing to do something which is demanded of me by good conscience and the principles of humanity.

I have, I think, due respect for the Constitution. Indeed, I have too much respect to use it as a pretext for doing something which was far from the minds of those who wrote the Constitution or those who adopted it.

For this measure there is a multitude of precedents. It would take page after page and page after page of the RECORD merely to list them. There is the precedent which the measure bears for itself. Congress passed substantially the same measure some years ago. It was in operation for a number of years. Appropriations were made to carry it out. Nothing new is proposed. I will not wrap myself in the robes of extreme political rectitude and posturing as a true believer in the Constitution and as its preserver in all its purity in order to drag down this little measure designed to do something for the mothers and children of the country.

This little I have said is provoked by some of the observations which have been made upon this measure. I did not rise to discuss it upon its merits. I rose more particularly to call the attention of the committee to the parliamentary situation.

The bill pending before the House is a Senate bill. It has already passed the Senate. If the House shall adopt it, it

will be ready for the President's signature and no further congressional action will be required. It is proposed by a majority of the Committee on Interstate and Foreign Commerce, which reported the bill, to offer what is called the Cooper bill as a substitute. The Cooper bill is identical with the Senate bill, but in addition it proceeds into a new field. The Senate bill deals only with the subject of maternity and infancy. By the Cooper bill that subject is covered and also a new activity of the Government is entered upon in that it provides for cooperation by the Public Health Service with State health departments in the entire field of rural medicine.

The CHAIRMAN. The time of the gentleman from Alabama [Mr. HUDDLESTON] has expired.

Mr. RAYBURN. Mr. Chairman, I yield to the gentleman from Alabama five additional minutes.

Mr. HUDDLESTON. Every objection, constitutional, political, and otherwise, which can be offered against the Senate bill, can be urged against the Cooper bill, and in addition it may be truthfully said that by it we are entering into a new field. By it we are departing from the limitation of attention to matters of maternity and infancy and going into the field of rural sanitation, communicable diseases of all kinds, and general health questions relating to our rural population. If any member had reason to vote against the Senate bill, he has that same reason and an additional reason for voting against the proposed amendment.

There were those in the Senate who opposed the bill there with great vigor and determination. I assume that they were sincere in their position and that they will oppose the final passage of this measure with equal determination, because, by adopting this amendment they will be afforded new reasons, new arguments, and new grounds of objection.

Those who vote for this amendment do not cast a final vote. They do but vote to project this entire matter back into the Senate where it will be debated, at what length I do not know, during the closing hours of the present session. Only three days are left in which Congress may take action upon this measure. It will be easy enough in the Senate to delay this measure until it is too late for the House and Senate to agree upon it.

So, without questioning the sincerity of those who are opposing this amendment, I direct the attention of those who are really friendly to maternity and infancy legislation, to the fact that if you vote for this amendment you may be voting to kill the legislation. Therefore, I am prompted to ask "Do you want this bill passed and to become a law, or do you merely want to tie it up in the Senate so that there will be no legislation upon the subject?"

As for me, I want the legislation, and I am going to cast a vote that I think will do most to get it through. Therefore I am going to vote against any amendment that may be offered to the Senate bill. [Applause.]

The CHAIRMAN. The gentleman from Alabama yields back one minute.

Mr. RAYBURN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BOYLAN].

Mr. BOYLAN. Mr. Chairman, ladies and gentlemen of the committee, first I want to congratulate the House upon having presiding over our deliberations such a distinguished parliamentarian as we now have in the chair. [Applause.] I know that he being there everything will proceed with proper decorum and under strict parliamentary guidance.

Now, ladies and gentlemen of the committee, I yield to no man in my desire to help the mothers and children of America. In my legislative career it has always been my purpose to try to help those who were unable to help themselves. I have always taken the part of the under dog, and I am very glad that I have done so.

In the consideration of this bill we have a virtual extension of the Sheppard-Towner bill. I was not here when the original bill was passed, but I voted for the extension of that bill. The distinct understanding was that after a period of seven years the States would be so interested that they would carry on this work themselves. The time, however, expired and the work was not carried on by many States.

I quote from no less an authority than the former distinguished President of the United States, that eminent statesman from the State of Massachusetts, Calvin Coolidge. He said:

> I have referred in previous Budget messages to the advisability of restricting and curtailing Federal subsidies to the States. The maternity act offers concrete opportunity to begin this program. The States should now be in a position to walk alone along this highway of helpful endeavor, and I believe it in the interest of the States and the Federal Government to give them the opportunity.

That is a quotation from the annual Budget message of President Coolidge of January 7, 1927, page 1219 of the CONGRESSIONAL RECORD.

What do we do in this bill? We give a small, meager allotment to the States. What State of the great 48 States of the Union is so impoverished that it needs $5,000 or $10,000 to carry on its public-health work? I am sure that this bill is nothing if it is not an indictment of the health boards of the various States. What man here as a Representative from one of the sovereign States is willing to admit that his State is so poor and its financial resources are so low that it has to have a little hand-out, a little dole, from the Federal Government? I know that to many men the word "dole" is obnoxious. They would rather use the word "rehabilitation," but I would use the plain word "dole." How is it we are willing to take a little dole in order to carry on a Federal bureau, but we are not willing to hand out a dole to help men, women, and children in need of food and clothing? I say you not only indict the States but you indict the rural population. I am surprised to see in this large body so many men from rural sections willing to sit in their seats and virtually hear the rural population of their States referred to as medical paupers. I do not believe such a condition exists. I am unwilling to believe it, because I do not think there is a single State that desires to be characterized as needing a medical dole and that their rural population is without proper State health service.

I have the greatest respect in the world for the members of the medical profession. I have seen, not only in the cities but in the rural sections of our State, examples of their work. To my mind there is no one nearer to the average man or woman, outside of their clergymen, than the doctor. I do not believe there is a more self-sacrificing man in the entire United States than the country doctor. We owe many, many votes of thanks to the country doctor. He is the adviser and the friend of our people. They spend many years in acquiring an elemental and professional education. They work hard during the period of their lifetime and, according to statistics I have read recently, very few of them die and leave an estate of the value of even the cost of their education. Yet by this bill you indict that splendid example of humanity, of professional ability, of friendliness, and helpfulness—the country doctor.

Now, like every other Federal bureau, once it is established they never want to let go. They want to go on forever and ever and a day.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. COOPER of Ohio. Did not my good friend vote for the Wagner bill the other day?

Mr. BOYLAN. Yes; surely.

Mr. COOPER of Ohio. That bill carried a permanent appropriation of $4,000,000 a year, did it not, and that was a subsidy of the States?

Mr. BOYLAN. Well, the Wagner bill came here as an original piece of legislation, while the legislation we are now discussing came here originally with the proviso that it would extend over a period of five years; that was allowed and the five years passed. Then they came in and said, "Oh, well, we could not do it in five years; you have got to give us two years more." Then we gave them two years more, and then, after the two years were over, they said, "We can not do it." And they now come in again and

want to be permitted to go on forever and ever, like the brook.

Mr. COOPER of Ohio. I would like to say to the gentleman that, as far as the Public Health Service is concerned, that feature of this bill has been the law since 1893, and we have been making appropriations every year for that purpose.

Mr. BOYLAN. For the purpose of this bill?

Mr. COOPER of Ohio. Yes.

Mr. BOYLAN. I understand that the particular purpose of this is really a prolongation of the Sheppard-Towner Act.

Mr. COOPER of Ohio. I think the gentleman had better read the bill. If he reads the bill he will find there is a fine public-health program in it.

Mr. BOYLAN. It is like dressing it up. You know, we passed a bill here last year which was famously known thereafter as the 5-and-10 bill. That bill came in here in disguise; it had an overcoat on, whiskers, and a slouch hat. It was going to be an increase of agents along the border to keep out smugglers, but after we took the disguise off of it we found it was our old friend prohibition, but under a new name.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. RAYBURN. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. BOYLAN. I think, ladies and gentlemen of the committee, that in all fairness and justice to the State boards of health, in all fairness to the country doctor, and in all fairness to the rural population of our country—who I say are not paupers—we should not pass this bill. I believe there is too much centralization in the practice of medicine at the present time. I believe that not only in the rural sections but also in the large cities we are building up medical organizations that take away the initiative of the ordinary family physician. These men are doing a noble and a splendid work for our communities, not only in the cities but also in the country. They should be encouraged to carry on. If we are going to have Federal bureaus take over the medical work of the States by holding out a miserable pittance of $5,000 or $10,000 where are we going to end?

Where will we end? I ask. If the Federal Government wants to take over the health activities of the States, why not set up a Federal bureau of health and give them appropriations and power, if you will, to attend to all the public-health work of the various States; but so long as the States are acting within their own power, so long as they refuse the small dole offered by the Federal Government as an entering wedge to dominate the State health boards, we should reject this bill. [Applause.]

Mr. PARKER. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. STOBBS].

Mr. RAYBURN. Mr. Chairman, I also yield to the gentleman from Massachusetts five minutes.

Mr. STOBBS. Mr. Chairman, ladies and gentlemen of the committee, I am opposed to the fundamental principle involved in this legislation, which is the extension of Federal aid to States on what seems to me are distinctly local matters.

There may be some justification for making appropriations to take care of or to help out the public-health situation in the various States, which is incorporated in the first part of this bill, on the theory that there are certain contagious diseases which may be transmitted from one State to the other, but I do not know of any justification, at the same time, for the Federal Government to subsidize the States of this country for the purpose of supervising maternity and childbirth. What possible business is it of the Federal Government of the United States of America as to the conditions under which childbirth and maternity are being supervised in the respective States? If there was ever a local matter or a matter which belonged strictly to control and supervision of the States, it certainly is along the lines of maternity and childbirth.

This means, Mr. Chairman, embarking once more along the road of subsidizing the States on the 50-50 proposition, which was started a few years ago in our Federal road-building program. The road-building program started very modestly with an appropriation of something like $4,000,000. To-day we are spending $100,000,000 on a 50-50 basis with the States. We have started at this session of Congress on another subsidy to the States in the employment agencies to be created under the Wagner bill, starting very modestly with a million and a half dollars for the first year and $16,000,000 for a period of four years. Now, in the same session and in the same week we are off on still another similar proposition, calling modestly for something like $750,000 to $3,000,000 in the first four or five years under this bill for the Public Health Service and less than that amount for the maternity end of it, and without knowing where we are going to wind up.

If we pass this legislation it simply means we are driving one more nail, to-day, in the coffin of States' rights, and our States are ceasing to be political units any longer and are becoming nothing, more or less, than geographical units, and we are losing the whole conception of the division of power and division of rights between the Federal Government and the State government, operating together in the same spheres but along entirely separate lines.

I say to my friends on the other side that John C. Calhoun, to-day, if he could know what legislation is being proposed here, would turn over in his grave to think that the Federal Government and the Congress should contemplate any legislation of this kind; and Alexander Hamilton, even in his wildest dreams, never contemplated any such centralization of power as is being given to the Federal Government under the terms of this proposed legislation.

There is no objection, of course, to the Federal Government collating and disseminating information about child welfare and health and maternity and furnishing this information to the various States, but why should the Federal Government actually go into the individual States and actually supervise the method and the conditions under which maternity and child welfare are being taken care of?

Mr. Chairman, I am proud of the fact that my own State of Massachusetts, together with two other States in the United States, has refused to take one dollar of the Federal money for this purpose, because we believe we can take care of our own maternity problems. We believe we can take care of our own child-welfare problems. We do not want any aid from the Federal Government to take care of what is distinctly our own problem, and we live up to our own obligations as far as our own citizens are concerned.

Then, my friends, in this connection it seems to me it is fundamental, as a principle of charity, that if you are going to accomplish anything along the lines of charity you must encourage the principle of self-help. Every welfare organization realizes that this is a fundamental proposition, and when in my own city this last year we raised our community chest fund, realizing the extreme needs that we had by reason of the unemployment problem, appeal was made to the citizens of our community to give most generously and by something like 20 per cent we went over the standard and goal that had been set. We realized that in handling the situation what we wanted to do and what we should do was to encourage the people in need to help themselves, and this is the only way you are going to accomplish any really worth-while results. The minute the Federal Government starts to put money into the different State treasuries you are encouraging similar subsidies along the lines contemplated in this bill and not only are you not encouraging self-help, not only are you not helping these people to learn how to help themselves, but you are stultifying the initiative of every State.

The history of the Sheppard-Towner bill in the last few years illustrates that fact—instead of encouraging work on the part of the State you have stultified it, and you will continue to stultify it as long as you are taking one more step and building up a great bureaucracy in the country rather than let the States work out their own individual problems.

I can not understand how some of you men day after day come into Congress, knowing what you do about the disadvantages of Federal bureaucracy, realizing as you do how

impossible it is to have any real contact between your constituents and the bureau located in Washington, which is being supervised and operated by clerks with no personal contact between the two—I do not see how you can come here to-day and vote to create one more bureau along the same lines, when everybody knows that, as far as real efficiency is concerned, you are doing everything you can to stultify efficiency in this line of work.

Now, one more fact before I close. As I have said, this is one more nail in the coffin of State rights. The next step, my friends—you have passed the Wagner bill subsidizing the States 50-50 in the unemployment situation; you are passing a maternity bill subsidizing the States again 50-50—and it is only a question of a very short time before you have legislation on this floor of Congress to subsidize and to standardize education throughout the whole 48 States. You are heading for that goal as sure as anything can possibly be.

I ask you men, do you appreciate the seriousness of what this would involve this country?

Men are saying here to-day, "We know this bill is wrong in principle, but we have embarked on this policy and it is only another step along that line."

That is the same argument that is going to be used next session, or some succeeding session, when somebody comes along and proposes a bill to subsidize and to standardize education throughout the United States, taking away from the local authorities or communities the right to educate our children in the way we think they ought to be educated. [Applause.]

Mr. RAYBURN. Mr. Chairman, I yield to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN of Missouri. Mr. Chairman and members of the committee, the pending bill goes further than the old maternity act in that it provides that the United States shall cooperate with the States in promoting the general health of the rural population of the United States as well as the welfare and hygiene of mothers and children.

I am opposed to the bill because it is nothing more than a dole, a plan to create more public officials at public expense, and, further, an additional movement toward centralization of power.

I would suggest that if you are to pass this bill that you define in no uncertain terms what the money can be used for. Refer to the hearings before the committees when the original bill was introduced and you will find the statements of Senator SHEPPARD, of Texas, and Mr. Towner, of Iowa, both of whom told, as did all other sponsors of the measure, of the necessity of providing some means to take care of the infant at time of birth, as well as of the mother.

What happened after the law was placed upon the statute books? Ask those who administered the measure how long it was before various States called attention to the definition of an infant. How they showed that an infant was a child until it reached its majority. Some States submitted their plans for Federal aid not for taking care of the infant at time of birth or for the mother but for various other purposes, and the board in charge of administering the act approved their applications.

I asked the author of the bill, Mr. COOPER of Ohio, if he would define the infants he sought to take care of by the passage of the bill, and he replied it was not a fair question. He is unwilling to confine the bill even to the child at the time of birth or the mother when she brings the child into the world. If the proponents of the bill were really serious in their intentions to care for the child at time of birth and the mother at that time, why do they not at least by proper language keep the bureau within that area?

This morning's Washington Post carries an article by a leading private citizen, former President Coolidge, in which he indorses this movement. Read if you will not one but several statements from President Coolidge when he was in office, directly in contrast to what he says on the eve of the consideration of this measure. I wonder what prompted the statement from his pen this morning.

An organized minority is responsible for this bill being here in the closing hours of the session.

Officials of the Children's Bureau have in part instigated the propaganda.

The evidence submitted at this hearing as well as the claims of the Children's Bureau in its annual reports and before the Appropriations Committee show beyond question that the States were aroused to activity and that many States after the act expired increased its appropriations for maternity work, my State—Missouri—included.

Read the statement of Doctor Haines in her summary submitted for inclusion in the hearings and you will find the following:

> Greater attention to the health of the preschool child marked the closing years of the maternity act.

That statement confirms my assertion that this money was used for purposes other than for the care of the child and mother at the time of birth.

In this bill you bait the States with an appropriation of $1,000,000 for the first year, increasing the amount annually until it reaches $3,000,000 for 1936 and every year thereafter.

I am opposed to the principle of Federal aid unless there be a great emergency such as we are now experiencing among the people of the country.

I shall vote for the Senate language when the motion is made, as it is far less objectionable than the House bill, but in the end on final passage I shall vote against any bill of this character.

This is but a starter. Enact this measure and later you will be confronted with legislation far more drastic, until in the end you will probably be telling the mothers of this country that they must do as the Children's Bureau says.

Mr. PARKER. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Chairman, ladies and gentlemen of the committee, the people of my State join with those in the other States in their interest in this legislation. In Alabama, under the constitution, provision inserted at the instance of a great medical statesman, Dr. John Cochran, the medical profession is charged with the responsibility of the protection of public health, and its council is the State health department. Under the direction of Doctors Sanders and Welch and Doctor Baker, our present State health officer, tremendous progress has been made in the protection of health and the lives of our citizens. With the assistance of the United States Public Health Service, the Children's Bureau, and the Rockefeller Foundation, we have been able to develop such popular support of this measure that 51 of the 67 counties in our State are now served by the health departments. This progress would have been impaired had it not been for the assistance received from the Federal Government through the appropriation for rural sanitation.

Alabama maintains a historic position as favoring State rights. It would be difficult for us to submit to any form of Federal domination. It is a pleasure, therefore, to see that through experiments by the administration of the United States Public Health Service in rural visitation and the Children's Bureau in maternity and infant home work by the Federal agencies as cooperation with the State in the furtherance of plans initiated locally in the different counties. The problems of the various counties differ. In many of our counties malaria has been the chief problem. This has now been put under control. All over the State a few years ago careful students found that our children were not consuming sufficient milk because the proper safeguard had not been placed around its purity. Through these county health departments active work has been done which has furnished the citizens of Alabama, particularly its children, with a safe, pure milk supply. This has not only improved health conditions but has improved economic conditions of the entire State, because the increased demand for pure milk has resulted in increased dairy herds.

Typhoid fever was formerly one of the frequent occurrences in every part of Alabama. Our people have, however, learned through their health department methods that pollution of their drinking water supply caused this, and this has been made safe both in urban and city homes by sewage disposal.

Only a few years ago the cost of the care of typhoid in Alabama was greater than the cost to-day of the develop-

ment of our road system and we could not have afforded the expense of building roads had we continued this enormous waste in the case of which science has demonstrated to be preventable.

Tuberculosis is particularly destructive among our negro population. Since the development of our county health departments the death rate from this disease alone has been reduced more than 60 per cent.

The insidious destruction wrought in venereal diseases which have helped to fill our asylums and almshouses has been reduced by more than 75 per cent. When our young men were mobilized for the defense of the freedom of mankind in the World War we were amazed to find that practically one-third of them were physically or mentally incapacitated for service. Since then these public health departments have developed examinations for school children, and have educated the parents as to the necessity of correction of any physical defects to such a degree that we are developing a healthy childhood, which is bound to have its effect in the development of citizenship hereafter.

In Alabama we are particularly interested in the mothers of the State, not only those who have passed through this travail but the young women who are to become the mothers of the race. We want to train them for this important function. We want to throw about them every safeguard that science and humanity has found necessary. We know from our past experience during the demonstration period of the development of work in maternity and infancy and in public health work together with the county health department that there is no interference with the rights of the States. That there is no domination of the counties, but the work of each county is done as its people and its officials desire it to be done. The people of Alabama favor this legislation, and we trust this bill will be passed by the Congress. [Applause.]

Mr. PARKER. Mr. Chairman, I yield three minutes to the gentleman from Massachusetts [Mr. UNDERHILL].

Mr. RAYBURN. Mr. Chairman, I yield two minutes to the gentleman from Massachusetts [Mr. UNDERHILL].

Mr. UNDERHILL. Mr. Chairman, on two occasions recently I addressed the House on matters similar to this and, I am sorry to say, without effect. So to-day I have determined not to use my own language but to use what time I have in quotations from men and minds who are greater and wiser than I. First, I quote to you a passage from the Republican platform:

> The effort which, however, is being continually made to have the Federal Government move into the field of State activities has never had and never will have the support of the Republican Party. In the majority of the cases State citizens and officers are most pressing in their desire to have the Federal Government take over these State functions. This is to be deplored, for it weakens the sense of initiative and creates a feeling of dependence which is unhealthy and unfortunate in the body politic.

And now from the Democratic platform:

> We demand that the constitutional rights and powers of the States shall be preserved in their full vigor and virtue. These constitute a bulwark against civilization.
>
> We oppose bureaucracy and the multiplication of offices and officeholders.
>
> We demand a revival of the spirit of local self-government, without which free institutions can not be preserved.

So, gentlemen, you see that both the Republican Party and the Democratic Party, according to their avowed policy, are opposed to this proposition. Lest we forget, I want to quote from one of the few statesmen who have sat in recent years at the other end of the Capitol. The honorable Senator from Missouri, Mr. Reed, in speaking upon this very subject, delivered himself as follows:

> As these immense powers are conferred upon the chief and exercised through her associates in the bureau and her chosen assistants, the question of personality becomes important. Accordingly I give the names: Miss Julia Lathrop, chief; Mrs. Helen S. Woodbury, Miss Blanche Steele, Miss Emma Lundberg, Miss Catherine Lenroot, Miss Dr. Anna Ruhl, Miss E. N. Matthews, Miss Flora Seibert, Miss Pary Buckford. Observe that the entire bureau is composed of unmarried women, except Mrs. Helen Woodbury and her husband, who both hold jobs in the same department.
>
> It seems to be the established doctrine of this bureau that the only people capable of caring for babies and mothers of babies are ladies who have never had babies. This is further indicated by the list of field workers employed. The book Maternity Care and the Welfare of Young Children in a Homesteading County in Montana is prepared by Miss Dr. Grace L. Meigs, Miss Viola I. Paradise, Miss Helen M. Dart, Miss Letitia Fyffe, Miss Dorothy M. Williams, Miss Janet M. Geister, Miss Stella E. Packard, Miss Mary R. Lane, and Miss Etta F. Philbrook. The book Infant Mortality is credited to Miss Nila F. Allen, Miss Melissa Farrell, Miss Roberta King, Miss Elizabeth Moore, Miss Jessie Riall, Miss Mary Van Zile, and Miss Rena Rosenberg. The book Rural Children in North Carolina is by Dr. Frances Sage Bradley (presumably a miss) and Miss Margaretta A. Williamson. Maternal Mortality is the work of Miss Doctor Meigs, Miss Emma Duke, and Miss Viola Paradise. The book Infant Welfare Work in Europe is attributed to Miss Nettie McGill, Mrs. Frances Hawes, and Miss Anna Kalet. All the medical doctors who have been concerned in the preparation of literature or the work of the bureau are women and are, I believe, with one exception unmarried.

And then again:

> But, Mr. President, when we employ female celibates to instruct mothers how to raise babies they have brought into the earth, do we not indulge in a rare bit of irony? I repeat, I cast no reflection on unmarried ladies. Perhaps some of them are too good to have husbands. But any woman who is too refined to have a husband should not undertake the care of another woman's baby when that other woman wants to take care of it herself.

Mr. PARKER. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. IRWIN].

Mr. IRWIN. Mr. Chairman, ladies and gentlemen of the committee, I rise to make a few remarks on this bill. I am not attacking the constitutionality of the bill. As a rule, I am against all measures that are paternalistic in their nature.

I am against this bill, because the medical profession, of which I am a member, is practically unanimously against the bill. I have been a member of the medical profession for 35 years. Why is the medical profession against this bill? Why is the American Medical Association against this bill? Why are practically all the State medical associations against this bill? Why are the county medical associations and the city medical associations against this bill? I hear some of you say, "They are selfish," but my friends, that is not a fact. It is not a matter of selfishness with the medical profession, that they are against this bill. There is no profession on earth that does more for suffering humanity, gratis, than the medical profession. [Applause.] The State of Illinois has never taken part in or contributed to the so-called Sheppard-Towner maternity bill. The State of Illinois is one of the States that has never subscribed to or taken any part in the administration of this bill?

Mr. ALMON. Will the gentleman yield?

Mr. IRWIN. I yield.

Mr. ALMON. There are only three States who do not contribute. Is that not a fact?

Mr. IRWIN. I think there are three. Illinois is one.

Mr. KVALE. Will the gentleman yield?

Mr. IRWIN. I yield.

Mr. KVALE. Has the State of Illinois adopted a similar policy with reference to the other 50-50 proposals?

Mr. IRWIN. I can not answer that question, but I do know they did not adopt the policy of 50-50 with reference to this bill.

The State of Illinois has a State board of health and, functioning through that State board of health, through the various counties and cities, which are the local branches. The maternity death rate and the death rate of infants is much less in the State of Illinois than it is in many of the States which have adopted the Sheppard-Towner law. So if that is true, why adopt this?

There is one other thing I want to bring to the attention of the House. I said a moment ago that the medical profession does more charitable work and does more work gratis than any other profession on earth.

Mr. CONNERY. Will the gentleman yield?

Mr. IRWIN. I yield.

Mr. CONNERY. I know the gentleman who is speaking will not like me to say this, but it has come to my attention that the gentleman who is addressing us now, speaking about the medical profession, has paid out of his own pocket thousands of dollars for some little orphans in an orphan asylum in Illinois. [Applause.]

Mr. IRWIN. I want to say that in the heart of the average reputable medical man there is a certain sympathy.

That sympathy is taught by the medical societies all over the country.

Mr. BLAND. Will the gentleman yield?

Mr. IRWIN. I yield.

Mr. BLAND. The gentleman stated that the medical profession generally was against this bill?

Mr. IRWIN. I said a large per cent of the medical profession.

Mr. BLAND. We are very much interested to know the reason for that.

Mr. IRWIN. I say that that sympathy and that charity manifested by the medical profession throughout the country is going to be stifled by passing just such legislation as this. I do not think that there are very many women or very many infants throughout the country to-day who do not get the proper medical care. The different medical societies, national, State, and local medical organizations, look after this work, are often asked to care for these cases. I believe there is a very slight number of women or children throughout the country who do not get the proper medical attention. If the Government steps in and does this work it will lower the sympathetic and charitable inclination of the physicians, who now perform this free service and I am afraid far more harm will come to the people of the Nation than what good could possibly come by passing this legislation.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. IRWIN] has expired.

Mr. PARKER. Mr. Chairman, I move that the committee do now rise, to expedite the business of the House.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. STAFFORD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill S. 255, had come to no resolution thereon.

REPORT OF DIRECTOR GENERAL OF RAILROADS FOR 1930 (H. DOC. NO. 789)

The SPEAKER laid before the House the following message from the President, which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered printed:

To the Congress of the United States:

I transmit herewith for the information of the Congress the report of the Director General of Railroads for the calendar year 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *February 27, 1931.*

HEALTH AND WELFARE OF MOTHERS AND INFANTS

Mr. PARKER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 255) for the promotion of health and welfare of mothers and infants, with Mr. STAFFORD in the chair.

Mr. PARKER. Mr. Chairman, I yield to the gentleman from New York [Mr. SIROVICH] five minutes.

Mr. RAYBURN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. SIROVICH].

Mr. SIROVICH. Mr. Chairman, ladies, and gentlemen, I have listened with tremendous appreciation to the interesting debate that has been going on in this House regarding the maternity bill. In my humble opinion, this legislation is a clarion call to the people of our country to preserve the home, which is the foundation of our Nation and upon which all society must rest. In every home, no matter how humble or modest it may be, there is engrossed upon the wall the sentiment, "God bless our home." Home—what a sweet and tender memory it recalls to us all. Home—the place where we are treated the best and grumble the most. The home is older than our Republic. It antedates every religion in the world. In the home the father is king, the mother queen, and the children the subjects. In every American home the conduct of the parents should be a model for the future character of their children. Why? Because as go the parents, so go the children. As go the children, so goes the home. As goes the home, so goes the Nation. Destroy the home and you destroy our Republic and all that it stands for. That is why I am fighting for this Sheppard-Towner bill. Because in its essence it cries aloud for the preservation of the home and the health and happiness of the mother and her children, who bring music to the home. [Applause.]

Mr. Chairman, ladies, and gentlemen, several Members have spoken in opposition to this humane legislation on the ground that it cost our Government during the last seven years $10,000,000 to protect the life, the limb, the health of mothers in rural sections who are going through the agonies of childbirth. I have seen millions of dollars voted upon this floor to conserve and preserve property rights. Millions have been appropriated for military preparations to destroy human life. What is more noble than to spend a million or two dollars every year to preserve the angel of the home, the mother, who is ready to die upon the altar of childbirth to give life to innocent children, to rear and develop her home? [Applause.]

Mr. Chairman, what is money that the watch dogs of our Treasury protect with greater enthusiasm than the life of humanity? To me money is the medium of exchange. It typifies the savings of labor and capital. It is its symbol. It represents the frozen labor of the past; the liquid flow of the present; the solid reward for the future. Without money life in our homes is impossible and intolerable. I am therefore making this appeal to the conscience of the membership of this House to help every mother who lives in the rural sections of our Nation, who is deprived through no fault of her own of medical attention to bring her children into the world. [Applause.]

In many sections of our Nation innocent mothers go through childbirth having to be confined by strangers, by neighbors, or relatives, who, ignorant of obstetrics, try to help in their uncouth fashion the labor cries of American womenhood. Is it fair, is it just that these women who have been offered up on the altar of childbirth have to die through these infections that come in the wake of being delivered in an atmosphere of contamination and dirt that ultimately causes death through the disease known as puerperal sepsis? [Applause.]

Mr. BOYLAN. Will the gentleman yield?

Mr. SIROVICH. I yield.

Mr. BOYLAN. What States?

Mr. SIROVICH. Here is a gentleman in whose State this condition is found. Stand up Mr. HOUSTON.

Mr. BOYLAN. That is a reflection on his State.

Mr. DAVILA. And here is one, too.

Mr. HOUSTON of Hawaii. We paid more last year than was involved in the Federal aid.

Mr. BOYLAN. That is a reflection on the States and not a reflection on the National Government.

Mr. SIROVICH. I do not care where the reflection comes from. As a practicing physician and surgeon for more than 25 years, who has brought hundreds and hundreds of children into the world, I am trying to treat a condition that is a reflection upon our civilization in this the twentieth century of so-called progress. [Applause.]

Mr. Chairman, ladies, and gentlemen, a government to succeed must not only believe in the principles of stability and order but must illuminate its pathway with progress and reform in order to accomplish the greatest good for the greatest number. Yesterday I voted for the farmers. Coming from the greatest industrial city in the world I wanted agriculture to be placed upon a parity with industry. One is dependent upon the other for its happiness, its prosperity, its success. I do not want oleomargarine to destroy the wholesome dairy product of butter under artificial coloring. [Applause.]

The two pillars that support the Constitution of the United States are the protection of property and that of life. This

bill, so humane, so just, and so divine in its nature, will protect the lives of mothers in the rural sections of our country.

Two constitutional objections have been made against this bill. One on the ground that it is unconstitutional, and the other that it destroys State rights. The distinguished and learned Congressman from Pennsylvania, the Hon. JAMES M. BECK, has written a minority report against this bill. In my opinion, there is no greater constitutional authority, no more gifted and brilliant lawyer in this the Congress of the United States than JAMES M. BECK. I have the greatest admiration and most wholesome respect for his gifted talent in law. He has an exceptionally keen intellect and a most lucid style in his interpretation of the Constitution of our great Republic. In reading quickly his minority report while the debate was in progress, I found the sentiment "the power to tax is the power to destroy." Is that right, Mr. BECK?

Mr. BECK. I did not originate it.

Mr. SIROVICH. It was the expression of Chief Justice Marshall, but worthy to be reproduced by your wonderful mind. During the last decade many bills have passed the Congress of the United States, which involve this principle contained in the Sheppard-Towner bill, such as the Smith-Lever Act, the Smith-Hughes Act, the Smith-Sears Act, the Sheppard-Towner Act. These bills that passed this House were designed to have the Government of the United States give a certain sum of money as a contribution to any State that is willing to apply the principle of aid which is optional with the State to accept. If the State accepts, it means that it has agreed to the minimum requirements given by our country. The Supreme Court of the United States approved this principle. It declared that the principle was no involvement of the sovereign rights of the States, since the State did not give up its sovereign rights, as it was optional with the State to take the money or not. That so long as the appropriation was given for the general welfare of the people, Congress was within its rights.

The chief opposition against this bill, as I see it, however, is upon the theory of State rights. The opponents of this maternal measure contend that it destroys State rights, and this bill creates a bureaucracy. Mr. Speaker, ladies and gentlemen, for the last four years that I have been a Member of this distinguished body, bill after bill has been passed that could be opposed upon this very basis. Does not prohibition violate State sovereignty and State rights? Was not the Wagner bill that I spoke for and that passed this Congress opposed on the ground that it violated State rights? How about the Government's contribution of Federal funds to build State roads? They all jeopardize the principle of State rights. But, Mr. Speaker, so long as the people of our country are the beneficiaries of that form of legislation, I am in favor of it, because it is the duty of the State to protect the home and its citizens, and if the State fails to accomplish this purpose, it is my contention that it is the duty of the Nation to go in and act where the State has failed to protect the best interests of its people. [Applause.]

Prior to the enactment of this maternity legislation, one child out of every three that came into the world died. To-day one child out of every seven dies. The American soldier fighting in the ditches and trenches of France, with bullets, bombs, and poison gas about him, has a better chance to escape with his life than has a young child coming into the world in the rural districts of our country.

I come from a home where we are taught to revere and respect motherhood. I believe that every man in this House should honor the mothers of our country by making it possible for the humblest woman to give birth to a child in the way nature intended, surrounded with every opportunity to live on and rear that child as a mother would love. [Applause.]

The distinguished gentleman from Massachusetts [Mr. STOBBS] contended that every State that takes this Federal aid stultifies itself. Every State with the exception of three has taken this money. Mr. Chairman and fellow Members of the House, the State of New York last year contributed the sum of $900,000,000 in the form of taxes to support this Nation. All that it got in return for maternal aid in the rural sections of our State was the sum of $70,000. If it is not stultification to pay money to our Federal Republic, surely it is no more than just for the State of New York to take back one-thousandth of 1 per cent of all that it gave in support of the rest of the Nation. [Applause.]

My gracious friend from Massachusetts [Mr. UNDERHILL] commented upon the fact that all the women engaged in bringing into realization this original bill to help American mothers were unmarried. What of it? More power to them. There is nothing wrong about that. Must a doctor have pneumonia, typhoid fever, rheumatism, and appendicitis in order to know how to treat these maladies? These lovely women have given up their lives in the quarry of human sympathy. They have helped to wipe away the tears of suffering humanity. They have helped to make life better in this world for their having lived in it. I respect them. Congress should honor them. They could have given their lives upon the altar of domestic felicity, yet they sacrificed all in order to help those who are less fortunate than themselves. [Applause.]

My respected and revered friend from Connecticut, the Hon. SCHUYLER MERRITT, wanted to know whether there is anything contagious in childbirth. Let me inform him that it was Doctor Semmelweiss, way back in 1860, who gave to the scientific world the knowledge that puerperal death during and after childbirth came simply from infection. He was hounded and pounded for his views. This criticism affected him mentally. He died in a madhouse of Budapest, Hungary. Since that time the whole world has acclaimed his theory and proved its truth—that death from childbirth is the result of dirt infection caused by being handled by careless, ignorant, septic, and unclean personages at the time of childbirth. If my distinguished friend should ever visit the city of Budapest, there he will find a monument erected to commemorate the name and fame of Doctor Semmelweiss, who proved to the world that death from childbirth comes directly from dirt infection. [Applause.]

Mr. Speaker, ladies, and gentlemen, Congress is always passing special legislation to help different sections of our country in order to bring happiness and prosperity to all of the people of our country. The Boulder Dam for the Western States. Flood control for the Middle Western States along the pathway of the Mississippi. Muscle Shoals for the South. Tariff legislation for the industrial East. Farm relief for the Middle West and Northwest. Interstate commerce bills for the benefit of railroads, mills, mines, looms, and factories. Restricted immigration to help American labor. Subsidies to preserve the shipping industries of our country. Legislation for harbor and river improvement. Funds for the boll weevil in cotton sections. Money for corn borer in the agricultural States. I have voted for them all to help our country become great, glorious, and prosperous. To-day I am going to appeal to you all, coming from every section of our Nation, to vote for the mothers who have given us birth, to protect their life, their limb, and their health in their greatest hour of pain and anguish. When these crying maternal evils shall have been remedied through the passage of this humane maternity bill, then will the home, which is the foundation of our Government, be preserved and the mothers of our Republic be eternally grateful to you all. [Applause.]

The Clerk read, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum of $1,000,000 per annum for enabling the State agencies of health in cooperation with the Children's Bureau of the Department of Labor to promote the health and welfare of mothers and infants. Subject to the provisions of this act, the appropriation herein authorized shall be apportioned among the States as follows: $15,000 to each State and the balance among the States in the proportion which their population bears to the total population of the United States according to the last preceding United States Census: *Provided*, That no payment shall be made in any year to any State until an equal sum has been made available by the State for the maintenance of the services provided for in this act.

So much of the amount apportioned to any State for any fiscal year as remains unpaid to such State at the close thereof shall be available for expenditures in that State until the close of the succeeding fiscal year.

Mr. PARKER. Mr. Chairman, I move to strike out the first section and offer the committee amendment.

The CHAIRMAN. The gentleman from New York moves to strike out section 1 of the Senate bill and insert in lieu thereof the committee amendment which the Clerk will report.

The Clerk read, as follows:

Strike out the first section of the bill and insert the following:

"That for the purpose of coordinating the general rural health and maternal and child health activities hereinafter provided for, there is hereby created a board to be known as the Federal Health Coordinating Board (hereinafter referred to as the board), which shall consist of the Surgeon General of the United States Public Health Service, who shall be the chairman, the chief of the Children's Bureau of the Department of Labor, and the Commissioner of Education of the Department of the Interior.

"SEC. 2. The board shall have the power to approve or disapprove all plans providing for cooperative work between the United States and the several States under this act, which plans shall be submitted to the board in accordance with sections 4 and 5 of this act, and such other powers as are conferred upon it by this act.

"SEC. 3. (a) For the purpose of enabling the Public Health Service, under the general supervision of the board, to cooperate with the State agencies of health in the development of local health units or organizations for the prevention of disease and the promotion of health among the rural population as provided in section 4 of this act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1932, and for each fiscal year thereafter, the sum of $250,000, $5,000 of which shall be made available annually to each State in the manner and under the conditions hereinafter provided; and there are hereby authorized to be appropriated the following additional sums for such purposes, to be expended as hereinafter provided: For the fiscal year ending June 30, 1932, the sum of $750,000; for the fiscal year ending June 30, 1933, the sum of $1,000,000; for the fiscal year ending June 30, 1934, the sum of $1,250,000; for the fiscal year ending June 30, 1935, the sum of $1,500,000; for the fiscal year ending June 30, 1936, the sum of $2,000,000; and for each fiscal year thereafter, for the above purposes, the sum of $3,000,000. From each of such additional sums so much, not to exceed 5 per cent thereof, as the Secretary of the Treasury, upon recommendation of the Surgeon General of the Public Health Service, may estimate to be necessary for administering the provisions of this act, shall be deducted for such purpose, to be available until expended, and the remainder of each of such additional sums shall be allotted to the several States in the proportion which the rural population of each State bears to the total rural population of all States, as determined by the latest available United States census: *Provided*, That no allotment out of any of the appropriations under this act shall be made to any State for any fiscal year until at least an equal sum shall have been provided by such State for the same fiscal year for rural health work within the State under this act: *And provided further*, That after Federal funds appropriated under this act shall have been expended in three consecutive fiscal years for the support of rural health work in any county, township, town, or other political division or subdivision of any State, the amount allotted and paid from such funds shall not exceed 25 per cent of the total funds made available, as herein provided, for the further support of such work in said division or subdivision in any fiscal year.

"(b) For the purpose of enabling the Children's Bureau, under the general supervision of the board, to cooperate with the State agencies of health to promote the health and welfare of mothers and children, as provided in section 5 of this act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1932, and for each fiscal year thereafter for the above purposes the sum of $1,000,000. Subject to the provisions of this act, the appropriations authorized in this subsection shall be apportioned among the States as follows: $10,000 to each State, and the balance among the States in the proportion which their population bears to the total population of the United States, as determined by the latest available United States census: *Provided*, That no payment shall be made in any year to any State until an equal sum shall have been made available by the State for the promotion of maternal and child welfare. So much, not to exceed 5 per cent of the appropriation authorized for any fiscal year under this subsection, as the chief of the Children's Bureau may estimate to be necessary for administering the provisions of this act, shall be deducted for that purpose, to be available until expended.

"(c) Out of the sums deducted for administering the provisions of this act the Children's Bureau, with the approval of the Secretary of Labor, and the Public Health Service, with the approval of the Secretary of the Treasury, are authorized to incur such administrative expenses, including such printing and binding, the employment of such persons, the purchase of such supplies, publications, and equipment, in the District of Columbia and elsewhere as may be necessary for carrying out the provisions of this act.

"SEC. 4. Any State desiring to avail itself of the benefits of the appropriation authorized under subsection (a) of section 3 of this act shall in accordance with regulations prescribed by the board, submit for each fiscal year, through its State board or agency of health, a plan for carrying out the work authorized in such subsection for such State, in the preparation of which due consideration shall be given to local taxable resources and to the applications and recommendations of local health authorities: *Provided*, That no money appropriated pursuant to the provisions of subsection (a) of section 3 of this act shall be expended in any State until its legislature shall have accepted the provisions of this act, except that, until the final adjournment of the first regular session held after the passage of the act, the acceptance of this act by the governor shall be sufficient. When the plans of any State have been approved by the board the Secretary of the Treasury, through the Public Health Service, shall then set apart and make available in the Treasury of the United States the sum apportioned to such State for each fiscal year for support of the work under subsection (a) of section 3 within the State, and so notify the State board of health concerned.

"SEC. 5. In order to secure the benefits of the appropriation authorized in subsection (b) of section 3 of this act, a State must have accepted the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921, as amended (U. S. C., title 42, ch. 5), and shall not have repealed its acceptance of such act, or, in case such act shall not have been accepted, or having been accepted such acceptance repealed, such State shall through the legislative authority thereof accept the provisions of this act and shall through its State health agency submit to the Children's Bureau detailed plans for carrying out the provisions of subsection (b) of section 3 within the State, which plans shall be subject to the approval of the board. The State plans shall conform to the following conditions: First, that no more than $5,000 of the Federal funds shall be expended in any State for general State maternal and child health activities and that the balance shall be used in the promotion of permanent local services for mothers and children; second, that the plans shall be made with special reference to the problems of maternal and child hygiene in rural districts and in towns and cities of not over 50,000 population; third, that the plans submitted shall include promoting the establishment of local health services for mothers and children and shall provide that where county or other local general health services are established or being planned the work undertaken under the terms of this act in such county or other local health unit shall be coordinated with the general health services so as to provide or make more effective the services of the local unit to mothers and children. When the board deems the State plans to be in conformity with the provisions of this act and reasonably appropriate and adequate to carry out its purposes it shall approve the same: *Provided*, That the plans of the States under this act shall provide that no official or agent or representative of the State in carrying out the provisions of this act shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of such child. Due notice of the approval by the board of State plans for promoting the welfare and hygiene of maternity and childhood shall be sent to the State agency by the board.

"SEC. 6. So much of the amounts apportioned under this act to any State for any fiscal year as remains unpaid to such State at the close thereof shall be available for expenditure in that State until the close of the succeeding fiscal year.

"SEC. 7. No official, agent, or representative of the board or of any organization represented thereon shall, by virtue of this act, have any right to enter any home over the objection of the owner or occupant thereof, or to take charge of any child over the objection of the parents, or either of them, or of the person standing in loco parentis or having custody of such child. Nothing in this act shall be construed as limiting the power of a parent or guardian or person standing in loco parentis to determine what treatment or correction shall be provided for a child, or the agency or agencies to be employed for such purpose.

"SEC. 8. Within 60 days after the approval of this act the Secretary of the Treasury shall certify to the respective State boards of health the sum apportioned under subsection (a) of section 3 of this act to each State for the fiscal year ending June 30, 1932, and, on or before January 20 next preceding the commencement of each succeeding fiscal year, shall make like certification for such fiscal year.

"SEC. 9. Within 60 days after any appropriation authorized by subsection (b) of section 3 of this act has been made, and as often thereafter while such appropriation remains unexpended as changed conditions may warrant, the Children's Bureau shall ascertain the amounts made available by the several States cooperating with the Children's Bureau as provided by this act and shall certify to the Secretary of the Treasury the amount to which each State is entitled under the provisions of this act. Such certificate shall state (1) that the State has, through its legislative authority, accepted the provisions of this act relating to maternity and childhood, or that the State has otherwise qualified to secure the benefits of the appropriation as provided in section 3 hereof; (2) the fact that the health agency of the State has submitted to the Children's Bureau detailed plans for carrying out the provisions of this act, and that such plans have been approved by the board; and (3) the amount to which the State is entitled under the provisions of this act. Such certificates, when in conformity with the provisions hereof, shall, until revoked as provided in section 10 hereof, be sufficient authority to the Secretary of the Treasury to make payment to the State in accordance therewith.

"SEC. 10. Each State health agency cooperating with the Children's Bureau under this act shall make such report concerning its operation and expenditures as shall be prescribed or requested by the bureau. The Children's Bureau shall, upon request of a majority of the board, withhold any further certificate provided for in section 9 hereof whenever it is determined as to any State that the agency thereof has not properly expended the money paid to it or the moneys herein required to be made available by

such State for the purposes and in accordance with the provisions of this act. Such certificate may be withheld until such time or upon such conditions as the board may determine. When so withheld the State agency may appeal to the President of the United States, who may either affirm or reverse the action of the board with such directions as he shall consider proper: *Provided*, That before any such certificate shall be withheld from any State, the chairman of the board shall give notice in writing to the authority designated to represent the State, stating specifically wherein said State has failed to comply with the provisions of this act.

"SEC. 11. No portion of any moneys apportioned under this act for the benefit of the State shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings or equipment, or for the purchase or rental of any buildings or lands, nor shall any such moneys, or moneys required to be made available by any State for the purposes and in accordance with the provisions of this act, be used for the payment of any maternity or infancy pension, stipend, or gratuity.

"SEC. 12. (a) The Secretary of the Treasury shall submit a report to Congress as soon as practicable after the close of each fiscal year, giving a full account of the performance of the duties assigned by this act to the United States Public Health Service for such year, the results accomplished thereunder, and the expenditures of moneys authorized under subsection (a) of section 3 of this act.

"(b) The Secretary of Labor shall submit a report to Congress as soon as practicable after the close of each fiscal year, giving a full account of the performance of the duties assigned by this act to the Children's Bureau for such year, the results accomplished thereunder, and the expenditures of moneys authorized under subsection (b) of section 3 of this act.

"SEC. 13. The Territory of Hawaii and the possession of Porto Rico shall be entitled to share the benefits of this act upon the same terms and conditions as any of the several States."

Amend the title so as to read: "An act 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."

During the reading of the committee amendment the following occurred:

Mr. MERRITT. Mr. Chairman, is the bill being read by sections?

The CHAIRMAN. The gentleman propounds an inquiry as to whether the bill is being read by sections. The gentleman from New York [Mr. PARKER] moved to strike out section 1 and substitute in lieu thereof the committee amendment, which is being considered as an entirety. At the conclusion of the reading of the committee amendment it will be in order to offer amendments to any part of the committee amendment.

The Clerk concluded the reading of the committee amendment.

Mr. HUDDLESTON. Mr. Chairman, I make a point of order against the amendment as not germane to the section or to the bill.

The CHAIRMAN. The gentleman from Alabama makes the point of order that the amendment just read is not germane to the section or to the bill. Does the gentleman wish to be heard on the point of order?

Mr. HUDDLESTON. No, Mr. Chairman.

Mr. PARKER rose.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the point of order?

Mr. PARKER. I am waiting to hear what the gentleman from Alabama has to say.

Mr. HUDDLESTON. Mr. Chairman, advising the gentleman further as to the grounds of my point of order, I will say that the bill originally provided for an activity of the Children's Bureau of the Department of Labor. The amendment covers that point and extends this activity to an activity of the Public Health Service of the Department of the Treasury. The original bill related to a certain type of so-called maternity and infancy work. The amendment covers that and extends the activity to the entire field of medicine, a complete departure from the purpose of the bill as originally introduced.

Mr. MAPES. Mr. Chairman, of course looking after the welfare of mothers and children is a part of general public-health work. In recognition of that fact the bill as it came over from the Senate made the Surgeon General of the Public Health Service a member of the board that has supervision over the work relating to maternity and infancy. This amendment, of course, enlarges the scope of the bill, but the supervision of the work to be done, if it be adopted, is placed under the same board as provided for under the Senate bill—under a board consisting of the same personnel that had charge of the work of maternity and infancy in the Children's Bureau of the Department of Labor. It would seem a very narrow restriction of the rule to say that the committee amendment is not germane to the Senate bill.

Mr. LAGUARDIA. Mr. Chairman, may I add that this is presented as a committee amendment and the committee had jurisdiction of the subject matter. The committee amendment covers the same general subject matter as the Senate bill, and simply varies with respect to detail and administration of the purposes to be accomplished, and under the ruling of the gentleman from Michigan [Mr. MAPES] only a few days ago, when an amendment was offered from the floor, it was held that an amendment which treated the same subject, but with quite a different method of administration, was germane to the bill then under discussion.

Mr. BLANTON. But, Mr. Chairman, the gentleman from New York will remember that just the other day the Chair held that a committee has no more right to present an amendment as a committee amendment that is not germane than any Member has the right to present such an amendment from the floor.

Mr. LAGUARDIA. That is true.

Mr. BLANTON. And if this amendment of the committee is not germane, which point has been raised by the gentleman from Alabama [Mr. HUDDLESTON], then it would be in the same position as if it had been offered from the floor by any Member not of the committee.

Mr. BURTNESS. Mr. Chairman, I arose at first to bring out particularly the same point that has just been made by the gentleman from New York [Mr. LAGUARDIA], namely, that this is a substitute proposed by the committee which has jurisdiction of this type of legislation, thus deserving less technical application than an amendment from the floor; and I want to emphasize further, in addition to what the gentleman from Michigan [Mr. MAPES] said, that not only is the Surgeon General of the United States a member of the board set up by the Senate bill, but, in fact, the board that is provided for in the so-called Cooper bill, now offered as a committee substitute, consists of identically the same three officials as those included as members of the board under the Senate bill, namely, the Chief of the Children's Bureau, the Surgeon General of the Public Health Service, and the United States Commissioner of Education. While it is true that the Senate bill is largely limited to the promotion of health and welfare of mothers and infants, yet the bill now before us, the Cooper bill, has for its underlying purpose the same object as is set out in the first few lines of the Cooper bill, namely, "for the purpose of coordinating the general rural health and maternal and child-health activities hereinafter provided for." In both cases the board set up consists of the same three officials.

Without having the authorities before me, as I recall them it is the practice of the House to construe a point of order with reference to germaneness less technically when the question is raised upon a new bill offered by a committee as a committee amendment in the nature of a substitute for a bill that has come from another body than with reference to amendments suddenly and without warning suggested from the floor—particularly so when there is no question as to the jurisdiction of the committee dealing with all the proposals raised in the substitute. Our committee dealt with the general question, as we had a right to do.

Mr. HOCH. Will the gentleman yield upon that point?

Mr. BURTNESS. Surely.

Mr. HOCH. I agree with what the gentleman from North Dakota has said with reference to the difference between amendments offered by a committee in reporting a bill and amendments offered from the floor. The reason the rule of germaneness should be applied more liberally to committee amendments, in determining whether as a matter of fact the amendment is germane, is very plain. One of the principal purposes of the rule of germaneness is to prevent the House or the Committee of the Whole being taken by

surprise because committee members should not be expected to pass upon amendments that could not reasonably be anticipated, whereas in the case of a committee amendment printed as a part of the bill there is no element of surprise. The committee has advance notice of what is to be offered.

I merely argue, therefore, that in construing whether or not the amendment is germane the Chair is justified in placing a more liberal interpretation on the question of germaneness of a committee amendment reported in print with the report than an amendment offered from the floor.

Mr. HUDDLESTON. Mr. Chairman, may I suggest that the purpose of this bill is very clearly expressed in the title: "For the promotion of the health and welfare of mothers and infants." The bill had been referred to the Committee on Interstate and Foreign Commerce. A bill which deals with a different subject is reported by the House. The mere fact that it is printed does not touch the question of germaneness.

I have no doubt the Chairman remembers the decisions made by Speakers, which hold that an amendment offered by a committee has no higher privilege than one offered by any Member. It must be germane.

Now, let us look at line 5, page 1. A certain amount is authorized to be appropriated "to enable the State agencies of health in cooperation with the Children's Bureau of the Department of Labor to promote the health and welfare of mothers and infants." That is the purpose of the bill.

What is the purpose of the bill as embraced in the committee amendment? It covers that subject, and it goes further. I call attention to section 3:

> For the purpose of enabling the Public Health Service, under the general supervision of the board, to cooperate with the State agencies of health in the development of local health units or organizations for the prevention of disease and the promotion of health among the rural population—

And so forth.

There is therefore an independent and new subject introduced into this bill. I submit that this is not germane.

Mr. MICHENER. Mr. Chairman, let me add this thought: That this amendment is in fact a substitute. The title is also amended by the committee. The committee has the right to report a bill so long as the bill deals with the subject matter coming within the jurisdiction of the committee.

Now, this amendment is a substitute with a new title and is in substance a new bill, while in fact it may be an amendment, yet it is within the jurisdiction of the committee to deal with this matter; it represents the judgment of the committee as the bill which should be brought before the House.

Mr. HUDDLESTON. Mr. Chairman, may I call attention to the title of the new bill: "An act 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."

That is an entirely different subject, as stated in the title.

Mr. MICHENER. The question is whether or not the Chair wants to follow the strict rules of construction so far as germaneness is concerned, or whether he has the right to say that this committee had jurisdiction of the subject matter.

Mr. HUDDLESTON. The Committee on Interstate and Foreign Commerce had jurisdiction of quarantine. Does the gentleman contend that they would have a right to include that in the amendment? It relates to the public health.

Mr. O'CONNOR of New York. The Chair will be guided by what happened to-day. When the rule was adopted, before the question was raised as to the parliamentary procedure this morning—before the rule was adopted a question was raised by the gentleman from Alabama as to what was the parliamentary procedure in reading the bill.

The gentlemen on the Republican side of the House in charge of the bill said that this was a committee amendment and not a substitute, that the Cooper bill was a committee amendment. That is the approach to the question, I maintain, that the Chair has to make now. They should not at this last moment fall back upon the technicality of a substitute, as suggested by the gentleman from Michigan [Mr. MICHENER].

Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR of New York. Yes.

Mr. BURTNESS. Of course, when it was offered as an amendment it was stated, if I remember correctly, that it was in the nature of a substitute; and notice was given that, if the amendments were agreed to, the rest of the bill would be stricken out. In any event, every one would know that the rest of the bill would be stricken out. It is obvious that such would be the case, so that in reality it is a substitute.

Mr. O'CONNOR of New York. In reality it is definitely stated and agreed here this morning—and I believe the present occupant of the chair was present and listening—that it was not a substitute, and there was no equivocation about it. It was offered as an amendment, and that is the one basis of ruling on this point of order.

Mr. RAMSEYER. Does the gentleman think that one rule of germaneness applies to a substitute and another rule of germaneness to an amendment?

Mr. O'CONNOR of New York. I do not. It has been offered here on the Republican side as a distinction.

Mr. RAMSEYER. I do not think so.

Mr. O'CONNOR of New York. Then why the distinction?

Mr. RAMSEYER. There is no difference so far as the application of the rule of germaneness is concerned.

Mr. BANKHEAD. Mr. Chairman, I am not in accord with my colleague [Mr. HUDDLESTON] on the point of order.

I am for the entire bill now pending, and he is for the Senate bill included in the pending bill. I call attention of the Chair to the decision made by the gentleman from Michigan [Mr. MAPES] only a few days ago, when he occupied the chair, during the consideration of the Wagner bill, when the so-called Doak amendment was offered. He then laid down as a precedent that if a substitute was along the same general lines as the original bill, it was germane and in order. I call the attention of the Chair to that decision made only a few days ago.

Mr. HUDDLESTON. And the gentleman from Alabama [Mr. BANKHEAD] took up that decision and demolished it completely.

Mr. BANKHEAD. Not that phase of it.

Mr. O'CONNOR of New York. I made the point of order that raised that decision of the gentleman from Michigan, but he held that the Doak amendment was in order because it was restrictive.

Mr. BANKHEAD. He held it was in order because it was along the same general lines.

Mr. O'CONNOR of New York. And the gentleman from Alabama [Mr. BANKHEAD] complained because he used the word "restrictive." This is extensive and not restrictive.

Mr. BANKHEAD. I am not arguing that it was a correct decision. I am arguing that it is a precedent.

Mr. MAPES. Reference has been made to a decision which I made while occupying the chair the other day, which related to the Wagner bill and the substitute offered for that bill. The word "restrictive" was used in that decision with the thought in mind that the amendment must be restrictive to the subject matter under consideration, and I think the language preceding that word as used in that opinion clearly implied that qualification.

I call the attention of the Chair to how interwoven these questions of public health and maternity and infancy welfare are, and for the purpose of doing that I read from the statement of the head of the Children's Bureau in the Labor Department, Miss Abbott, before the Committee on Interstate and Foreign Commerce during the consideration of this legislation, showing that the whole subject matter of the bill is so interwoven that one question is germane to the other. This is what Miss Abbott said:

> There are general health measures that promote the health of mothers and babies, for instance, the proper collection of garbage, the disposal of sewage, the pollution of streams, provision for pure milk and pure water, and, I believe, a great many sanitary measures. Then, in addition, in order to promote the health of mothers and babies, there needs to be a special organization, a

special program for promoting the education of mothers in the care of their children. In other words, we find that babies die because they contract communicable diseases to which they are exposed; that is, there may be an epidemic of "flu," which attacks the mothers and the babies as well as others. There is impure water, all because the sanitation generally is not good; their health may be affected, but babies also die, and more frequently, because their mothers do not know how to give them the benefits of scientific care. Now, to give them the benefits of scientific care they need a special organization.

Certainly, the Chair, it seems to me, would be restricting the rule of germaneness to an unreasonable degree to hold that one of these subjects is not related to the other.

The CHAIRMAN. The question of germaneness in the instant case is not without embarrassment to the Chair. One embarrassing feature in the practice that has grown up in recent years of offering a general committee amendment to one section of the bill, with notice that if the amendment be adopted the mover will move to strike out the subsequent sections of the original bill as reached, is that the House is not given an opportunity to know just what is contained in the original bill section by section, and also it is not given an opportunity to offer amendments to the original bill section by section. It has long been the opinion of the present occupant of the chair that the proper practice should be that if the amendment proposed of a general character to a section is not germane per se to that section, then it would follow that the entire amendment would fall because it is not germane.

There may be instances where amendments proposed to the first section would be germane, but in the recent practice of the House there have been so many decisions—though 10 years ago I might say the question was an open one, and to-day it is not—that the present occupant of the chair would not feel constrained to impose his own individual opinion as to the proper practice for parliamentary integrity and override prior and long-established decisions of the House well recognized in the later practice of this committee. So the present occupant of the chair will brush aside the question of the germaneness of the committee amendment as to the first section, based upon the numerous decisions and long-established precedents during the last eight years that have adopted a policy which the present incumbent of the chair believes is open to serious question as to being proper procedure.

Now we take the proposition as if the original Senate bill had been read and considered section by section, and the gentleman from New York had moved as a substitute the committee amendment. There is the real embarrassing question, whether the committee amendment is germane as a whole, to the original Senate bill.

In determining the question of germaneness the question is not as to the modus operandi, or the machinery in putting the bill into operation, but what is the real subject matter of the bill? The subject matter of the Senate bill before the House is, as the title reads, "For the promotion of health and welfare of mothers and infants." The title is not the absolute determiner of what is the subject matter of the bill. It is only indicative. It is true that the title of the proposed committee amendment, if adopted, broadens the title of the Senate bill, but we have to look further to determine whether the proposed amendment is germane to the Senate bill as a whole.

What does the Senate bill provide? It provides generally for the conservation of the health of mothers and infants. To that authority the House committee extends the subject of general rural health. Does the incorporation of the provisions extending the bill to the subject of general rural health make the amendment not germane? The present occupant of the chair would hold that, if the House bill merely referred to the health of mothers and nothing else, the committee amendment would not be germane, for the reason that you offend the rule where only a single object is under consideration—to add a different subject matter; but in view of the fact that the Senate bill provides for two subjects, namely, the health of mothers and the health of children, the Chair will hold that the addition of a third subject matter, namely, the regulation of general rural health, is in line with the many decisions of the House that where two subject matters are before the House for consideration it is permissible to add a third.

The Chair therefore overrules the point of order.

Mr. COOPER of Ohio. Mr. Chairman, I offer a perfecting amendment to the amendment which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COOPER of Ohio: Page 11, line 8, after the word "the," at the end of line 8, insert "Secretary of Labor, upon recommendation of the."

The amendment was agreed to.

Mr. COOPER of Ohio. I offer an amendment, which I have sent to the desk.

The CHAIRMAN. The gentleman from Ohio [Mr. COOPER] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COOPER of Ohio: Page 14, line 10, strike out "board" and insert "Secretary of Labor."

Mr. RAYBURN. Mr. Chairman, this is not a committee amendment. I would like some explanation of it.

Mr. COOPER of Ohio. I did not say it was a committee amendment. I said it was a perfecting amendment. This amendment is offered in order to conform to the other provisions of the bill. It should be "Secretary of Labor" instead of "board."

Mr. BURTNESS. It relates to who sends out the notices after approval by the board. It is a ministerial function, and has nothing to do with the administration of the act, if I understand the amendment correctly.

Mr. COOPER of Ohio. That is correct.

The amendment was agreed to.

Mr. COOPER of Ohio. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Ohio [Mr. COOPER] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COOPER of Ohio: Page 18, line 4, change the word "territory" to "territories" and after the word "and" insert "Alaska and."

The amendment was agreed to.

Mr. SUTHERLAND. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Alaska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SUTHERLAND: Page 9, line 5, strike out "$250,000" and insert in lieu thereof "$255,000."

The amendment was agreed to.

WORLD WAR VETERANS' COMPENSATION CERTIFICATES

Mr. HAWLEY. Mr. Chairman, I ask unanimous consent to proceed for one minute out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon [Mr. HAWLEY]?

There was no objection.

Mr. HAWLEY. Mr. Chairman, I have just been informed by General Hines that one veteran in Baltimore has already received a loan under the act recently passed increasing the loans that may be made to World War veterans to 50 per cent of the face value of their certificates to a veteran, who wanted the money to pay for an operation on his son. [Applause.] Over 400 loans will be made to-day, and others will be made as fast as possible.

Regional offices have been instructed to give prompt attention to applications for loans.

The Veterans' Administration, under the direction of General Hines, is proceeding with most commendable diligence. [Applause.]

HEALTH AND WELFARE OF MOTHERS AND INFANTS

Mr. MERRITT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Connecticut offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MERRITT: Page 10, strike out lines 21 and 22, and insert in lieu thereof the following:

"For the fiscal year ending June 30, 1932, and for the four succeeding fiscal years thereafter the sum of $1,000,000 each year."

Mr. MERRITT. Mr. Chairman, I do not care to take much time to argue this. The effect of the amendment is to end the operations under this bill in five years. My idea is that that will give enough time to see whether the bill carries out the ideas of its friends, and at least will give the Congress, at the end of the five years, an opportunity to reconsider the question.

Mr. PARKER. Mr. Chairman, I hope the amendment will not prevail, for this reason: On two different occasions we have passed a bill similar to this, one limited to five years and one limited to two years. It is perfectly possible for Congress at any time to stop the operation of the Children's Bureau by stopping the appropriation. So why bring it before the House every two or three years to fight out the question as to whether this shall be continued or not. Why not settle it, as we can so easily, by withholding the appropriation?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut.

The question was taken; and on a division (demanded by Mr. MERRITT) there were—ayes 35, noes 102.

So the amendment was rejected.

Mr. PARKER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in five minutes.

Mr. RAYBURN. I have an amendment which I desire to offer.

Mr. PARKER. How much time does the gentleman desire?

Mr. RAYBURN. I would like to have three or four minutes.

Mr. HUDDLESTON. Let me call the gentleman's attention to the fact that this is an entire bill, and there is no opportunity to read it by sections. It occurs to me that if anybody has an amendment, they should have an opportunity to offer it.

Mr. O'CONNOR of New York. And I want to say it was distinctly understood by this House to-day that it would be read by sections so that it could be amended. There is no question about that. That was the representation and promise made to this House to-day.

Mr. PARKER. By whom?

Mr. O'CONNOR of New York. By the committee in charge. It was stated that every opportunity to amend the bill would be afforded. In view of the fact that the committee was offering a whole bill, it was understood that a Member would have every opportunity to offer amendments to it.

Mr. PARKER. There is no reason why amendments can not be offered to the bill. There is no reason why Members should not offer as many amendments as they choose. Mr. Chairman, I make the motion that all debate on this amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from New York moves that all debate on the pending amendment and all amendments thereto close in 15 minutes.

Mr. HUDDLESTON. Mr. Chairman, I make the point of order that this is an attempt in the committee to fix time for the future, which is in violation of the rules of the House.

The CHAIRMAN. The Chair will state that, under the rules of the House, after any quota of debate has been had on one amendment it is then the privilege of the committee to close debate.

Mr. HUDDLESTON. May I call this to the attention of the Chair? This is not a motion to close debate but it is a motion to fix time, which is a very different thing. I do not question the right of the gentleman to move to close debate now, but you can not move to fix time in the future.

The CHAIRMAN. Paragraph 6 of Rule XXIII provides:

The committee may, by the vote of a majority of the members present, at any time after the five minutes' debate has begun upon proposed amendments to any section or paragraph of a bill, close all debate upon such section or paragraph or, at its election, upon the pending amendments only (which motion shall be decided without debate); but this shall not preclude further amendment, to be decided without debate.

Mr. HUDDLESTON. Of course, I understand that, but the point I am making is that this is not a motion to close debate but it is a motion to fix time. That is what the motion is.

The CHAIRMAN. The present occupant of the Chair can not follow the argument of the gentleman. It seems to the Chair, with due respect, that the gentleman's point is a distinction without a difference.

Mr. RAMSEYER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RAMSEYER. Is the motion to close debate directed to the amendment offered by the gentleman from New York or to the amendment to the amendment now pending?

The CHAIRMAN. There is pending before the committee at the present time one amendment in the nature of a substitute.

Mr. RAMSEYER. That is the amendment offered by the gentleman from New York [Mr. PARKER]?

The CHAIRMAN. Yes. The motion the gentleman makes is to close debate on the amendment and all amendments thereto in 15 minutes. That is the motion. The Chair will state that there is only one amendment pending before the committee at the present time, and that is an amendment in the nature of a substitute.

Mr. HUDDLESTON. I call the Chair's attention to the fact that the motion is to close debate in 15 minutes and not to close it now.

The CHAIRMAN. It is the general practice, long established and well recognized in the committee to entertain a motion to either close the debate instanter or after any stated time for debate.

The question is on the motion of the gentleman from New York that all debate on the pending amendment and all amendments thereto close in 15 minutes.

The question was taken; and on a division (demanded by Mr. BOYLAN) there were—ayes 180, noes 40.

So the motion was agreed to.

Mr. BLACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and gentlemen of the committee, this bill has given birth to more points of order and more amendments than any bill I have seen. It is a fortunate thing that we have a brilliant doctor of parliamentary law to preside over the committee on this occasion.

Mr. Chairman and gentlemen of the committee, it is not the function of the Federal Government to alleviate misery any place in the world. Suffering is in this world, but our Government was not created to cure it.

Our Constitution had an objective, not a subjective, purpose. It was founded primarily to give the States an agency to deal with foreign governments. The States gave part of their tax reserve to supply their agent, the Federal Government, with sanction—power to back up its contracts and treaties.

If the Federal Government is to be an all-charitable deity, why not send out agents to all parts of the world to care for suffering humans?

There is nothing peculiarly American about suffering. If the great heart of the United States must bleed for suffering here, why not go in for charity in a big way?

Health can be taken care of by the States. Those States that can not take care of themselves should give up their charters and withdraw their Senators and Congressmen. If they must get Federal money for State purposes, they confess a failure of sovereignty.

This Government has enough to do without carrying the burden of the States.

I do not think the children of yesterday were any worse than to-day when Uncle Sam is the stork. [Laughter and applause.]

Mr. RAYBURN. Mr. Chairman, I move to strike section 7 out of the pending amendment.

The Clerk read as follows:

Mr. RAYBURN offers an amendment: Page 14, line 16, strike out all of section 7.

Mr. RAYBURN. Mr. Chairman, I have nothing to add with reference to striking out section 7 to what I said in general debate. I do think, however, and I may repeat, that I dislike to see the House of Representatives adopt a bill with a section in it like section 7 of this amendment.

Section 7 was put in the bill as a reply to a speech that was made over the radio some weeks ago, in which some man on a nation-wide hook-up—I think it was from Detroit, Mich.—said that within a few years the agents of the Federal Government would be going into the home and taking charge of women and children without the consent of the owner of the home. I do not believe in dignifying some speech that is made over the radio by saying that Congress may pass a law empowering some Federal agent to do something that nobody on earth believes the Congress has the power to confer upon any agent of the Government.

Inferentially, by placing this matter in the bill we are saying that if we do not say that an agent of the Federal Government can not enter the home, then the Congress would have the power to say that a Federal agent could enter the home and take charge of a woman or a child, over the protest of the occupants of that home.

Mr. UNDERHILL. Will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. UNDERHILL. It is not what Congress does or what Congress intends, it is what the agent does is a usurpation of power.

Mr. RAYBURN. I do not think any agent of this department has ever done that.

Mr. UNDERHILL. But there are such instances.

Mr. RAYBURN. And I do not think one of them will ever do that, and they certainly will not do it in the home of any man who is red blooded enough to justly call himself an American citizen.

Mr. McCORMACK of Massachusetts. Will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. McCORMACK of Massachusetts. Is not the purpose of this section to assure the preservation of family life and to assure a certain degree of protection to the parents?

Mr. RAYBURN. I do not think so. It is not necessary. I think it is a gesture and a reply to a speech made over the radio, and it is an indignity for the House of Representatives to be called upon to make this sort of gesture and say that a Federal agent can not do something that everybody on earth knows he can not do.

Mr. PARKER. Mr. Chairman, I simply want to call the attention of the gentleman from Texas to the fact that on page 5 of the Senate bill there is exactly the same provision.

Mr. RAYBURN. I am not supporting that provision of the Senate bill any more than I am supporting this one.

Mr. PARKER. But the gentleman complains that it is possible that there is an inference here that a Federal agent might do this. There is one thing certain; if we adopt this language, he can not do it.

Mr. DYER. They have done it.

Mr. PARKER. They can not do it if you adopt this section.

Mr. DYER. They have done it under other agencies where the prohibition agents have invaded the home without permission or any right of law.

Mr. PARKER. But they can not do it if you adopt this section.

Mr. PARKER. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. SWICK].

Mr. SWICK. Mr. Chairman and gentlemen of the committee, realizing the interest a great many Members of the House have in H. R. 17116, which I had the honor to introduce and report back to the House with the favorable report of the Committee on World War Veterans' Legislation, I have asked for time to advise you just what I have done to secure its present consideration and the results of those efforts.

Since coming to Congress four years ago, I have endeavored to exert every possible effort in behalf of my disabled comrades of the World War, regardless of the source of their disabilities, also their dependent widows, orphans, and parents, and am happy to know that at least a part of this group have been taken care of to a certain degree.

I have appeared before the Rules Committee and requested that this bill providing allowances for widows, orphans, and dependent parents of World War veterans be presented to this House for consideration before adjournment. In fairness to the gentlemen of that committee, I wish to state that without exception they believe the provisions of the bill to be fair and equitable. However, they felt the financial structure of the country did not warrant the additional burden resulting from the enactment of this legislation at this time, especially in view of the large amount required to finance the increased loan values placed on adjusted-service certificates under the so-called bonus act.

It is with sincere sorrow that I confess the impossibility of providing for the welfare of those who are most dear to the hearts of every veteran, and I believe the great majority of veterans would gladly have forfeited their claim for increased loans had they understood the situation.

God willing, I shall be a Member of the next Congress, and I pledge myself to offer this bill on the opening day of the session, confident that it represents the desires of every Member of this House and every veteran and citizen, and that I shall expend every effort to secure its final enactment.

Mr. GREENWOOD. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Texas. I think as he does. All of us recognize that there is no constitutional authority for a Federal agent entering the home, but nevertheless there has been considerable criticism of the administration of previous Federal laws in regard to agents violating constitutional rights. Inasmuch as criticism has arisen and inasmuch as there may have been agents who did not interpret their duties correctly, I think it is advisable to write into the act so that there can be absolutely no doubt that no agent would assume to violate any constitutional right and which he might think the law justified. When the law is written into the section no Federal agent would assume to have any authority under the statute under which he is operating, and it would absolutely nullify any assumption he might have that he could enter the home without the consent of the parent or guardian. I think it ought to be left in the statute. It will be an answer not only to the radio speech but to thousands of other speeches and criticisms that have been made elsewhere.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. RAYBURN], to strike out section 7.

The question was taken; and on a division (demanded by Mr. RAYBURN) there were 14 ayes and 130 noes.

So the amendment was rejected.

The CHAIRMAN. The question is on adopting the committee amendment offered as a substitute.

The question was taken, and the committee amendment was agreed to.

Mr. PARKER. Mr. Chairman, I ask unanimous consent that the further reading of the Senate bill be dispensed with and the remaining sections of the Senate bill be stricken out.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the further reading of the Senate bill be dispensed with and that all the remaining sections be stricken out. Is there objection?

There was no objection.

The CHAIRMAN. Under the rule, the committee having adopted the committee amendment in the nature of a substitute, the committee will now rise.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. STAFFORD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes, having completed the consideration of the bill, reported it back with one

amendment, with the recommendation that the amendment be agreed to and the bill as amended do pass.

The SPEAKER. Under the rule, the previous question is ordered. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be read a third time; and was read the third time and passed.

On motion of Mr. PARKER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate insists upon its amendments to the bill (H. R. 17163) entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1931, and June 30, 1932, and for other purposes," 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. JONES, Mr. SMOOT, Mr. HALE, Mr. GLASS, and Mr. MCKELLAR to be the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 17071. An act granting the consent of Congress to the State Highway Department of Pennsylvania to construct, maintain, and operate a free highway bridge across the Mahoning River near New Castle, Lawrence County, Pa.

The message also announced that the Senate having proceeded to reconsider the bill (H. R. 17054) entitled "An act to increase the loan basis of adjusted-service certificates." returned by the President of the United States to the House of Representatives, in which it originated, with his objections, and passed by the House on a reconsideration of the same, it was—

Resolved, That the bill pass, two-thirds of the Senators present having voted in the affirmative.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2268. An act for the relief of Tom Small;

S. 2350. An act providing for the improvement and extension of the game breeding and refuge areas in the Wichita National Forest and Game Preserve in the State of Oklahoma, and authorizing appropriations therefor;

S. 3016. An act to authorize an appropriation for the purchase of land in South Dakota for use as camp sites or rifle ranges for the National Guard of said State;

S. 3230. An act conferring jurisdiction upon the Court of Claims of the United States to hear, adjudicate, and render judgment on the claim of Hazel L. Fauber, as administratrix, C. T. A., under the last will and testament of William Harrison Fauber, deceased, against the United States, for the use or manufacture, of inventions of William Harrison Fauber, deceased;

S. 3924. An act for the relief of the First State Bank & Trust Co., of Mission, Tex.;

S. 4698. An act amending the act entitled "An act making eligible for retirement, under certain conditions, officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War," approved May 24, 1928;

S. 4775. An act to provide for the incorporation of credit unions within the District of Columbia;

S. 5039. An act authorizing the Secretary of the Treasury to convey certain land to the city of Asheville, N. C., for park and street purposes;

S. 5408. An act for the relief of Kate M. Hays, Nancy H. Rouse, Clara H. Simmons, W. H. Hays, Hallie H. Hamilton, and Bradford P. Hays;

S. 5455. An act to authorize an additional appropriation of $7,500 for the completion of the acquisition of land in the vicinity of and for use as a target range in connection with Fort Ethan Allen, Vt.;

S. 5503. An act authorizing purchase of land and construction of building for radio station near Grand Island, Nebr.;

S. 5616. An act to amend an act entitled "An act to provide for the creation of the Colonial National Monument in the State of Virginia, and for other purposes," approved July 3, 1930;

S. 5753. An act authorizing the Secretary of Agriculture to issue permit to the Izaak Walton League of America to enter the Wichita National Forest and Game Preserve to make and submit plans for the development of a memorial commemorating the achievements of said Izaak Walton League of America;

S. 5781. An act granting to the commissioners of Lincoln Park the right to erect a breakwater in the navigable waters of Lake Michigan, and transferring jurisdiction over certain navigable waters of Lake Michigan to the commissioners of Lincoln Park;

S. 5912. An act authorizing the reimbursement of Edward B. Wheeler and the State Investment Co. for the loss of certain lands in the Mora Grant, New Mexico;

S. 6128. An act to amend sections 17 and 27 of the general leasing act of February 25, 1920 (41 Stat. 437; U. S. C., title 30, secs. 184 and 226), as amended; and

S. 6203. An act to increase the amount authorized to be appropriated for the expenses of participation by the United States in the international hygiene exhibition at Dresden, Germany.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16969) entitled "An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1932, and for other purposes," and concurs in the amendments of the House to the amendments of the Senate numbered 7, 12, 16, and 17 to said bill.

VOCATIONAL EDUCATION AND REHABILITATION BILL

Mr. DAVILA. Mr. Speaker, I ask unanimous consent to extend by remarks in the RECORD on the Porto Rican bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. DAVILA. Mr. Speaker, this bill provides for the citizens of the United States resident in Porto Rico encouragement and financial aid for vocational education and vocational rehabilitation in the same proportion that the 48 States and the Territory of Hawaii now receive such assistance from the Federal Government.

It authorizes annual appropriations for Porto Rico of $120,000, with its population of 1,543,913. The State of Maryland, with a population of 1,631,526, will receive $124,674.54 for similar purposes in 1932, and the State of Washington, with 1,563,396 population, will receive $119,214.62. I cite these figures merely to show that Porto Rico will share with the States in these benefits on an equitable basis proportional to its population.

Porto Rico is poor. Its people need all the help that they can get which will help them to help themselves. Money used for vocational training is not an expenditure—it is an investment. It is an investment in the same way that money spent by the farmer for fertilizer is an investment. Porto Rico is now an important customer for goods produced in the States. With an increase in the earning power of its people it will become a better and more profitable customer with more money to spend and more capacity to do business with the rest of the country.

The fact should not be lost sight of that the people of Porto Rico are citizens of the United States. They can, therefore, seek the help they need only from the Government of the United States.

Porto Rico is principally an agricultural country, but, generally speaking, our farmers have not as yet been sufficiently trained in the modern methods of agriculture.

Even with the most complete development of agriculture there would be insufficient land to meet the needs of the present population, and while a sound program of vocational training in agriculture would do much to improve the situa-

tion there would still be many thousands of workers who must find employment in industry if they are to work at all. New industries must, therefore, be established to give work to these thousands. Such a program can be helped along in most important ways through a sound program of industrial education.

The people need instruction in health habits and food requirements. Much improvement in living conditions in the homes is imperative. This improvement can be hastened through a sensible practical program of training in home economics.

Many persons, young and old, in Porto Rico are disabled due to accidents, disease, and lack of medical attention. The proportion of indigent people is all too large. The burden on the public is now too heavy and is becoming heavier daily. A program of vocational rehabilitation for disabled civilians, such as has demonstrated its practicability in the States for the past 10 years, will provide help in that direction.

We need to develop the human and natural resources of the island. This can be done by the application of human intelligence and skill in the several activities inherent to a program of vocational education. We need efficient and skillful workers on the farms, in industrial and trade occupations, and a good education at home, which will prepare our citizens for the work to be done in other fields.

I believe that the approval of this bill would be very helpful in the development of the resources of the country. To carry out this program, the assistance of the Federal administration is most valuable, as we do not have sufficient funds to defray all the expenses of this work. It is our ambition to make of Porto Rico a self-supporting country, by the promotion of agriculture, industry, and commerce, by raising the standard of living of the people, by improving home conditions with healthy families and practical knowledge of food requirements, and by building up a good and efficient citizenship.

May I repeat—we are requesting the passage of this bill simply as a matter of justice to the million and a half American citizens who live in Porto Rico. That they have cheerfully assumed the obligations of United States citizens is shown by their record of service during the World War. Let us make them feel that the Congress has recognized that they are entitled to the privileges of citizenship in fact as well as in theory.

ELECTION TO A COMMITTEE

Mr. TILSON. Mr. Speaker, I offer the following resolution, which I send to the desk.

The Clerk read as follows:

House Resolution 384

Resolved, That DAVID HOPKINS, of Missouri, be, and is hereby, elected a member of the Committee on Insular Affairs.

The resolution was agreed to.

VETERANS' ADJUSTED-SERVICE CERTIFICATES VETO MESSAGE

Mr. TILSON. Mr. Speaker, I understand that the message of the President yesterday, vetoing the veterans' adjusted service certificates bill, was not ordered printed. I ask unanimous consent that the message be printed as a House document as usual.

The SPEAKER. Is there objection?

There was no objection.

THE NATIONAL GUARD

Mr. JAMES of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 12918, as amended.

Mr. COLLINS. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman withhold that for a minute?

Mr. COLLINS. Yes.

Mr. LAGUARDIA. Mr. Speaker, a parliamentary inquiry. Do I understand that the Speaker is going to recognize the gentleman from Michigan on the National Guard bill and not the gentleman from California on the labor bill?

The SPEAKER. Yes.

Mr. GARNER. Mr. Speaker, I suggest to the gentleman from Michigan that we defer his matter until to-morrow. There is a meeting of the House to-night to consider bills on the Private Calendar. The gentleman's bill is a controverted bill and will take the full time of debate allowed under the motion to suspend.

Mr. JAMES of Michigan. I have been waiting around here for a week to be recognized by the Speaker, and now when he does recognize me I am prepared to go on with my motion.

Mr. GARNER. I suggest to the Speaker, in view of the fact there is a meeting at 8 o'clock to-night for the consideration of bills on the Private Calendar, that to-morrow morning the same suspension could be had.

Mr. RAMSEYER. Mr. Speaker, I suggest that rather than run late to-night on this matter, we meet an hour earlier to-morrow.

Mr. GARNER. I would have no objection to that.

HOUR OF MEETING TO-MORROW

Mr. TILSON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. Is there objection?

Mr. JAMES of Michigan. Reserving the right to object, Mr. Speaker, will not the gentleman couple with that that the Speaker recognize me at that time?

Mr. TILSON. I can not limit the Speaker's power in that direction.

The SPEAKER. Is there objection?

There was no objection.

ORDER OF BUSINESS

The SPEAKER. A number of requests made to the Chair the Chair thinks ought to be granted to-night before we take a recess, such as taking bills from the Speaker's table. Also, the Chair will say that in default of anything that may occur in the morning of which he has no knowledge now, his preference would be to first recognize the gentleman from Michigan to suspend the rules, but, of course, the Chair can make no definite promise.

JUNIPERO SERRA AND THOMAS STARR KING

Mr. LUCE. Mr. Speaker, I ask unanimous consent for the present consideration of a concurrent resolution, Senate Concurrent Resolution 40.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent for the present consideration of a Senate concurrent resolution, which the Clerk will report.

The Clerk read the Senate concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the statues of Junipero Serra and Thomas Starr King, presented by the State of California to be placed in Statuary Hall, are accepted in the name of the United States, and that the thanks of Congress be tendered said State for the contribution of the statues of these eminent men, illustrious for their distinguished services as pioneer patriots of said State.

Resolved further, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of California.

The SPEAKER. Is there objection?

There was no objection.

The concurrent resolution was agreed to.

FORT BERTHOLD INDIAN RESERVATION, N. DAK.

Mr. SINCLAIR. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (S. J. Res. 226) authorizing the distribution of the judgment rendered by the Court of Claims to the Indians of the Fort Berthold Indian Reservation, N. Dak.

The SPEAKER. The gentleman from North Dakota [Mr. SINCLAIR] asks unanimous consent for the present consideration of a joint resolution, which the Clerk will report.

The Clerk read the Senate joint resolution, as follows:

Resolved, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to withdraw from the Treasury of the United States funds on deposit arising from the final judgment rendered by the Court of Claims in Docket No. B-449, entitled "The Indians of the Fort Berthold Indian Reservation in the State

of North Dakota, comprising the tribes known as the Arickarees, the Gros Ventres, and the Mandans, and the individual members thereof, *v.* the United States," and cause the total sum (less fees and expenses as fixed by the Court of Claims, which shall first be deducted and paid from the amount recovered) to be paid in pro rata shares to all members of the Arickaree, Gros Ventres, and Mandan Tribes of Indians who were alive and entitled to enrollment with such Indians on the date of said final judgment: *Provided,* That the said Secretary, under such rules and regulations as he may prescribe, shall cause to be paid, in cash, all shares due or belonging to competent Indians; and the shares of all other Indians, including minors, shall be deposited as Indian money in banks bonded and designated as depositaries for individual Indian moneys to remain subject to disbursement for the benefit of the Indians entitled thereto as are other individual Indian moneys under existing laws: *Provided further,* That the distribution herein authorized shall be made in two or more installments, in the discretion of the Commissioner of Indian Affairs, the first of which shall not exceed $200.

Mr. GARNER. Reserving the right to object, has a similar bill been reported from the Committee on Indian Affairs and is it on the calendar?

Mr. SINCLAIR. An identical bill has been reported and is on the calendar now.

Mr. GARNER. Was that a unanimous report from the Committee on Indian Affairs?

Mr. SINCLAIR. It was.

Mr. LEAVITT. It was. Yes.

The SPEAKER. Is there objection?

There was no objection.

The resolution 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.

RIO GRANDE FEDERAL IRRIGATION PROJECT

Mr. SIMMS. Mr. Speaker, I ask unanimous consent for the present consideration of a joint resolution (S. J. Res. 222) relating to the authority of the Secretary of the Interior to enter into a contract with the Rio Grande project.

The SPEAKER. The gentleman from New Mexico asks unanimous consent for the present consideration of a joint resolution, which the Clerk will report.

The Clerk read the joint resolution, as follows:

Resolved, etc., That nothing contained in the act approved May 28, 1928 (45 Stat. 785), entitled "An act extending the time of construction payments on the Rio Grande Federal irrigation project, New Mexico-Texas," shall be construed to deny authority to the Secretary of the Interior to enter into a contract with the Elephant Butte irrigation district of New Mexico and/or El Paso County Water Improvement district No. 1, of Texas, in accordance with the provisions of the act approved May 25, 1926 (44 Stat. 636), and/or the act approved December 5, 1924 (43 Stat. 672).

The SPEAKER. Is there objection?

Mr. GARNER. Reserving the right to object, is a similar bill on the calendar from the Committee on Irrigation?

Mr. SIMMS. Yes, sir. It bears the approval of the Committee on Irrigation in the House, and is now on the Speaker's table. It has been unanimously reported out of the committee.

Mr. GARNER. And a similar bill is on the calendar?

Mr. SIMMS. No, sir. The Senate bill was handled in the Committee on Irrigation, and is now on the Speaker's table.

Mr. GARNER. The Senate bill was unanimously reported by the Committee on Irrigation?

Mr. SIMMS. Yes, sir.

The SPEAKER. The Chair always understands before Members are recognized that either a Senate bill is on the Speaker's table and on the House Calendar or that the Senate bill has been referred to a committee and reported out. In other words, the Chair wants to be sure that some committee has had an opportunity to consider the bill.

Mr. GARNER. I congratulate the Chair on his precaution.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

The resolution 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.

CONTROL OF PREDATORY AND OTHER WILD ANIMALS

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9599) to authorize the Secretary of Agriculture to carry out his 10-year cooperative program for the eradication, suppression, or bringing under control of predatory and other wild animals injurious to agriculture, horticulture, forestry, animal husbandry, wild game, and other interests, and for the suppression of rabies and tularemia in predatory or other wild animals, and for other purposes, with a Senate amendment, and agree to the Senate amendment.

The SPEAKER. Is there objection?

There was no objection.

The Clerk reported the bill by title and read the Senate amendment, as follows:

Page 2, line 12, after "with," insert "States."

The Senate amendment was agreed to.

CROW TRIBE OF INDIANS

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 6099) authorizing the Secretary of the Interior to change the classification of Crow Indians, a similar House bill being on the Union Calendar.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, under such rules and regulations as he may prescribe, to change the classification of any Crow Indian under the act of June 4, 1920 (41 Stat. L. 751), from incompetent to competent on the recommendation of a committee appointed for the purpose in accordance with section 12 of said act.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

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.

BLACKFEET TRIBE OF INDIANS

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 6136) for the enrollment of children born after December 30, 1919, whose parents, or either of them, are members of the Blackfeet Tribe of Indians in the State of Montana, and for other purposes, an identical bill being on the House Calendar.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That for six months after the approval hereof the Secretary of the Interior shall receive applications for the enrollment of children born since December 30, 1919, and still living at the expiration of six months after the approval of this act, one or both of whose parents have been enrolled as members of the Blackfeet Tribe of Indians, of the Blackfeet Indian Reservation in the State of Montana; and for the purpose of enrollment under this section illegitimate children shall take the status of the mother, and said rolls shall be made and approved by the Secretary of the Interior within one year after the approval of this act, and when so approved shall be conclusive evidence of the right of such applicants to participate in the benefits provided by this act.

SEC. 2. All persons enrolled under the provisions of the first section hereof shall be entitled to participate in the distribution of only such tribal property, benefits, or money, as may be hereafter distributed.

The SPEAKER. Is there objection?

Mr. GARNER. Reserving the right to object, Mr. Speaker, this is another Indian bill. I think there has been more Indian legislation at this short session of Congress than there has ever been in the past 25 years. The President had to veto one of those bills. Now another proposition is brought up here. I do not know a thing on earth about it, and I venture there are not a half dozen men in the House who know anything about it. There seems to be an agreement on each side of the House that all the Indian legislation that will ever be necessary should be passed at this session of Congress. Is this a unanimous report?

Mr. LEAVITT. There is a favorable report from the department and the Budget, and it was unanimously reported by the committee.

Mr. GARNER. I just wanted to make this observation, that there is a plethora of Indian legislation at this session of Congress. I suppose it is all right.

Mr. BLANTON. Further reserving the right to object, and supplementing what the minority leader has said, there is an interlocking directorate between the Indian Affairs Committee and the Public Lands Committee and the Committee on Irrigation of Arid Lands, aided and abetted by the distinguished gentleman from Nebraska [Mr. SIMMONS], on the Appropriations Committee, and God knows how we are going to stop this legislation. They just bring their various bills in here voluminously. You can not stop it.

Mr. LEAVITT. It is all good legislation.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

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.

CROW INDIANS OF MONTANA

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 6098, relating to the adoption of minors by the Crow Indians of Montana, an identical bill being on the House calendar.

The SPEAKER. The gentleman from Montana asks unanimous consent for the present consideration of Senate bill 6098, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter no person shall be recognized as an adopted heir of a deceased Indian of the Crow Tribe of Indians of Montana unless said adoption shall have been by a judgment or decree of a State court, or by a written adoption approved by the superintendent of the Crow Indian Agency and duly recorded in a book kept by him for such purpose: *Provided*, That adoption by Indian custom made prior to the date of approval hereof involving probate proceedings now in process of consummation, shall not be affected by this act.

The SPEAKER. Is there objection?

There was no objection.

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.

A similar House bill was laid on the table.

TENTH OLYMPIC GAMES

Mr. JAMES of Michigan. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 5715, to authorize the attendance of personnel and animals of the Regular Army as participants in the Tenth Olympic Games.

The SPEAKER. The gentleman from Michigan asks unanimous consent for the present consideration of Senate bill 5715, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to direct the training and attendance of personnel and animals of the Regular Army as participants in the Tenth Olympic Games: *Provided*, That all expenses incident to training, attendance, and participation in the Tenth Olympic Games, including the use of such supplies, material, and equipment as in the opinion of the Secretary of War may be necessary, may be charged to the appropriations for the support of the Army: *Provided further*, That applicable allowances which are or may be fixed by law or regulations for participation in other military activities shall not be exceeded.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I want to ask the gentleman if he is sure that none of the provisions of this bill will destroy the amateur status of these athletes.

Mr. JAMES of Michigan. It only applies, as far as I know, to members of the Army.

Mr. LAGUARDIA. I know, but they must have an amateur status.

Mrs. KAHN. Not in the Olympic games.

Mr. LAGUARDIA. I understood Thorpe was disqualified once because he participated in these games.

Mr. BACON. No; I do not think so.

Mrs. KAHN. This is the first time the Olympic games have been held in the United States.

The SPEAKER. Is there objection?

Mr. COLLINS. Mr. Speaker, I object.

ALLOWANCES OF THE COMMISSIONED AND ENLISTED PERSONNEL OF THE ARMY, NAVY, MARINE CORPS, COAST GUARD, COAST AND GEODETIC SURVEY, AND PUBLIC HEALTH SERVICE

Mr. JAMES of Michigan. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 17, to amend section 12 of the act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922, as amended.

The SPEAKER. The gentleman from Michigan asks unanimous consent for the present consideration of Senate bill 17, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That the first paragraph of section 12 of the act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922, as amended by the act of June 1, 1926 (44 Stat. L. 680; title 37, U. S. C. 2069, sec. 20), be, and the same is hereby, further amended by adding thereto the following proviso, to wit: "*Provided*, That for travel by air under competent orders on duty without troops, under regulations to be prescribed respectively by the heads of the departments concerned, members (including officers, warrant officers, contract surgeons, enlisted men, flying cadets, and members of the Nurse Corps) of the services mentioned in the title of this act, and of the legally constituted reserves of said services while on active duty, and of the National Guard while in Federal service, or while participating in exercises, or performing duties under section 92, 94, 97, or 99 of the national defense act, shall, in lieu of mileage or other travel allowances, be allowed and paid their actual and necessary traveling expenses not to exceed $8 per day, or, in lieu thereof, per diem allowances at rates not to exceed $6 per day.

SEC. 2. That the proviso in the act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, authorizing payment of actual and necessary expenses only to officers of the Army and contract surgeons when traveling by air on duty without troops (41 Stat. L. 109; title 10 U. S. C. 197, sec. 750), and all other laws and parts of laws in so far as the same are in conflict with this act, are hereby repealed; but nothing herein shall be construed to repeal or modify the provisions of section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1925 (43 Stat. L. 1190; title 34 U. S. C. 1141, sec. 893).

With the following committee amendment:

Page 2, line 18, after the word "day," insert "and in formulating regulations the heads of departments shall take into consideration the actual time consumed in travel, the distance covered in travel, and the obstacles and interruption encountered in travel."

The SPEAKER. Is there objection?

Mr. COLLINS. Mr. Speaker, reserving the right to object, if an officer is out, say, seven hours in a plane, would he receive the per diem allowance?

Mr. JAMES of Michigan. He would not.

Mr. COLLINS. What are the hours out required?

Mr. JAMES of Michigan. We had that before our committee this morning, and we ascertained it must be practically a full day before it would come under the present regulations.

Mr. COLLINS. I had understood from a member of the Military Affairs Committee that if a pilot were out for a longer period than six hours he was entitled to the per diem allowance.

Mr. JAMES of Michigan. It does not apply to the Air Corps at all at the present time. It is the only branch of the service to which it does not apply.

Mr. COLLINS. I am trying to find out the length of time that a pilot must be out before he can draw the per diem allowance.

Mr. LAGUARDIA. Does the gentleman mean out in a plane or away from his station?

Mr. JAMES of Michigan. These are the regulations:

For absences from station wholly between the hours of 8 a. m. and 6 p. m. of the same day, or wholly between the hours of 7 p. m. and midnight of the same day, neither reimbursement of actual expenses nor payment of per diem allowances in lieu thereof is authorized.

Mr. COLLINS. In other words, it is 12 hours.

Mr. JAMES of Michigan. Yes.

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object—and I do not intend to object, because I do not know anything about this bill—I want to suggest that we should not consider any other legislation to-night, in view of the fact that it is now after 6 o'clock and there is to be a meeting to-night at 8 o'clock. These gentlemen are entitled to get their meals, and therefore there will be no legislation to-night without a quorum. I want to give that notice now so there will be no trouble about it.

Mr. CABLE. Will the gentleman withhold his objection?

Mr. GARNER. No. I am giving notice now that there will be no further legislation transacted without a quorum.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER. The question is on the committee amendment.

Mr. JAMES of Michigan. Mr. Speaker, when this matter was considered by the Military Affairs Committee this morning it was decided that the amendment should be rejected because it is unnecessary, owing to the fact that the matter is covered by regulation. I therefore ask that the amendment be voted down.

The committee amendment was rejected.

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.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BRUNNER, on account of illness.

To Mr. DOUGLAS of Arizona, for to-morrow, on account of important business.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and under the rule referred as follows:

S. 314. An act relating to the payment of advance wages and allotments in respect of seamen on foreign vessels and making further provision for carrying out the purposes of the seamen's act, approved March 4, 1915; to the Committee on the Merchant Marine and Fisheries.

S. 1444. An act for the conservation of rainfall in the United States; to the Committee on Agriculture.

S. 2268. An act for the relief of Tom Small; to the Committee on Claims.

S. 2350. An act providing for the improvement and extension of the game breeding and refuge areas in the Wichita National Forest and Game Preserve in the State of Oklahoma, and authorizing appropriations therefor; to the Committee on Agriculture.

S. 3016. An act to authorize an appropriation for the purchase of land in South Dakota for use as camp sites or rifle ranges for the National Guard of said State; to the Committee on Military Affairs.

S. 3032. An act for the relief of Commander Francis James Cleary, United States Navy; to the Committee on Naval Affairs.

S. 3467. An act authorizing the construction of a drainage channel in the closed basin of the San Luis Valley in Colorado, authorizing investigation of reservoir sites, and for other purposes; to the Committee on Irrigation and Reclamation.

S. 3565. An act for the relief of certain purchasers of lots in Harding town site, Florida; to the Committee on the Public Lands.

S. 4260. An act for the relief of the American-La France & Foamite Corporation of New York; to the Committee on Claims.

S. 4698. An act amending the act entitled "An act making eligible for retirement, under certain conditions, officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War," approved May 24, 1928; to the Committee on World War Veterans' Legislation.

S. 4775. An act to provide for the incorporation of credit unions within the District of Columbia; to the Committee on the District of Columbia.

S. 4908. An act for the relief of certain officers of the Dental Corps of the United States Navy; to the Committee on Naval Affairs.

S. 5172. An act for the construction of a reservoir in the Little Truckee River, Calif., and for such dams and other improvements as may be necessary to impound the waters of Webber, Independence, and Donner Lakes, and for the further development of the water resources of the Truckee River; to the Committee on Irrigation and Reclamation.

S. 5408. An act for the relief of Kate M. Hays, Nancy H. Rouse, Clara H. Simmons, W. H. Hays, Hallie H. Hamilton, and Bradford P. Hays; to the Committee on Claims.

S. 5503. An act authorizing purchase of land and construction of building for radio station near Grand Island, Nebr.; to the Committee on Merchant Marine and Fisheries.

S. 5545. An act to amend an act approved February 24, 1925, entitled "An act to provide for the construction of a memorial bridge across the Potomac River from a point near the Lincoln Memorial, in the city of Washington, to an appropriate point in the State of Virginia, and for other purposes"; to the Committee on Public Buildings and Grounds.

S. 5614. An act to provide for the establishment of a construction service in the Bureau of the Census of the Department of Commerce; to the Committee on the Census.

S. 5644. An act to amend the act entitled "An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington," approved May 23, 1928, as amended; to the Committee on Roads.

S. 5753. An act authorizing the Secretary of Agriculture to issue permit to the Izaak Walton League of America to enter the Wichita National Forest and Game Preserve to make and submit plans for the development of a memorial commemorating the achievements of said Izaak Walton League of America; to the Committee on Agriculture.

S. 5833. An act to amend an act entitled "An act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act entitled 'An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,' approved July 2, 1862, and all acts supplementary thereto, and the United States Department of Agriculture," approved May 22, 1928 (U. S. C. Supp. III, title 7, secs. 343a, 343b); to the Committee on Agriculture.

S. 5867. An act to amend chapter 15 of the Code of Law for the District of Columbia; to the Committee on the District of Columbia.

S. 5912. An act authorizing the reimbursement of Edward B. Wheeler and the State Investment Co. for the loss of certain lands in the Mora Grant, New Mexico; to the Committee on Claims.

S. 6097. An act for the construction and equipment of a hospital on Crow Indian Reservation; to the Committee on Indian Affairs.

S. 6155. An act authorizing the acceptance by the Administrator of Veterans' Affairs of certain lands in Biloxi, Miss., as a site for a branch home of the National Home for Disabled Volunteer Soldiers; to the Committee on Military Affairs.

S. 6160. An act to remove certain restrictions on the expenditure of funds on the distribution system, Pilot Butte division, Riverton reclamation project, Wyoming; to the Committee on Irrigation and Reclamation.

S. 6203. An act to increase the amount authorized to be appropriated for the expenses of participation by the United States in the international hygiene exhibition at Dresden, Germany; to the Committee on Foreign Affairs.

S. 6204. An act prescribing regulations for carrying on the business of lighter service from any of the ports of the United States to stationary ships or barges located offshore, and for the purposes of promoting the safety of navigation; to the Committee on the Merchant Marine and Fisheries.

S. 6206. An act to provide for conveyance of a portion of the Liston Range Rear Lighthouse Reservation, New Castle County, State of Delaware, for highway purposes; to the Committee on the Merchant Marine and Fisheries.

S. 6218. An act granting permission to Harold I. June to transfer to the Fleet Reserve of the United States Navy; to the Committee on Naval Affairs.

S. 6225. An act granting an increase of pension to Jessie R. Greene; to the Committee on Pensions.

S. J. Res. 112. Joint resolution concerning a bequest made to the Government of the United States by S. A. Long, late of Shinnston, W. Va.; to the Committee on Claims.

S. J. Res. 194. Joint resolution authorizing and directing the Comptroller General of the United States to reopen, adjust, and settle the accounts of the city of Baltimore for advances made by the city in 1863 for the construction of works of defense, and for other purposes; to the Committee on the Judiciary.

S. J. Res. 244. Joint resolution to extend the statute of limitations, and for other purposes; to the Committee on Ways and Means.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 7. An act to amend sections 4, 6, 8, 9, 10, 11, 12, 25, 29, and 30 of the United States warehouse act, approved August 11, 1916, as amended;

H. R. 305. An act for the relief of Northern Trust Co., the trustee in bankruptcy of the Northwest Farmers Cooperative Dairy & Produce Co., a corporation, bankrupt;

H. R. 395. An act for the relief of Alfred Chapleau;

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

H. R. 752. An act for the relief of Wesley B. Johnson;

H. R. 921. An act for the relief of Andrew Kline;

H. R. 922. An act for the relief of William S. Murray;

H. R. 923. An act for the relief of Louis J. Stroud;

H. R. 925. An act for the relief of George Curren;

H. R. 1429. An act for the relief of Thomas Barrett;

H. R. 1610. An act for the relief of Norman Dombris;

H. R. 1891. An act for the relief of Vincent Baranasies;

H. R. 3255. An act for the relief of Sylvester S. Thompson;

H. R. 3256. An act for the relief of David F. Richards, otherwise known as David Richards;

H. R. 3643. An act for the relief Alfred W. Mayfield;

H. R. 7555. An act for the relief of Andrew Markhus;

H. R. 9245. An act for the relief of Davis, Howe & Co.;

H. R. 9564. An act for the relief of Thomas W. Bath;

H. R. 9674. An act to amend an act to parole United States prisoners, and for other purposes, approved June 25, 1910;

H. R. 10635. An act for the relief of the Robins Dry Dock & Repair Co.;

H. R. 10676. An act to provide for the special delivery and the special handling of mail matter;

H. R. 11015. An act to provide an appropriation for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926;

H. R. 14680. An act to authorize the attendance of the Marine Band at the Spanish-American War veterans' convention at New Orleans;

H. R. 15063. An act to authorize the Secretary of War to reconvey to the State of New York a portion of the land comprising the Fort Ontario Military Reservation, N. Y.;

H. R. 15258. An act to permit the development of certain valuable mineral resources in certain lands of the United States;

H. R. 15496. An act to authorize the Commissioners of the District of Columbia to transfer to the trustees of Howard University title to certain property in the District of Columbia;

H. R. 15591. An act granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a bridge across the Mississippi River at or near Brainerd, Minn.;

H. R. 15594. An act authorizing the construction of a bridge across the Mahoning River at Edinburg, Lawrence County, Pa.;

H. R. 15767. An act to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near St. Francisville, Mo.;

H. R. 15860. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge across the Fox River east of Serena in La Salle County, Ill., between sections 20 and 29, township 35 north, range 5 east, third principal meridian;

H. R. 15861. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Lansing, Iowa;

H. R. 15862. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Emlenton, Venango County, Pa.;

H. R. 15865. An act for the retirement of employees of the Panama Canal and the Panama Railroad Co., on the Isthmus of Panama, who are citizens of the United States;

H. R. 15869. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebr.;

H. R. 16113. An act to extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near Hastings, Minn.;

H. R. 16302. An act to authorize an investigation with respect to the construction of a dam or dams across the Owyhee River, or other streams within or adjacent to the Duck Valley Indian Reservation, Nev., and for other purposes;

H. R. 16471. An act to extend the times for commencing and completing the construction of a bridge across the St. Clair River at or near Port Huron, Mich.;

H. R. 16561. An act granting the consent of Congress to the department of public works of the Commonwealth of Massachusetts to construct, maintain, and operate a free highway bridge across the Connecticut River at or near Erving, Mass.;

H. R. 16691. An act permitting the laying of a conduit across E and F Streets SW., in the District of Columbia;

H. J. Res. 153. Joint resolution to correct section 6 of the act of August 30, 1890, as amended by section 2 of the act of June 28, 1926;

H. J. Res. 192. Joint resolution extending the provisions of sections 1, 2, 6, and 7 of the act of Congress entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor," to the Territory of Porto Rico; and

H. J. Res. 250. Joint resolution to print annually as separate House documents the proceedings of the National Encampment of the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, and the Disabled American Veterans of the World War.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1072. An act for the relief of Gabriel Roth;

S. 2643. An act to amend the joint resolution establishing the George Rogers Clark Sesquicentennial Commission, approved May 23, 1928;

S. 4750. An act to authorize alterations and repairs to certain naval vessels; and

S. 6171. An act to regulate the prescribing and use of waters from the Hot Springs National Park at Hot Springs, Ark., and for other purposes.

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 and joint resolutions of the House of the following titles:

H. R. 7. An act to amend sections 4, 6, 8, 9, 10, 11, 12, 25, 29, and 30 of the United States warehouse act, approved August 11, 1916, as amended;

H. R. 305. An act for the relief of Northern Trust Co., the trustee in bankruptcy of the Northwest Farmers' Cooperative Dairy & Produce Co., a corporation, bankrupt;

H. R. 395. An act for the relief of Alfred Chapleau;

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

H. R. 752. An act for the relief of Wesley B. Johnson;

H. R. 921. An act for the relief of Andrew Kline;

H. R. 922. An act for the relief of William S. Murray;

H. R. 923. An act for the relief of Louis J. Stroud;

H. R. 925. An act for the relief of George Curren;

H. R. 1429. An act for the relief of Thomas Barrett;

H. R. 1610. An act for the relief of Norman Dombris;

H. R. 1891. An act for the relief of Vincent Baranasies;

H. R. 3255. An act for the relief of Sylvester S. Thompson;

H. R. 3256. An act for the relief of David F. Richards otherwise known as David Richards;

H. R. 3643. An act for the relief of Alfred W. Mayfield;

H. R. 7555. An act for the relief of Andrew Markhus;

H. R. 9245. An act for the relief of Davis, Howe & Co.;

H. R. 9564. An act for the relief of Thomas W. Bath;

H. R. 9674. An act to amend an act to parole United States prisoners, and for other purposes, approved June 25, 1910;

H. R. 10635. An act for the relief of the Robins Dry Dock & Repair Co.;

H. R. 10676. An act to provide for the special delivery and the special handling of mail matter;

H. R. 11015. An act to provide an appropriation for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926;

H. R. 14680. An act to authorize the attendance of the Marine Band at the Spanish-American War veterans' convention at New Orleans;

H. R. 15063. An act to authorize the Secretary of War to reconvey to the State of New York a portion of the land comprising the Fort Ontario Military Reservation, N. Y.;

H. R. 15258. An act to permit the development of certain valuable mineral resources in certain lands of the United States;

H. R. 15496. An act to authorize the Commissioners of the District of Columbia to transfer to the trustees of Howard University title to certain property in the District of Columbia;

H. R. 15591. An act granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a bridge across the Mississippi River at or near Brainerd, Minn.;

H. R. 15594. An act authorizing the construction of a bridge across the Mahoning River at Edinburg, Lawrence County, Pa.;

H. R. 15767. An act to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near St. Francisville, Mo.;

H. R. 15860. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge across the Fox River east of Serena in La Salle County, Ill., between sections 20 and 29, township 35 north, range 5 east, third principal meridian;

H. R. 15861. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Lansing, Iowa;

H. R. 15862. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Emlenton, Venango County, Pa.;

H. R. 15865. An act for the retirement of employees of the Panama Canal and the Panama Railroad Co., on the Isthmus of Panama, who are citizens of the United States;

H. R. 15869. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebr.;

H. R. 16113. An act to extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near Hastings, Minn.;

H. R. 16302. An act to authorize an investigation with respect to the construction of a dam or dams across the Owyhee River or other streams within or adjacent to the Duck Valley Indian Reservation, Nev., and for other purposes;

H. R. 16471. An act to extend the times for commencing and completing the construction of a bridge across the St. Clair River at or near Fort Huron, Mich.;

H. R. 16561. An act granting the consent of Congress to the Department of Public Works of the Commonwealth of Massachusetts, to construct, maintain, and operate a free highway bridge across the Connecticut River at or near Erving, Mass.;

H. R. 16691. An act permitting the laying of a conduit across E and F Streets SW. in the District of Columbia;

H. J. Res. 153. Joint resolution to correct section 6 of the act of August 30, 1890, as amended by section 2 of the act of June 28, 1926;

H. J. Res. 192. Joint resolution extending the provisions of sections 1, 2, 6, and 7 of the act of Congress entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor," to the Territory of Porto Rico; and

H. J. Res. 250. Joint resolution to print annually as separate House documents the proceedings of the National Encampment of the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, and the Disabled American Veterans of the World War.

RECESS

Mr. TILSON. Mr. Speaker, I move that the House now stand in recess until 8 o'clock p. m.

The motion was agreed to; accordingly (at 6 o'clock and 3 minutes p. m.) the House stood in recess until 8 o'clock p. m.

EVENING SESSION

The recess having expired, at 8 o'clock p. m. the House was called to order by the Speaker pro tempore, Mr. MAPES.

THE VETO MESSAGE ON SOLDIERS' LEGISLATION

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the veto message.

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

Mr. HASTINGS. Mr. Speaker, the message of the President, dated February 26, 1931, returning without approval H. R. 17054, an act to increase the loan basis of adjusted-service certificates, should be carefully analyzed and should receive a little more careful consideration.

Here are the facts: The Government acknowledges its indebtedness to the 3,397,000 veterans in the sum of approximately $3,426,000,000, or an average of about $1,000 each, payable in 1945.

Many of these veterans are walking the streets unemployed and both the veterans and their dependents are in deep distress. Surely they and their dependents will never experience any greater need for this money.

In this situation they find that the Government acknowledges its indebtedness to them in the above amount. Suppose any man in private life found himself in similar circumstances, in very great need of financial help, would he not at once turn to any person indebted to him and go to him for assistance. That is exactly what this bill permits these ex-service men to do. Of course the Government runs no risk in increasing the loan basis of the certificates to 50 per cent, and it is to the Government's financial advantage to make these loans at 4½ per cent to these ex-service men,

when everyone knows that the Government can refinance itself at 3 per cent or less. The Government has sold some short-time certificates at a rate of interest as low as 0.88 per cent, and we feel sure that the Government can secure funds upon longer periods at from 3 per cent to 3½ per cent interest, whereas the bill provides that the ex-service men shall pay 4½ on these loans.

The President in his message states:

> It is, therefore, urgent in any event that local committees continue relief to veterans.

Or in other words, it is better for a veteran to appeal to local committees for charity rather than make application to the Government for a loan giving as security the indebtedness, which the Government owes him, to be paid in 1945.

The President states:

> Inquiry indicates that such care is being given throughout the country, and it also indicates that the number of veterans in need of such relief is a minor percentage of the whole.

Though he states that there are certificates held by 3,397,000 veterans.

The only inference that can be drawn from the above quotation is that there is no depression.

Further on in his message the President urges that only the needy veterans should be given the privilege of making additional loans on their certificates. This is contrary to our governmental policy in dealing with veterans of all wars. Under our general pension laws we pension all soldiers without regard to their financial needs.

The President insists that—

> Adoption of the principle of aid to the rich or to those able to support themselves in itself sets up a group of special privilege among our citizens.

This statement is in conflict with the pension policy of our Government for the past 40 years.

The President argues that we take care of those who are ill, and calls attention to the annual expenditures in behalf of the ex-service men. This, of course, does not answer the question as to the large percentage of the 3,397,000 veterans who are unemployed and who are caught in the whirlpool of depression who want to ask for advances, using the Government's obligation due in 1945 as security.

I know of no method of bringing greater relief to more people than is involved in this bill. Ex-service men in every community and in every township and county throughout the United States will be enabled to secure additional loans from the Government, and this money will go into circulation in their various communities and will undoubtedly be of great benefit in stimulating business.

The President next urges that the wives and children of veterans will lose the future security afforded by these certificates for the reason that each certificate is an endowment-insurance policy.

We are not changing our policy with reference to these certificates. We are now permitting the veterans to borrow up to 22½ per cent upon them, and this bill only increases the loan value of the certificates up to 50 per cent. It will be seen, therefore, that there is no change in policy. Some of the wives and children of the ex-service men will never be in greater distress or more in need of financial assistance than at the present time.

The President argues that the patriotism of our people is spiritual and not material. That is quite true, but what application has that argument with 3,397,000 ex-service men to whom the Government acknowledges an indebtedness of $3,426,000,000, due in 1945, who are unemployed and in deep distress and who need financial aid, who make application to the Government for loans of 50 per cent of their adjusted-service certificates, paying the Government 4½ per cent interest per annum upon them, when the Government is enabled to make a profit of approximately 1½ per cent per annum interest on the amount loaned to these ex-service men.

The rate of interest should be reduced to not more than 3 per cent, and certainly to not above 4 per cent. The Government should not make a profit at the expense of these ex-service men.

During the consideration of the veto message of the President the majority leader advised the House that if the veto were sustained he would offer a bill and ask for its immediate consideration providing that the ex-service men holding these certificates and who are in financial need would be authorized to secure loans upon them from the Government.

This would require each ex-service man to make an inventory of all his property and subject him to a humiliating examination by a Government officer, to such an extent that there would be interminable delays and innumerable ex-service men, rather than go through the humiliating experience, would decline to make application for loans.

As I have stated this is wrong in principle as shown from our policy of giving pensions to all veterans coming within the provision of the several pension laws regardless of their financial condition.

The Government can easily finance itself and secure an adequate sum of money at a much lower rate of interest than is exacted of the ex-service men under the terms of this legislation.

I heartily favor the legislation and want to repeat and to emphasize that it is the practice and experience of everyone who finds himself in distress and in need of financial assistance, to go first to anyone who is indebted to him, for an advancement, and this is all this legislation does.

Of course, no one is justified in borrowing money who really does not need it, and no ex-service man should borrow money upon his certificate unless he is in real need of it, but where the Government owes the amount of the certificate and the security is therefore unquestioned, I have been unable to see any argument why the loan value of these certificates should not be increased from 22½ to 50 per cent.

We have already embarked upon a policy of making loans on these certificates, and this was done when there was no great financial depression, and now it is recognized that there is distress everywhere throughout the land and we should not hesitate to increase the loan value of these certificates.

The number of unemployed throughout the country is very great. Distress prevails generally. We can not close our eyes to the fact that a large number of people are in very great need of financial assistance. These veterans have the security of their certificates which they desire to offer for a loan, and they should not be humiliated and be compelled to accept charity so long as they desire to offer the best security in the world for additional loans to meet their pressing needs.

After hearing the veto message read and discussed, the House passed it by a vote of 328 to 79, and the Senate by a vote of 76 to 17. I am glad to learn that the first loan was made within two hours after the Senate voted on the veto, notwithstanding the majority leader predicted that it would require six months to eight months "to act upon the applications."

INSURING BANK DEPOSITS

Mr. HARE. Mr. Speaker, I ask unanimous consent to extend my remarks on Guarantee Bank Deposits.

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

Mr. HARE. Mr. Speaker, in order to meet the growing and ever-changing industrial business conditions, there have probably been more changes made in our State and National banking systems for the past 50 years than in any other business activity in the United States, although the fundamental necessity for their real stability and existence in these recent years of diversified business interests has been greater than at any time in our financial history. In the meantime, I doubt whether there is any well-established line of business that has experienced as great success and at the same time met with as many failures as the banking business. It may seem paradoxical to say that the system has made as much progress as any other line of business and at the same time met with as many or more failures, but this seems to be true.

During periods of prosperity our banking institutions have been sources of substantial incomes, but in periods of business depressions losses have been incalculable. However, there seems to be something inherent in the institution or system of banking that makes for permanency. That is, the service rendered to the public and to business generally seems to be indispensable. Some kind of a banking system is absolutely necessary, and it seems to be a reflection on the business ingenuity of the country to say that the system has not improved in stability or become sufficiently efficient in its operation as to avoid the ever-recurring losses to those who place their money in such institutions as an investment or for protection. If banking institutions under Government control and supervision are absolutely necessary and indispensable to the interest of the public and welfare of the people, it would seem foolish on the part of those responsible for their creation and maintenance not to perfect a system so as to give strength and security and prevent losses to the public.

WHY DEPOSITS SHOULD BE INSURED

I know that the statistics are usually looked upon as cold and lifeless expressions, but I realize that when properly analyzed and interpreted they are more convincing than mere words and present an argument just as telling and emphatic as a picture.

Therefore, in order to visualize the banking situation in the United States, it is well to make what we might call a statistical inventory of certain phases of banking operations during the past few years. Of course, we refer primarily to banking institutions operating under a system or systems provided for under acts of Congress.

At the close of the year, October 31, 1930, the report to the Comptroller of the Currency shows there were 7,218 national banking associations in existence, or a reduction of about 4 per cent as compared with the corresponding date on the previous year.

In November, 1914, when the Federal reserve system was inaugurated, there were at that time 7,578 national banks with an aggregate capital of $1,072,492,175 as compared with the total capitalization, $1,748,495,692 for the 7,218 national banks in operation October 31, 1930. That is, there seems to have been a reduction in the number of national banking institutions of approximately 5 per cent in the 16 years, 1914 to 1930; whereas in the meantime there was an increase in the capitalization of approximately 63 per cent. The report shows further that during the 16-year period charters were issued for the creation of 2,846 national banks, whereas during the same period 3,206 were voluntarily or otherwise closed.

According to the report issued by the Federal Reserve Board, there were 6,968 State and national bank failures during the 10-year period ending December 31, 1930, the total number for the year 1930 being 1,326, which represents approximately 6 per cent of the total number of all banking institutions in the United States. Of this number 188, or 14 per cent, were members of the Federal reserve system. We gather from the same report that the total deposits of all banks suspending operations during the 10-year period amounted to $2,625,627,000. The total deposits of the member banks of the Federal Reserve system at the time of suspensions amounted to $883,029,000 and the deposits of nonmember banks $1,742,598,000. It is significant to note that out of the total bank failures recorded, approximately 17 per cent of the number were members of the Federal reserve system, yet it is found that in this 17 per cent there were a little more than 33 per cent of the total deposits in banks that failed. That is, it would appear that member banks of Federal reserve system have inspired a greater confidence than the average nonmember banks and when there is a failure, therefore, of a bank in the Federal reserve system the loss to depositors is proportionally much heavier than in case of a nonmember bank.

It will be observed that the average annual losses in the way of deposits during the past 10 years approximate $250,000,000. It is true that some of this amount is repaid in the way of dividend payments, but the losses are sufficient to show that in addition to the individual suffering resulting from such losses there is an enormous strain on the economic life of the Nation if such losses are to continue at the same ratio or in the same proportion. The problem of giving some protection to depositors is one that can not escape the attention of those charged with the responsibility of establishing and maintaining a banking system designed for the interest and protection of those who would patronize the system.

NECESSITY FOR INSURING DEPOSITS LONG RECOGNIZED

All interested persons who have given the matter any real consideration agree that there should be some plan devised whereby deposits in such institutions may be protected and made secure. Heretofore there has not been sufficient agreement on any plan to have it incorporated into law, but this is no reason for saying that the problem can not be solved, nor is there any justification on the part of Congress to refuse consideration of further plans that may be offered. Any well-recognized problem of national import should continue to receive consideration until the solution is evolved. With this idea in mind I was prompted to introduce bill H. R. 16038, the purpose of which is twofold; one is to protect depositors from loss of deposits in case of bank failures, and the other is to insure or create such a confidence on the part of the public that bank failures will be reduced to a minimum, because in most cases bank failures are the result of uneasiness or lack of confidence on the part of depositors.

It will be observed that there is a distinct difference in the plan involved in this bill and some of the guaranty-deposit plans heretofore suggested, and I shall be glad if you will reserve your opinions until you have thoroughly analyzed the provisions of the bill. In the first place, the protection provided for in H. R. 16038 is to be found in an insurance fund and not in the unlimited resources of the Government, as heretofore provided in most plans suggested. Of course, opposition to this plan may be anticipated at the outset, for there will be some who will raise opposition without even making inquiry to its feasibility or practicability. We would ask such objectors to first assign a reason why it is not possible to insure depositors against loss. There is hardly a phase of life, business, or pleasure under our modern methods of insurance that is not insurable. There are available plans that will insure you against almost any conceivable risk. There is hardly a man, woman, or child on earth but what can obtain some kind of insurance against death, and yet all know that it is certain to come. We can obtain insurance against the loss of an eye, foot, or limb in spite of the fact that it may be taking a great risk. A business man can put his money into a most inflammable structure and have it insured against loss by fire, windstorm, or other disaster. A merchant can insure his goods, wares, and merchandise against loss by fire, theft, robbery, or any other physical means. A farmer is able to insure the seed he places in the ground against failure to germinate; after germination he can insure the crop against loss sustained from ravages of the boll weevil, corn borer, or any other insect pests which appear in more or less regularity in every crop-growing season; he can obtain insurance of the same crops against loss from rain, flood, storm, hurricane, drought, and other disasters that appear in some sections with more or less frequency every year; he can insure his livestock against sickness, death, and disease of every kind and description; he can insure his automobile or motor vehicle against injury or destruction from any cause whatsoever; yet the records and statistics show that injuries or losses are being sustained every hour, yea, every minute of the day.

Pleasure seekers and outing parties are able to obtain insurance against rain or sunshine whichever they may elect to choose. Managers of baseball and football teams are able to obtain insurance against losses that may result from rain, storm, cold, or other causes. In other words, there is hardly a thing on earth but what you can legitimately, successfully, and economically insure against loss or injury, except when you place your money into the hands of another for safekeeping. If we were to stop to think and reason a little it

would seem that this is one kind of insurance in which everyone would be interested, and it is an insult to American intelligence and business ingenuity to say that it is impossible to successfully and economically insure the hard-earned dollars when placed in an institution controlled and regulated by the United States Government. It is a reflection on those who provide, create, or establish such institutions to say that the organization or institution is so weak, so imperfect, and so inefficient that no assurance against losses can be given to those who may elect to intrust their earnings in an institution, agency, or instrumentality of a Government they honor, love, and support even to the sacrifice of their own lives in time of danger. I say and repeat, it is a reflection upon the business acumen of our country and a challenge to our political integrity when we fail and refuse to make proper provision against such losses in such institutions.

POLICY OF PROTECTION IN OTHER ACTIVITIES

For a hundred years or more Congress has been passing tariff laws protecting the money invested in manufacturing enterprises against competition from other countries. Congress a few years ago enacted a law insuring the transportation companies of the United States a certain rate of interest on their investments. Mark you, the American Government practically insures a certain rate of interest to these transportation companies; it virtually underwrites the policy and calls upon the American people to pay the premiums in the way of freight rates.

Under a Constitution that purports to protect the life and property of its citizens, Congress created a banking system under which banking institutions have been organized; they have been operated in such a manner as to cause the loss of millions of dollars, the destruction of many homes, thereby blighting the lives of thousands of persons who intrusted to these institutions the earnings of many years. Of course, there is no criminality charged in most of these bank failures. This would be unfair, because I am convinced that relatively few of the failures can be attributed to criminal designs or intentions on the part of those in charge, but results are the same as if they were operated for no other purpose than to rob the poor, the ignorant, and deluded of that which the Constitution, in effect, proclaimed would be protected and defended even if it took a never-ending army on land and a matchless navy on sea to do so. Such a guaranty is set out in the Declaration of Independence, implied in the Constitution of the United States, and reiterated, in effect, by Congress when it enacted legislation providing for our national banking system and the Federal reserve system. Yet, when it comes to actually discharging these obligations and insuring the earnings of a lifetime of an humble and loyal citizen in one of these governmental agencies Congress heretofore has said: "It can not be done."

Congress passed a protective tariff law here last year which many of you said was designed to insure regular and higher wages to those who earn bread by the sweat of the brow. At the same time, Congress had set up this banking system, representing it as a place where the dollars accumulated as a result of sweat and blood could be deposited for safe keeping. What has been the result? Many an humble depositor has arisen with the morning sun in recent years only to find that his meager earnings had been lost in the operation of a defective policy, in speculation, or in ill-advised investments, or spent in riotous living by the servants, agents, or instrumentalities of a government that has looked on at the daily spectacle and by its conduct said: "It is too bad, but there is no relief, there is no remedy, there is no hope."

PROVISIONS OF BILL ANALYZED AND REMEDY SUGGESTED

Let us analyze the provisions of this bill and see if there is a remedy.

Under existing law there is a more or less constant flow of profits arising out of the operations of the Federal reserve system and going into the Treasury of the United States. That is, since the creation or establishment of the Federal Reserve Board approximately $145,000,000 in the way of profits have found their way into the Treasury. These profits to a large extent have arisen from the use of money furnished by banks or banking institutions that are members of the Federal reserve system. In reality such profits belong to the member banks, but instead of being paid to such banks in the way of dividends or refunds they go into the Treasury of the United States. Now, is there any good reason why the Government or the Federal Reserve Board should not take these profits and provide insurance or indemnity bonds or other appropriate means and insure the depositors in these member banks against losses in case of failure or suspensions? It will not cost the member banks any more than it is costing them under existing policies. It will not cost the Government anything additional, because the fund really belongs to the member banks, and there is no reason why it should be used by the Government except for the benefit of these member banks and their depositors. These profits are really theirs, and common sense, horse sense, as well as dollars and cents, tell us that it would be sound, fair, and just.

It will be observed that under the provisions of this bill the Federal Reserve Board is authorized to use so much of the net earnings derived by the United States from the Federal reserve system as may be necessary and make payment to depositors in member banks to replace losses of deposits suffered by such depositors by reason of failure or liquidation of such banks, provided that such payments to any depositor shall not exceed 50 per cent of his deposits in the dissolved or liquidated bank. The bill makes no provisions whatever for making any assessment on a member bank nor does it provide any fee whatsoever. It states specifically that so much of the "net earnings derived by the United States from the Federal reserve system" as may be necessary may be used by the Federal Reserve Board for making payments to depositors in member banks to replace losses of deposits suffered by such depositors. It provides further that the Federal Reserve Board may make such payments through insurance or indemnity bonds purchased or provided for through the use of such "net earnings." There seems to be no doubt but what the net earnings arising from the Federal reserve system, together with the already accumulated profit of $145,000,000, will be more than sufficient to insure or guarantee the losses of depositors for an indefinite period.

It will be observed further that this bill does not undertake to guarantee 100 per cent of the deposits but only to the extent of 50 per cent, or not exceeding 50 per cent. There are several reasons for this limitation. It rarely happens that a bank fails without having assets upon which something can be realized, and in such cases, of course, such assets should be applied in reimbursing depositors. If such assets should amount to more than 50 per cent of the deposits then the amount to be paid by the Federal Reserve Board will be correspondingly less than 50 per cent. Furthermore, I have the feeling that if the proposed plan were adopted, it would induce member banks to work out or evolve a plan whereby they could insure or guarantee the remainder of the losses and not rely wholly upon the Government or Federal Reserve Board to assume the responsibility for the entire loss. It is thought, too, that with this limitation in the bill there would be no reason or excuse for those in charge of member banks to become indifferent as to their responsibility, or less efficient in their management but, on the contrary, it is thought that with only a certain amount of insurance the managers will be more conscious of their responsibility and there will be sufficient encouragement to induce them to increase their efficiency.

PROTECTING BANK DEPOSITS NOT A NEW PROBLEM

Securing bank deposits as we have already suggested is not a new idea; it is a matter that has had the attention of many leading financiers and economists for the past hundred years. Many plans have been suggested and some have been tried by individual States and it is unfortunate to have to say that in practically every case the plans have failed.

It will be recalled that when the Federal reserve act was under consideration in Congress in 1913 it was strongly urged that it should contain a clause making provision

whereby deposits in member banks could be insured or guaranteed. It will be recalled further that after the bill passed the House and went to the Senate it was amended by the insertion of such a provision. One of the amendments proposed and seriously considered at the time was as follows:

One-half of the net earnings, after the aforesaid dividend claims have been fully met, shall be paid into a surplus fund until such fund shall amount to 40 per cent of the paid-in capital stock of such bank, and of the remaining one-half, 50 per cent shall be paid to the United States as a franchise tax and 50 per cent shall be paid to the United States as a trustee for the benefit of depositors in failed national banks, the money to be kept in and losses from failures to be paid from it as a depositors' insurance fund under a division of the Treasury to be constituted and managed under such regulations as may be prescribed by the Secretary of the Treasury.

Another amendment proposed and considered by the Senate was as follows:

Twenty-five per cent of such net earnings to be carried to a surplus fund until such fund shall amount to 20 per cent of the paid-in capital stock of such reserve bank, and 37½ per cent of said net earnings shall be set aside in a trust fund to be known as the depositors' insurance fund and shall be used for the payment of the depositors of insolvent member banks under rules and regulations made by the board. When, in the judgment of the board, there has been accumulated in such depositors' insurance fund a sufficient sum fully to insure the payment of the depositors of insolvent member banks, the board shall have power to suspend the setting aside and accumulation of the said 37½ per cent of such earnings, and thereafter such 37½ per cent of such earnings shall be paid to the United States, except that in the event the depositors' insurance fund is depleted by the payment of depositors of insolvent member banks such fund shall be replenished by again setting aside such 37½ per cent of the earnings or so much thereof as, in the judgment of the board, may be necessary.

Finally when the bill passed the Senate it provided in effect that one-half of the net earnings of the Federal reserve banks should be paid to the United States as a franchise tax and 50 per cent of the remaining one-half should be paid to the United States as a trustee for the benefit of depositors in all bankrupt or suspended banks in the Federal reserve system.

However, this provision was stricken out in conference and upon final passage, the law had no provision whatever for securing deposits in member banks.

The bill I have introduced would amend section 7, paragraph 2 of the Federal reserve act to read as follows:

So much of the net earnings derived by the United States from the Federal reserve banks as the Federal Reserve Board may deem necessary shall be used by the board to provide for the making of payments to depositors in member banks of the Federal reserve system to replace losses of deposits suffered by such depositors by reason of the dissolution or liquidation of such banks; except that such payments shall not, in the case of any depositor, be in excess of 50 per cent of the amount of his deposits in the dissolved or liquidated bank. The Federal Reserve Board, upon such terms and conditions as it may deem advisable, shall provide for the making of such payments through insurance or indemnity bonds, or by such means as may in its opinion be appropriate. If, in the opinion of the Federal Reserve Board, such net earnings are insufficient to so provide for the making of payments to depositors, such additional amounts (not exceeding the total amounts paid to the United States, in accordance with the first paragraph of this section, prior to the enactment of this amendatory act) as may be necessary are hereby authorized to be appropriated for such purpose.

In the case before us the premiums are already available and the only change to be made in the operation of the system is for the Federal Reserve Board to eliminate much of the unnecessary red tape now required for admission of member banks so that it will be possible for practically all banking institutions to become members of the Federal reserve system and be able to share in the benefits of the proposed legislation.

Think of it gentlemen, since the days of Alexander Hamilton, the first Secretary of the Treasury, the Government of the United States has been making and perfecting a banking system and providing for the establishment of individual banking institutions, but why should the Government establish and maintain an institution and in effect call upon the public to guarantee the perpetuity of such institution and at the same time bear the losses for any failure or failures that might occur in its operation? Of course, such a system can continue only so long as the people are able to furnish the means for operation and bear the losses. It may be said that there are inherent weaknesses in the system. That may be true and they will remain there until the Government or some one responsible for their operation is required to assume the responsibility for the losses sustained as a result of such inherent defects.

Experience has shown that whenever you place responsibility for results in the operation of any kind of well organized business the latent defects that may exist are soon located and removed. In this case the banking institutions under the Federal reserve system are creatures of the Federal Government; they are agencies or instrumentalities of the Government; they are under the supervision and control of the Federal Government; they are responsible to the Federal Government, and with this relationship I contend that the Federal Government is morally and equitably bound under any well-established code of business ethics or political philosophy to make provision for insuring losses any innocent party may sustain as a result of the free and voluntary conduct of those in charge of such institutions, regardless as to whether such acts or actions were knowingly or ignorantly done.

IMMEDIATE GOVERNMENTAL ACTION JUSTIFIED

I am aware that the guaranty system adopted and followed by a number of States from time to time has failed in practically every case. I know, further, that many financiers insist that the system of guaranty deposits is unsound and impracticable. I know that representatives of the Treasury Department have from time to time insisted that the policy of insuring or guaranteeing deposits is unsound; yet I find that the United States Government, which has direct and complete supervision of every national bank in the United States, before it will make a deposit in any such institution, will require the bank to put up absolute security for such deposits and in addition require it to pay interest on them. It appears to me that if a bank can give security for Government deposits and consider it good banking, it ought to be able to do the same thing for individual depositors. That is, I am unable to see the difference in the principle involved or the soundness of a policy where the Government will require a bank to put up security for its deposits before made and then to say it is dangerous and economically unsound to require the same bank to put up similar security for deposits of individuals.

To illustrate my point, it is my understanding that if the Secretary of the Treasury deposits $100,000 in a bank he first requires that bank to put up ample security or surety for such deposit. Suppose in the same bank there should be 1,000 depositors with $100 each, their total deposits would be $100,000, or equal in amount to that on deposit by the Secretary of the Treasury. Then suppose under these circumstances trouble should arise or a "run" is made by depositors and the bank should fail or suspend operations, the Government steps in and under the guaranty gets every dollar of its $100,000, whereas the 100 depositors are compelled to take nothing or whatever may remain. By no stretch of the imagination will the dictates of good judgment or common sense justify such action or such a policy. If deposits of the Government can be economically insured, why can not the same thing be done for individual depositors? That is, if a bank can insure the $100,000 for the Government, why can not it insure the $100,000 for the 100 depositors? If you can insure deposits for 1, you can insure them for 100; and if insurance is required for the 1, why not require it for the 100? The Government controls and regulates the operation of these institutions. Is the Government acting fairly, honestly, or justly in demanding a guaranty of its own deposits and refusing to insure or guarantee deposits of its subjects or citizens? There is but one answer.

CODIFICATION OF LAW—PREVENTIVE MEDICINE

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to extend my remarks on Codification of Law and Preventive Medicine.

There was no objection.

Mr. FITZGERALD. Mr. Speaker, the codification of the general and permanent law of the United States by a sci-

entific arrangement in one volume of the pertinent matter scattered through 25 or more tomes, and the adoption by Congress of the cumulative system of codification under the direction of the Committee on Revision of the Laws of the House of Representatives, for both the United States Code and the District of Columbia Code, just completed, are first steps toward the ambitious project of perfecting the language of the statute law.

The present code, admirable as it is, and an immense improvement over the chaotic condition that existed before, when no one could be certain of the law, even after exhausting research, is cumbersome, verbose, and replete with absurdities, contradictions, illogical distinctions, and complexities, which tend to bewilder and confuse anyone seeking to know the law.

We covet an ideal of legislative expression. There is no sound reason why, after the turmoil of a legislative session, the law may not be stated or restated in simple, direct, clear language which laymen may readily understand.

After the compilation known as the Revised Statutes in the seventies, futile efforts for more than 35 years were made by Government commissions and the committee in Congress to bring about some authoritative and reliable compendium of the general and permanent statute law. This has at length been achieved, and now that the cumulative codification system will pick up, identify, and distribute new legislation from session to session of Congress so that the code may be kept current with the law by a single supplementary volume, an opportunity is offered for this perfection of legislative expression which may also lead to some changes in substance in the interests of justice, simplicity, and uniformity.

The work resolves itself into several phases:

First. There are a multitude of laws which, although not specifically repealed, have been so obviously superseded by later enactments that they were omitted as obsolete and of no present force in compiling the United States Code. Nevertheless, since by its terms the United States Code has only the force of prima facie evidence of the law, careful lawyers and others dealing with the statutes must turn back over and over again to these unrepealed statutes only to confirm after hours of wasted labor the judgment of the compilers. To obviate this unsatisfactory condition a complete survey should be made of all such sections of the statutes, and they should be repealed by the Congress.

H. R. 16778, introduced on January 6, 1931, and favorably reported by the Committee on the Revision of the Laws and now on the calendar, provides for the repeal of 307 such sections. This bill contains no section about which there is apparently any opportunity for difference of opinion. To complete the task H. R. 16694 has been prepared and introduced on January 29, 1931, seeking the repeal of the remaining 770 sections so omitted from the code as obsolete and of no present force. With reference to these or some of these sections there is opportunity to argue that they may now have or at some time might have some application to affairs. Nevertheless, Congress should act firmly and repeal these sections, for they have no useful purpose but serve as a reflection upon the integrity of the code and a constant source of irritation to those who must use the statutes. They are sources of uneasiness and nervousness and prevent that confidence and faith which the people are entitled to have in some authorized statement of the statute law.

Second. There are instances of sections of statutes carried into the code which, while in fact inoperative, obsolete, useless, and confusing, are neither specifically repealed nor superseded except by the change or progress of affairs. Such sections are those relating to Indian agents, which no longer exist, provisions for decorations of officers distinguishing themselves in Indian wars, and so forth. Seventy-five such sections have already been repealed by Public Act 547, approved December 16, 1930. This good work should be followed by the complete survey of the code now going on in cooperation with the various bureaus and departments of the Government charged with the administration of the various titles and chapters so that a compilation may be made of the remaining obsolete and useless sections to be incorporated in a bill or bills and specifically repealed, all toward the perfection of the code.

Third. All of this is but preparation for a real revision of the statute law. The most competent, well-trained, careful, and sensible specialists should be employed under the direction of the Committee on the Revision of the Laws, or otherwise, to prepare a restatement of the present law, one title at a time, in the most simple, clear, and precise terms. As each title is completed and approved by the appropriate department, bureau, or commission of the Government and carefully checked by the legislative reference service of the Library of Congress and by such committees of the House and Senate as will be willing to give the matter attention in a reasonable time, a bill may be introduced in Congress embodying the new statement of the law, conforming to the understood policy, intent, and purpose of Congress in the original legislation, but with such amendments as will prevent unjust discriminations and remove ambiguities, contraditions, and other imperfections, both of substance and form. It is essential that this revision work be done each title separately, one at a time, because of the inability of Congress to deal with bulky measures proposing any changes whatever in the current law.

If this course is adopted and persistently followed the result will be a code of statute law worthy of this great Nation, compact and well indexed in a single volume of one-third the size of the present code which, with the latest supplement, will enable any person of fair intelligence—judge, lawyer, merchant, or other—to readily find and understand the law applicable to any matter in which he is interested.

This is the program which I have laid out for the House Committee on the Revision of the Laws preliminary to publishing a new and perfected edition of the code with a more thorough, complete, and adequate index than was possible when the present code was prepared.

I am now terminating my career of 10 years in Congress and my years of service on the Committee on Revision of the Laws, where I got my first inspiration and training under our late lamented colleague, Col. Edward C. Little, of Kansas. Much of what I have been fortunate in helping to accomplish was made possible by the indefatigable work and devotion of Colonel Little. All of our efforts would have been wasted had it not been for the broad intelligence, scholarly attainments, and tact of former Senator Hon. George Wharton Pepper, of Pennsylvania, universally recognized as one of the greatest lawyers of our country, who found a way to reconcile differences between the two Houses of Congress and made possible the acceptance of the United States Code by the Senate.

The American Bar Association, which for years maintained a committee in an attempt to bring about a codification of the statute law, and more than average citizens recognized the intolerable conditions, owe a debt of gratitude not only to ex-Senator Pepper but to the Hon. George W. NORRIS, of Nebraska, chairman of the Senate Judiciary Committee, and the Hon. THOMAS J. WALSH, of Montana, of the same committee, who cooperated in bringing about the enactment of the cumulative codification system and of the bill already passed of the series proposed for the perfection of the code.

Anyone who knows the years of labor and infinite difficulty expended to secure the code and realizes its great value will appreciate the necessity of guarding against legislation which would break down its structure or classification and impair or destroy its usefulness.

This danger may come from such praiseworthy projects as a navigation code for the United States. Such a code was prepared and proposed for adoption or enactment into law in bulk (S. 5085, 69th Cong., and S. 5902, 70th Cong.). It was intended to be a compendium of many laws—civil and criminal, pertinent to, related to, or connected with shipping. It proposed numerous changes in the present law. It drew upon and involved 28 of the 50 titles of the code. It would have destroyed much of the value of the United States Code

as the one dependable, reliable, authoritative repository of the Federal statute law.

Of course there is no objection to a navigation code. We should have such a code. There is no reason why present laws should not be amended or added to in the interest of American navigation and of an American merchant marine. Such laws, however, should be so amended and so enacted that they may retain their proper place in the classification of the whole body of the statute law as set up in the code. People having no connection with shipping and navigation must use and be bound by these laws, which in many instances are mainly for other activities and only incidentally and indirectly pertinent to navigation.

After any desired amendments and changes in the law are made a compilation or compendium could then be made of all the statutes in any way connected with navigation and this handbook would constitute the navigation code and the desired result thus obtained in an indestructive way.

If anyone is now unaware of the good fortune of the United States in having secured a code, he might consider the experience of some of our States in their struggles to bring order and understanding out of the great and growing mass of legislation. I am informed that the State of New Jersey has expended $450,000 in efforts to revise and codify her laws, and the end is not in sight.

Over a century ago Jeremy Bentham, distinguished English lawyer, philosopher, and writer, author of An Introduction to the Principles of Morals and Legislation, wrote:

> Scarce any man has the means of knowing a twentieth part of the laws he is bound by. Both sorts of law are kept most happily and carefully from the knowledge of the people—statute law by its shape and bulk; common law by its very essence. (Works of Bentham, Vol. V, pp. 233-237.)

He argued that—

> The matter of these law books must be made up into sentences of moderate length, such as men use in common conversation, and such as the laws are written in, in France, with no more words than are necessary; not like the present statutes, in which I have seen a single sentence take up 13 such pages as would fill a reasonable volume, and not finished after all * * *. (Ibid.)

In John Hill Burton's Benthamania is found an outline of his opinions concerning law reform. From the author, I quote the following paragraphs:

> There are two means by which the laws may be brought within the reach of those whom they bind. The one is by making them in themselves simple, concise, and uniform; the other by adopting adventitious means of promulgating them.
>
> The main remedy proposed by Bentham for the evils arising out of the confusion and bulkiness of the laws is in codification—in a general revision of the existing laws, the rejection of the antiquated and useless portions, and the reduction of those parts which should be preserved to a clear order and to precise and intelligible language. The chief objections to this project are not in the form of argument but in the simply negative shape of the neglect to perform that of which the utility is so clearly proved. The good to be accomplished would be great; but the labor, too, would be great; and no Atlas has been found among ministers of state to put his shoulders to the task. Nor does there seem, indeed, to be any individual on whom the responsibility of the nonperformance of this mighty task can be specially thrown; it is simply a great and difficult project for the public benefit unperformed.
>
> While urging the utility of a general code and the importance of a complete or partial reconstruction of the law, Bentham did not lose sight of the immediate practical advantages of an improvement in the system of drawing the statutes so as to make them more intelligible to the public and consequently more serviceable as rules of action. In an examination of the vices of the existing method of drawing acts of Parliament, he found that there was a departure from the common colloquial and literary language of the country, which, instead of diverging from it in the direction of precision and conciseness, led to vagueness and verbosity. The departure from the ordinary forms of expression was thus an evil, not compensated by any advantage in the shape of a more scientific style. He found that there was unsteadiness in respect of expression, occasioned by a want of fixed words having definite ideas connected with them. The draftsman, not having in his mind any distinct nomenclature, overloads his work by employing a number of words to mean the same thing, lest, if he should restrict himself to one, he might choose one which did not fully embrace the meaning intended. In this manner that which could have been well accomplished by the use of one word with a determinate meaning is imperfectly accomplished by the use of several words without any fixed signification.
>
> It was found that clauses of acts, instead of consisting of separate enactive propositions each with its own verb, constituted, each of them, a series of sentences heaped together, with the same verb serving for a variety of propositions. The bad effects of this system are two: It makes the sentence too long for full and clear apprehension by ordinary intellects; and it renders it liable, from its complexity, to dubiety and ambiguity of interpretation.

Among the thousands of laws of the United States is one which provides that as to acts of Congress—

> Each section shall be numbered, and shall contain, as nearly as may be, a single proposition of enactment (U. S. C., title 1, sec. 24).

This statute, in force for many years, has been consistently ignored, leading to confusion and difficulty in ascertaining with definiteness the law in force. This fact, together with the accumulation of the laws continually being passed and amended, modified and repealed, not scientifically and systematically classified for easy access, and almost indistinguishable in the mass of local, private, and temporary legislation, is largely responsible for the chaos existing between the Revised Statutes of the seventies and the United States Code of 1926, and the newly adopted system of cumulative codification of the general and permanent laws of the Congress.

Thus far three noteworthy accomplishments have been brought about:

(a) Assembling of all general and permanent statutes scientifically classified in a single volume by adoption of the United States Code.

(b) Providing for a system to keep the continuing stream of legislation up to date in code form by a cumulative codification program accepted by Congress, and to correct errors discovered in the code.

(c) Enactment of the first bill to remove obsolete and useless laws by specific repeal.

Preparatory to actual revision, the work of the committee should proceed along the following lines:

1. A reexamination of the material included (and that not included, in the United States Code, and in the Code for the District of Columbia) with a view to perfecting these two codes and making them more complete and accurate statements of the law now in force. There are a number of provisions enacted prior to 1873 which were not included in the Revised Statutes but which were not repealed thereby and are still, to some extent, in force. A number of such have been included in the United States Code, but no systematic check has apparently been made to make certain that there are not others which should have been included but were overlooked. The records of the Legislative Reference Service of the Library of Congress indicate that there are at least a few of such provisions; there should accordingly be a careful and positive check from this standpoint.

Suggestions should be solicited every year or so from the various departments and other sources from which the most valuable assistance may reasonably be expected.

Apart from considering suggestions received from outside sources, the committee could undertake, through experts employed by it, to make a complete reexamination of the two codes for the purpose of discovering and correcting errors and omissions and eliminating superfluous provisions. One of the first steps in this reexamination should be to ascertain whether or not it would be worth while to make any rearrangement of the material (either titles, chapters, subchapters, or separate sections). For example, would it be feasible and desirable to bring together in one title or adjoining titles all the material relating to the national defense titles 10, 14, 32, 34, 37, 50) (?); that on carriers (titles 45, 47, 49) (?); that on shipping and navigation (titles 33 and 46) (?). Such inquiries should, of course, not be pursued to an unreasonable extent, and the presumption should in every case be strongly in favor of the present arrangement. Special attention might well be devoted to the matter of assimilating the material in the supplements with that in the original text.

In order to make certain that there are no omissions in either code, it would be well to examine every provision ever enacted by Congress, beginning with volume 1 of the Statutes at Large and making a permanent record of the reasons for omitting each provision not included. The publication of such a record would serve an extremely useful purpose;

among other things, it would be made the basis for action of Congress, expressly repealing many obsolete provisions that have never been expressly repealed.

Besides correcting errors and omissions in the codes they can be further improved by the elimination of superfluous although not erroneous provisions. Many of these consist of provisions for the installation of a new piece of Federal organization or procedure, which having been once executed are no longer operative. Others consist of provisions that are essentially temporary and are now obsolete, although operative in 1925. A few provisions could well be omitted as having only local applicability and not being of general significance, although for the most part such provisions were rigidly excluded from both the United States Code and the District of Columbia Code. In fact, it is probable that more of these border-line cases have been improperly omitted than improperly included. A certain amount of attention should be devoted to the line of demarcation between the two codes. In some cases it is proper to duplicate the same provision in both the United States and the District of Columbia Codes (e. g., the act establishing the District as the seat of government), but in most cases such duplication should be avoided.

2. Keeping the two codes up to date: In the case of the United States Code this has been done up to the present time by the preparation of the four supplements, which are in the main extremely satisfactory; there are, however, a few cases in which note has not been made of implied amendments to one title by a provision properly classified in another title (e. g., where writs of error are incidentally referred to in a title other than title 28). It would be useful and I hope it may be practical to secure a greater degree of cooperation from the other committees of the House, so that bills affecting provisions in the codes will more uniformly include title and section references to the codes. Possibly the Revision of the Laws Committee might also undertake to supply code sections for new legislation prior to its publication in the Statutes at Large, as has been done for the Ohio laws by the attorney general of that State.

The preparation of annual supplements to the United States Code should be continued without interruption. Similar supplements, at least every two years, should be prepared for the District of Columbia Code. This feature of the work before the committee should not be permitted under any circumstances to be neglected.

3. Securing the enactment of one or both codes as absolute law. This should scarcely be undertaken except after a careful reexamination of the material included as I have indicated.

4. Revision of the laws included in the two codes. The laws as revised should be enacted as absolute law. It is almost impossible to draw the line with certainty between a revision and a restatement of the law. There are in nearly every title of the United States Code provisions that clearly call for revision. Frequently two or more sections standing side by side relate to the same general subject under slightly different circumstances; they could not be combined without revision because there is a slight change in the language employed in the original provisions. In nearly all such cases the provisions should be consolidated, for the divergence is undoubtedly unintentional rather than expressing a deliberate policy of Congress to discriminate between the cases. Revision should be undertaken, title by title; and Congress should be asked to approve the revision of only one title at a time in a single bill. In this way any possible question of policy could be considered by the congressional committees having jurisdiction of the subject matter. If practicable, the text of the revision should be prepared cooperatively by the experts of the Revision of the Laws Committee working with a representative of the other committee or committees affected and with a representative of the department which administers the subject in question.

There has been prepared under the direction of the Joint Committee on Internal Revenue Taxation a complete restatement and compilation of the United States Code, title 26, for enactment, at the regular session of the Seventy-second Congress. If this restatement of title 26 is generally approved, title 10 might be similarly treated.

Every one of the four undertakings referred to—the third only because it implies the first two—calls for the work of experts, specially trained for such work, and able to devote their entire time to a strictly scientific and impartial examination of the laws, free from every extraneous influence. No Member of Congress, however adequate his training, can possibly devote a sufficient amount of time to acquire, on account of his other essential activities, a thorough grasp of the multitudinous details involved.

If anything in the nature of revision is begun, there should be not less than three experts, the chief of whom—if not all three—should be recognized as of coordinate rank with the legislative counsel; that is, he or they should have an adequate salary. If the experts are not to be of equal rank and authority, it should at least be understood that no decision as to a matter of revision should be made without the concurrence of two of them; and each one should be authorized and feel free to present his views in any case of difference of opinion to the chairman or clerk of the committee.

The United States Code is being kept up to date under the following agreement (see House Doc. 143, 71st Cong., 2d sess.; and hearings on first deficiency appropriation bill for 1929):

MEMORANDUM OF AGREEMENT

WASHINGTON, D. C., *June 18, 1928.*

Whereas the Congress of the United States by Public Act No. 620 of May 29, 1928, has provided that there be prepared and published under the supervision of the Committee on Revision of the Laws of the House of Representatives after each session a cumulative supplement of the general and permanent law enacted at the session combined with the substance of the past preceding supplement, and also arranged as to conform to the Code of Laws of the United States and thus amending and supplementing the code and keeping the codification up to date; and

Whereas the first supplement containing the laws of the Sixty-ninth Congress has been prepared by the joint work of the West Publishing Co., of St. Paul, Minn., and the Edward Thompson Co., of Northport, Long Island, N. Y., and has been submitted to and approved by the Congress (Public Act No. 620 of May 29, 1928) and is being indexed and is about to be published; and

Whereas the said two companies have offered to prepare such supplements hereafter at a cost of $10,000 for each Congress of two or more sessions, complete for the Public Printer with tables, index, and other ancillaries conforming to the style of the Code of Laws of the United States; and

Whereas said proposition seems fair and reasonable;

It is now, therefore, agreed and understood, subject always to the continuing approval of the Congress of the United States and its committees, that the West Publishing Co. and the Edward Thompson Co. be employed to prepare such cumulative supplement containing the laws of the first session of the Seventieth Congress, and subsequent supplements, for the sum of $10,000 for each Congress or period of two years, and said companies hereby jointly undertake the faithful performance of such work subject to the appropriations of Congress, and agree to have the material for each and all of such supplements prepared and edited and indexed as soon after each session of Congress as may be insured by faithful diligence.

In witness whereof said companies by their respective presidents and the committee by its chairman have hereunto subscribed their names.

HOMER P. CLARK,
President West Publishing Co.
M. BLAIR WAILES,
President Edward Thompson Co.
ROY G. FITZGERALD,
Chairman Committee on Revision of the Laws,
House of Representatives.

The report which accompanied H. R. 10000, the United State Code bill, explains the method used in the compilation of this extensive work and therein due acknowledgment is made to the two publishing houses—the West Publishing Co., of St. Paul, Minn., and the Edward Thompson Co., of Northport, N. Y.—who did all the editorial work on this compilation. It is but proper to again commend the work and public spirit of these companies who through their trained experts made possible the United States Code.

As compensation for this enormous undertaking they received only $10,000. This sum was paid out of the contingent fund of the Senate. The work cost the compiling companies about $40,000. The excess of cost over the appropriation of $10,000 was entirely borne by these two companies.

The committee feels that it has been fortunate in securing the expert services of these two companies at a most

reasonable sum—$5,000 per year, or $10,000 per Congress—which has been hardly sufficient to reimburse them for the actual cost of preparing the supplements by which the Code has been kept up to date.

The sale of the Government edition of the Code outside of a large free distribution under the law, has been gratifying. The Superintendent of Documents advises the following sales as of January 14, 1931:

United States Code, at $4	13,946
Supplement No. 1	2,918
Supplement No. 2	2,229
Supplement No. 3	3,358

It may be of interest to observe in this connection that the sales of the Government Code at $4, its mechanical cost, is in excess of the sale of the compact edition of the code privately published by these two companies. The convenient size and attractive binding of the compact code with its more thorough index selling for $12, requires for its production composition, presswork, paper, binding, overhead, and selling expenses, and, of course, produces a profit.

Perhaps some misapprehension has not unnaturally arisen due to lack of a more detailed statement concerning comparative costs of the commercial and Government editions. The United States Code, Government edition, which sells for $4, represents the bare cost of manufacture; that is, exclusive of editorial expense and many items of overhead, selling costs, and the like.

These private publishers have performed a great service. In addition to preparing the code they furnished the first supplement without cost to the Government as a sample of the work which they would perform. Each of the three official code supplements have been prepared and made available prior to the issuance of the annual cumulative service of the two companies. During the preparation of supplements the Committee on Revision of the Laws is furnished promptly with slip copies of the laws as classified by the editors for incorporation in the supplement, so that at all times anyone interested may be advised as to what the supplement would contain and may be apprised of the exact classification and of the data to be included.

To the West Publishing Co. and the Edward Thompson Co. the committee, the Congress, and the country owe much.

The Committee on Revision of the Laws was established as a standing committee by resolution on July 25, 1868, taking the place of the Select Committee on Revision of the Laws and the Committee on Revisal and Unfinished Business, which had become obsolete. The committee consists of 13 members, and by section 29 of Rule XI of the House is given jurisdiction over matters relating to the revision and codification of the statutes of the United States.

Hon. Luke P. Poland, of Vermont, was the first chairman of the committee in the Fortieth Congress, and retained the chairmanship in the Forty-first Congress, being succeeded as chairman in the Forty-second Congress by Gen. Benjamin F. Butler, of Massachusetts.

President William McKinley served as chairman, as did the late Col. Edward C. Little, of Kansas. During the latter's tenure the House of Representatives passed three times his bill to codify and revise the laws of the United States, although no action was taken by the Senate. Colonel Little devoted himself so whole-heartedly to the task that he virtually wore himself out.

For over 30 years futile attempts were made to produce a code, with the consequent waste of hundreds of thousands of dollars. I have had prepared a résumé of the accomplishments and projects before the committee since the first commission created under its direction and responsible for the Revised Statutes to the present time. I submit it, as follows:

INFORMATION RELATING TO PERSONNEL, EXPENDITURES, AND ACCOMPLISHMENTS OF COMMISSIONS APPOINTED TO REVISE AND CODIFY THE LAWS OF THE UNITED STATES

First commission: Fourteenth Statutes, 74, act of June 27, 1866.

Commissioners: (1) Charles P. James, (2) Benjamin Vaughan, and (3) Victor Barringer.

Salaries and expenses:

14 Stat. 315	$25,000.00
14 Stat. 456	17,000.00
15 Stat. 111	17,000.00
Salaries (16 Stat. 311)	$15,000.00
Expenses, including clerk hire (16 Stat. 311)	3,000.00
Salaries (16 Stat. 494)	15,000.00
Expenses, including clerk hire (16 Stat. 494)	3,000.00
Expenses, including clerk hire (16 Stat. 516)	1,000.00
Salaries (17 Stat. 82)	15,000.00
Expenses, including clerk hire (17 Stat. 82)	3,000.00
Expenses, including clerk hire (17 Stat. 133)	9,000.00
Salary ("balance due" to Mr. Durant) (18 Stat. 137)	3,175.03
District of Columbia laws (aside from revision (18 Stat 376)	3,300.00

Result: Revised Statutes enacted June 22, 1874. Work was reedited by Thomas F. Durant. Commission worked seven years. Durant worked nine months.

SECOND EDITION OF THE REVISED STATUTES AND SUPPLEMENTS

Commissioner: George S. Boutwell (act of March 2, 1877; 19 Stat. 268).

Salary and indefinite expense of revising index (19 Stat. 269, sec. 5; 20 Stat. 12; and 20 Stat. 36, ch. 61) $5,000

Result: Second edition published February 18, 1878.

SUPPLEMENTS

Under authority of joint resolution of June 7, 1880, First Supplement to Revised Statutes prepared in 1881 by Judge William A. Richardson, of the Court of Claims.

Salary (21 Stat. 308) $5,000

Second supplement to Revised Statutes prepared in 1891 by Judge William A. Richardson, of the Court of Claims.

Salary (26 Stat. 50, ch. 73) $6,000

Third supplement to Revised Statutes prepared in 1901 by George A. King and William B. King with Edwin C. Brandenburg, of the Department of Justice.

Salaries (27 Stat. 478, sec. 4; and 31 Stat. 1162) $2,000

Second commission: Thirtieth Statutes, 58, act of June 4, 1897.

Commissioners: (1) A. C. Thompson (Ohio, afterwards United States district judge at Cincinnati), (2) A. C. Botkin (Montana), and (3) David B. Culbertson (Texas), who were succeeded by (1) David K. Watson (Ohio), (2) W. D. Bynum (Indiana), (3) John L. Lott (Ohio).

Salaries and expenses of this commission under the indefinite appropriation (30 Stat. 58) are explained in the following letter from the Comptroller General of the United States:

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, February 3, 1931.

Hon. ROY G. FITZGERALD,
Chairman Committee on Revision of the Laws,
House of Representatives.

MY DEAR MR. CHAIRMAN: With further reference to your communication of December 3, 1930, wherein you request certain data in regard to expenditures under the act of June 4, 1897 (30 Stat. 58), made by the commissioners, authorized under the act to revise and codify the criminal and penal laws of the United States, I have to advise the records of this office for the fiscal years 1898 to 1907, inclusive, show that the total sum of $204,498.84 was expended therefor.

There is furnished below a tabulated report of the expenses during each fiscal year:

Miscellaneous expenses

Fiscal year	Commissioners' salaries	Expenses, clerk hire	Miscellaneous expenses
1898	$14,836.94	$5,882.21	$1,545.70
1899	15,000.00	5,400.00	1,283.55
1900	14,258.25	5,400.00	1,057.84
1901	15,233.52	5,400.00	1,153.38
1902	15,000.00	5,400.00	1,472.44
1903	15,000.00	5,325.00	1,592.20
1904	15,000.00	5,141.00	1,616.37
1905	15,000.00	5,400.00	1,468.27
1906	14,805.55	5,100.00	1,628.81
1907	6,874.98	1,462.50	760.33
Total	141,009.24	49,910.71	13,578.89
			49,910.71
			141,009.24
Grand total			204,498.84

Sincerely yours,

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

Result: Criminal Code enacted March 4, 1909 (35 Stat. 1088); Judicial Code enacted March 3, 1911 (36 Stat. 1087).

Commission worked 10 years, submitted its final report to Congress on December 15, 1906. Under the acts of June 4, 1897 (supra); March 3, 1899 (30 Stat. 1116); and March 3, 1901 (31 Stat. 1181), the commission was empowered to revise and codify the criminal and penal laws of the United States, the laws concerning the judiciary and practice of the courts of the United States, and, finally, all the laws of the United States of a general and permanent nature, respectively.

Four separate editions of the commission's revision presented in 1906, 1908, 1909, 1910, and 1914 were not adopted by Congress.

REVISION AND CODIFICATION, 1919–1924

Revisers and codifiers: (1) Dr. William L. Burdick, Kansas; (2) Hon. John L. Lott, Ohio; (3) G. K. Richardson, Massachusetts; (4) J. Wallace Bryan, Maryland; (5) M. J. Keys, New York; (6) Hon. Clinton O. Bunn, Oklahoma; (7) Prof. Joseph H. Beale, Massachusetts; and (8) Prof. Austin W. Scott, Massachusetts.

These codifiers prepared a codification of all general and permanent laws of the United States.

Result: Passage by House of H. R. 9389, Sixty-sixth Congress; passage by House of H. R. 12, Sixty-seventh Congress; and passage by House of H. R. 12, Sixty-eighth Congress.

No action taken by the Senate on any of the above bills.

Salaries (contingent fund of House)	$13,779.96
Printing and binding	35,235.97
Total	49,015.93

ADOPTION OF UNITED STATES CODE AND SYSTEM OF CUMULATIVE CODIFICATION, 1925–1931

Compilers and employees: (1) West Publishing Co., Minnesota, and (2) Edward Thompson Co., New York (11 lawyer experts, 40 clerical assistants).

Work began in July, 1925; United States Code adopted June 30, 1926 (44 Stat. L., pt. 1). Cumulative codification system adopted May 29, 1928; March 2, 1929 (U. S. C. sup. title 1, c. 3).

Salaries and expenses for code (two companies) (Senate contingent fund)	$10,000.00
Code index, Public Act 222, Sixty-ninth Congress	5,000.00
Clerical expenses (House contingent fund)	1,050.00
U. S. C., Sup. II, Public Act 1034, Seventieth Congress	5,000.00
U. S. C., Sup. III, Public Act 78, Seventy-first Congress	5,000.00
Printing (U. S. Code)	38,258.20
Total	64,308.20

Compilers: (1) Harry A. Hegarty, (2) Edwin A. Mooers, and (3) Howard Boyd.

Result: First complete code of laws for the District of Columbia (containing all British and Maryland laws in force in District). Compilers worked four years (August, 1926–August, 1930).

Salaries: Public Act 222, Sixty-ninth Congress; Public Act 631, Sixty-ninth Congress; Public Act 2, Seventieth Congress; Public Act 386, Seventieth Congress	$19,152
Index, District of Columbia Code, Public Act 1034, Seventieth Congress	5,848
Total	25,000

A former Washington newspaper writer, Mr. Lyle A. Brookover, who has taken interest in the work and history of the committee, and who has made researches and has a real grasp of the problems before the committee, has said:

TEN LAWS THAT GREW INTO MILLIONS

(By Lyle A. Brookover)

Eighteen thousand five hundred and seventy-nine proposed laws have been tossed into the hoppers of the Seventy-first Congress of the United States. They are in the form of Senate and House bills and joint resolutions of both bodies.

This assembly, it seems, would sustain our boast of Congress as the "greatest lawmaking body in the world." The mill grinds slowly, but too much legislation will come out.

Laws are at one time a great blessing and a costly plague of modern civilization. Thus the United States gains most of the blessings and suffers most the plagues.

In ancient days the activities of a great race of people were controlled by the Ten Commandments. These required approximately 132 words to set forth 10 fundamental rules of human conduct.

To-day, we find the general and permanent laws of this Republic published in a new codification which has 1,705 pages, fine print, devoted to actual statutes. The laws included were those in force at the opening of the Sixty-ninth Congress. By the end of that session the codification bill was passed. Passed also were new laws which filled 250 more pages of the published volume, as an appendix.

Parallel reference tables, an index, the Declaration of Independence, the Constitution, and other organic laws of the Nation boost the total number of pages to 2,453. The book weighs 10½ pounds.

The grand total of words used is 5,212,416. Twenty-two and one fourth tons of type metal were used in publication by the Government Printing Office.

Twenty-eight thousand two hundred and fifty copies were printed and widely distributed. Outside official circles, they were sold for $4 per copy, probably the greatest value, from a tonnage standpoint, in all the history of book selling.

Commercial law publishers divided the 50 titles, ranging alphabetically, perhaps significantly, from "Agriculture" to "War," into pocket-size volumes, with annotations.

In a foreword to these small volumes, former United States Senator George Wharton Pepper points out, "Mahomet need no longer seek the mountain. The mountain has distributed itself into foothills and all of them have come to him."

The hefty volume of codified law is available as the tangible result of over 10 years' labor by the Revision of the Laws Committee of the House of Representatives. It was condensed from a previous mass of some 25 volumes. They were one good reason why "lawyers grow gray."

Human nature has come unchanged through 3,000 years. Life is more complicated now, it is admitted. The intricacies of government, commerce, and social relations of 120,000,000 Americans offer little comparison to the daily lives of the races of that bygone day.

Yet there are the same human impulses to "worship idols," to "break the Sabbath Day," to "lie, steal, covet, kill, commit adultery, dishonor parents," and "ignore Divinity."

Scarcely recognizable in their present form, these same 10 laws still stand. So-called "civilization" has required an estimated addition of 2,400,000 more laws by Federal, State, and city governments of this Nation.

And this Solonic trinity tosses out some 40,000 more new laws each year, with an attitude approaching abandon.

Governing us with laws as few, as to the point as the tablets handed down at Mount Sinai is an ideal hardly to be realized. Steps are being taken toward it by a group, feeble in its minority.

In 1874 the Revised Statutes of the United States became law. This compilation was thought to be a comprehensive revision of all Federal laws then on record and in force.

Then followed a half century in which every member of every legislative body in the country seems to have given ear to the slightest wish of his constituency. During this period the organized minorities burst into flower, each seeking, through devious channels, the lawmaker's favor. Strange measures, of vital interest to a favored few, appeared as laws which were passed to govern all.

In 1926 the United States Code was adopted by Congress. Included within its covers were an estimated 5,000 separate enactments of general and permanent law, over 12,000 sections. Fifty thousand acts and joint resolutions have received the presidential pen since George Washington signed the first act of Congress, June 1, 1789.

The first act signed by President Washington was one regulating the time and manner of administering oaths as required by the sixth article to the Constitution, to Members of the Senate and House, members of the several State legislatures, and executive officers of the Federal Government and of the States. It was the first legislation of the Congress of the United States.

The new code did not eliminate or revise. It simply gathered all the laws of the land, overlapping, unnecessary, ridiculous, obsolete ones included, under distinct classifications and headings preparatory to revision. An advantage already gained is that the laws can at least be found.

Chairman ROY G. FITZGERALD, of the revision committee, who introduced the bill enacting the code, declared that it could be rewritten more clearly with one-half the words used.

Perhaps if it were written in one-tenth or one-twentieth its cluttering legal phrases a mere human being might gain some idea of what he must and must not do by law. "Ignorantia legis neminem excusat."

It is not strange that lawyers and judges find it necessary to set the ether waves on end with torrents of legal interpretation before a final verdict can be arrived at by juries.

The law must be defined. Supreme Court Justice Holmes says "the history of what the law has been is necessary to the knowledge of what the law is."

The great minds of England have differed in the definition. Coke, great English jurist, declared "law is the perfection of reason," while Tennyson saw it as "a codeless myriad of precedent."

Imagine opposing lawyers explaining this act, which is a part of the newly published code:

"No person, firm, or corporation, or officer, agent, or employee thereof shall forge, counterfeit, simulate, or falsely represent, or shall without proper authority use, fail to use, or detach, or shall knowingly or wrongfully alter, deface, or destroy, or fail to deface or destroy, any of the marks, stamps, tags, labels, or other identification devices provided for in sections 71 to 94, inclusive, of this title, or in and as directed by the rules and regulations prescribed hereunder by the Secretary of Agriculture, on any carcasses, parts of carcasses, or the food product or containers thereof, subject to the provisions of such sections or any certificate in relation thereto, authorized or required by such sections or by the said rules and regulations of the Secretary of Agriculture."

FEDERAL DEPARTMENTS SHARE THE WORK OF REVISION

Each of the 10 Federal Government departments has been invited to study the code for sections of departmental interest, which might be rewritten or repealed. Each was furnished, as a beginning, with comments upon 200 or more sections that appeared at first glance to be useless and out of date.

The law establishing the code declared that it can be proven wrong in only one way, by going back of it to the original law, and showing inconsistency.

Later, an act was passed to put new-born laws into supplemental volumes, one to be issued at the end of each congressional session. As additional supplements are issued, preceding ones are thrown away. Thus one code book and one supplement will contain all laws of general and permanent effect at all times.

The same act authorized new editions of the code not oftener than every five years.

The revision committee then set to work on the District of Columbia Code. Research in assembling the District laws was infinitely harder than preparing the Federal Code.

The District of Columbia as created by the First Congress consisted of a portion of Virginia and a portion of Maryland. It is, of course, governed by Congress, which has provided that the common law; all British statutes in force in Maryland on February 27, 1801; the principles of equity and admiralty; and all general acts of Congress that are of application to the District, shall control.

This means that—

The maxims and principles of equity as developed in the court of chancery;

The common law as it existed in 1776;

And all the laws of the legislature, not only of the State of Maryland, from 1776 to 1800, but the laws of colonial Maryland government up to the year 1800, together with the acts of Congress that apply, comprise the great body of law in the District.

In other words, the State courts of Maryland and Virginia administer their own State laws and the Federal courts the Federal laws, but all of those laws are under the jurisdiction of the courts here.

The confusion and uncertainty arising under these conditions is obvious and deplorable.

Is it any wonder that 15 previous attempts at codification of the District laws have fallen a bit short of their mark?

Workers on the District Code found many examples of amusing and antiquated legislation.

There is in force a British statute passed in the fourth year of the reign of King George II (1731) providing that whosoever offends against the law requiring all pleadings in the courts to be "in the English tongue and language only, and not in Latin or French, or any other tongue or language whatsoever, and in words at length, and not abbreviated shall for every such offense forfeit and pay $133.33 to any person who shall sue for the same."

Imagine the trouble that might be caused by anyone who should "try and collect" in view of the thousands of times Latin phrases are used in court papers.

Another law (shades of Sir William Blackstone) dug up from the past reads as though patterned after the Holy Scriptures; passed during the ninth year of the reign of Henry III (1225—over 700 years ago); and in the style of that day, nearly a century before Chaucer, it relates to dower and the right of quarantine of widows as follows:

"* * * and she shall tarry in the chief house of her husband by 40 days after the death of her husband, within which days her dower shall be assigned her (if it were not assigned her before) or that the house be a castle; * * * and for her dower shall be assigned unto her the third part of all the lands of her husband, which were his during coverture, except she were endowed of less at the church door."

Whoever wins more than $26.67 in a gambling game, being convicted, shall forfeit five times the value of his winnings. At least, an act passed in the ninth year of Queen Anne's reign back in 1710 so recites.

Authority for this code of general and permanent laws in force in the District of Columbia was granted by Congress in 1929. It is about to come from the press with the laws carefully classified, titled, and indexed.

"If present ideas are realized," says Chairman FITZGERALD, "after the repeal of obsolete statutes and the harmonizing of discordant features by perfecting amendments, the whole body of the code may be revised and the law stated in simple, precise language in an effort to approach an ideal of legislative expression."

The next vigorous step was in February this year, when the Revision of the Laws Committee introduced a bill which seeks to repeal 93 sections of the Federal Code. These sections were laws affecting the Departments of War, Navy, and the Interior, and their repeal was recommended by these departments.

If this bill passes, these laws would be indicated as repealed in the next supplement. With the next edition of the complete code they would be dropped permanently.

These three departments will continue their work of recommending laws for rewriting or repeal. The reports of premilinary work of the other seven departments are eagerly awaited by the House committee. It is hoped that hundreds of "deadwood" laws may be removed in this manner.

Hundreds of statutes set forth in the code have been virtually repealed by later enactments, but they are still there. Some 40 have been declared invalid by the United States Supreme Court, therefore are laws no longer. They are still there. Thousands have been nullified by implication or because of inconsistency.

LAW REVISION NOT A NEW SUBJECT

The Revision of the Laws Committee may well take new courage in its efforts through studying the work of the first such committee recorded in history's pages—that established in 528 A. D. by the Roman Emperor Justinian.

In the first year of his reign Justinian appointed Tribonian, a statesman of his court, to establish a code of Roman law. With 16 chosen associates Tribonian set to work.

They found the law which had been accumulating for 20 centuries comprised in 2,000 books, or, stated according to the Roman method of computation, in 3,000,000 sentences.

It is probable that this matter, if printed in law volumes such as are now used, would fill from 300 to 500 volumes.

In 534 A. D., the codification being completed, the emperor decreed that no resort should be had to the earlier writings, nor any comparison be made with them. Commentators were forbidden to disfigure the new with explanations, and lawyers were forbidden to cite the old. The imperial authority was sufficient to sink into oblivion nearly all the previously existing sources of law, but the new statutes which the emperor himself found it necessary to establish in order to explain, complete, and amend the law rapidly accumulated throughout his long reign.

And so it goes today. The worthy Representatives who have pored over the laws for years in their work on the revision committee offer new laws to Congress faster than old ones are being repealed.

Since the Seventy-first Congress convened in special session a year ago. Chairman FITZGERALD has submitted 183 measures for the consideration of his fellow-legislators. His 12 associates on the committee have asked for passage of a total of 262 bills, a grand total of 445. Representative LAMAR JEFFERS deserves special mention. He has only asked for passage of six bills.

Chairman FITZGERALD has seen fit to serve his Ohio constituency throughout five terms by vigorous lawmaking efforts which have gained for him a reputation as one of the leading law "makers" in the lower House. In justice to him it may be said that of his general bills many have been soundly based on public benefit, such as the codification bill, workmen's compensation, war-veteran relief, and similar subjects.

Also, his district being the site of the national military home, Wright Field, and other Federal institutions brings an avalanche of requests to his office for private bills and special legislation.

We have dealt mostly thus far with general and permanent legislation. Congress also indulges its love for lawmaking in private bills for individual pensions, correcting military records, compensation for injuries, construction of bridges in congressional districts, and such like.

Halfway between private and general laws are those dealing with national parks and reservations and with Federal affairs of the District of Columbia, of national but not individual interest.

Then there are the appropriation acts providing funds to run the Government. About 15 of these each Congress cover some 300 pages of the statutes published after the sessions.

The tariff bills are not to be overlooked. The one just born of great travail holds great possibilities for argument and legal interpretation in its 535 pages.

There are so many laws and so many agencies of enforcement that mental chaos and eventual insanity surely would be the portion of any well-intentioned citizen who tried to obey them all.

Lack of knowledge of existing law coupled with frightful carelessness on the part of lawmakers has given rise to absurdities such as these:

In 1893 Congress passed an act which was signed by the President authorizing the sale of the old Chicago post office to the "lowest and best bidder." This slip was later discovered and corrected.

One Senator tried to amend the Ohio code relating to public railroad crossings of highways. His bill cited the section of Ohio rather than Federal law.

The House passed a bill proposing to amend sections of the Compiled Statutes of the United States—a private compilation! The Senate was about to pass this measure when it was discovered and a concurrent resolution of the House instructed the Clerk to strike out the language of the engrossed bill.

Several times Congress has passed an act "proposing" to amend an earlier law.

It has even attempted to amend an act that had not been enacted.

Congress once tried to amend a law which had been repealed seven years before. Comparison has been made of this futile gesture to "trying to hang a picture on a wall that had been torn down."

STATES AND CITIES FOLLOW SUIT

State and city governments are awakening to the menace of too much legislation. They are following the Federal lead in attempting to codify and clarify their laws.

A former Governor of Virginia suggested that all State legislatures be convened in special session for the express purpose of repealing all deadwood laws. His suggestion met with instant and favorable editorial comment from the press of the entire country.

The Ohio Legislature has an active committee at work on its code, with the result that bills were passed in 1927 and 1929 repealing 1,054 old and superseded statutes. Still more repeals will be sought in 1931.

New Hampshire's Legislature distinguished itself at its 1930 session by adjourning without enacting a single law. The New Jersey Legislature met, repealed scores of laws, and "adjourned."

The city of Cedar Rapids, Iowa, has just completed codification of its ordinances. They are grouped in a volume, said to be both thorough and simple, in 94 chapters, under 16 titles. The work was regarded there as "one of the first steps toward good municipal housekeeping."

On every hand the old idea that a legislator is elected for the one purpose of getting more laws, is becoming passe. The highest needs of any constituency may be best served by caution in lawmaking, rather than speed. The majority has no lobby other than the voice of the people. That voice should be heard in such volume as to drown the cries of vicious minorities for special privilege.

Improvement of the phrasing of legal measures is a subject on which every legislator might render magnificent service. Why should laws for the masses be made so ponderous that they must be revised, rewritten, amended, interpreted, appealed, explained, and fought over before one single criminal be lodged in his cell?

The present legal system, unfortunately, spends so much time in fighting civil cases where property rights are involved, and prohibition cases which deal with a moral issue, that criminals have little fear of the law ever getting around to their affairs.

As the tangle of legislation knots more closely about us, we discover its boon companions—difficulty of enforcement and apathy toward crime.

More laws—less obedience. The criminally inclined (and they are usually "smart" people) know that the law which should punish them, instead of going straight to the point, has devious wordings and loopholes which will ensnare judge and jury, who listen to legislative counsel of both the individual and the State in a web of stupefying interpretation and high-sounding phrases.

A law is broken, and the criminal relies on the very law itself to set him free.

A prisoner in court is one of two things—guilty or innocent. That fact is lost sight of entirely as the great pastime of legal jousting goes on. Unlike our other sports this game has no closed season. Its effect can be only harmful to the cause of justice and to the good of all.

Swift punishment for crime is relegated to the limbo of forgotten things. The public mind changes in tempo accordingly.

The newspapers carry the story of an awful crime. Human passions are aroused, momentarily, by pity for the victim and a desire for punishment of the criminal. But as the courts wrangle day after day over points of law, it follows naturally that we humans, who become bored so easily, yawn and say, "Well, let's go to the movies," or "Turn on the radio."

Untold masses of clerks and armies of struggling lawyers rise up to call the Congress blessed, for without its generosity of laws, couched in entangling and bewildering phrases, they would have to seek new jobs.

One doubtful merit of this pyramid of legal verbosity is its beneficial effect upon the unemployment problem. Such compliment also might be paid to an earthquake or a hurricane which sets men to work in reconstruction.

We can not sidestep the rule of "vis major," nor evade the acts of Providence, but we can limit the acts of Congress.

How can we correct this evil? Set the whole united force of public opinion, and there is no greater force, to the task of limiting new laws until enforcement catches up with what we now have; weed out, condense, and rewrite the old ones until they are in form and number such as may be understood and obeyed by all; put our belief anew in the majority principle and see that a safe majority is demanding each new law.

The congressional committee and other agencies pioneering in the work of simplifying the law should have the support of the entire membership of every legislative body in the land. They should be assisted by the bench and bar, the press, and every citizen. Huge sums of money, sinister influences, are working toward the other extreme. In this free country laws should not be for sale.

The Hon. James A. Reed, himself an able lawyer and a peerless cross-examiner, declared just before retiring from the United States Senate in 1929 that "we have enough laws now to govern us for the next 10,000 years." Anyone who gives cursory thought to this problem will agree that a "lawmaker's holiday" is much to be desired.

Ten thousand years seem a long time. It would be "some holiday." But perhaps he's right.

It may be of interest to call attention to some of the difficulties encountered in connection with the new code for the District of Columbia. Therefore, I present some correspondence had with a member of the District bar, Harry S. Barger, Esq., relative to criticism of the code:

WASHINGTON, D. C., *August 21, 1930.*

Hon. ROY G. FITZGERALD,
Chairman Committee on Revision of the Laws,
House of Representatives, Washington, D. C.

Subject: The New Code of the District of Columbia.

DEAR SIR: You have been good enough to solicit suggestions and indications of errors in connection with the labors of your committee in the captioned matter, and the undersigned takes the liberty of submitting the following:

By the act of May 29, 1928, New Code, title 1, section 1, page 1, Congress directed the preparation under the supervision of your committee, of a "consolidation and codification of the laws * * * relating to or in force in the District of Columbia," and not a revision of those laws. It very clearly appears from an examination of the results of the labors of your committee that there has been attempted a complete revision of the laws, and it is equally apparent that the attempt and the result are far beyond the authority conferred by Congress.

Section 1 of the 1901 code provides that "the common law, all British statutes in force in Maryland on the 21st day of February, 1801," etc., should remain in force in the District of Columbia, except as they may be inconsistent with or replaced by some provision of that code. Chapter 60, sections 1639 et seq., of the 1901 code provides that "all acts and parts of acts of the General Assembly of the State of Maryland general and permanent in their nature," etc., are repealed, with certain enumerated exceptions. It is noted (1) that the new code omits the clause "All British statutes," etc., as contained in the 1901 code, and (2) so far as the writer has been able to find, the entire provisions of chapter 60 of the 1901 code have been deleted. Furthermore, numerous statutes of Maryland have been carried forward, notwithstanding they seem to be general and permanent in their character, and not within the exceptions contained in the chapter of the 1901 code relating to repeals.

Inquiry made of one of the members of the bar who assisted your committee in the preparation of the new code elicited the information that acts regarded as having been repealed or superseded have been omitted, as well as acts regarded as obsolete and inconsistent, and that where there was doubt whether a given act has been repealed or was obsolete or inconsistent it was included.

Certainly an attempt has been made at a revision rather than a "consolidation and codification" of the laws "relating to or in force in the District of Columbia," and it is respectfully suggested that, since the authority conferred by Congress has been so far exceeded, the new code can not be regarded as official or as a correct statement of the law "relating to or in force in the District of Columbia." Congress assuredly did not authorize a revision, and it is certain that Congress could not have authorized your committee or any person or persons working under its direction to make a revision, even if it had so desired. Revision must be the act of Congress the same as any other enactment.

Very truly yours, H. S. BARGER.

DAYTON, OHIO, *October 6, 1930.*

HARRY S. BARGER, Esq.,
Lawyer, National Press Building, Washington, D. C.

DEAR MR. BARGER: Your letter of August 21, with reference to the new Code of the District of Columbia, has just come to my attention upon my return from Europe, where I went as an American delegate to the Interparliamentary Union conference.

I want to thank you for your interest in the subject of the code and for your criticisms.

It is very difficult to mark definitely the line between codification and revision. The purpose was to make the code a compilation in scientific form and arrangement of the existing general and permanent Federal statute laws in force in the District of Columbia. In so far as this course has been in any way deviated from, it is an error, and I am happy to have you call attention to every specific instance.

This code is but prima facie evidence of the law and an effort to get the existing laws without change into a convenient form for consultation and practical use. If I understand correctly your statement that the words "British statutes," etc., as contained in the 1901 code, are omitted from the present new code, I assume that it is because the new code undertakes to set forth with certainty all of the British statutes so in force and no longer leave them to doubt or conjecture or to the toils of antiquarian research.

I do not have the 1901 code before me and am not quite sure about the provisions of chapter 60, which you tell me have been deleted. If I understand it correctly, these provisions are covered by the general provisions of Title I of the code. If any attempt such as you say has been made at revision, it is an unconscious one. This code is the result of appeals to Congress by the people of the District of Columbia through members of its bench and bar. It was reported to the Committee on Revision of the Laws of the House of Representatives as of vital necessity for the orderly administration of justice in the District. It is the product of the cooperation of the Bar Association of the District, its leading members, and of the judiciary. The men employed in the work under the direction of the House Committee on Revision of the Laws, were men recommended by the select committee of the District Bar Association and by members of the bench as the men best qualified in the District for the work.

Their work has been supervised during the last four years, and great care has been exercised to make it an authoritative, useful, and agreeable compendium for the bench, bar, and people of the District of Columbia.

I shall personally assume responsibility for all defects and for all deficiencies by which this code falls short of the ideal set. I welcome the criticisms of yourself and every other person interested in the subject. Your letter will receive further consideration and your suggestions careful analysis.

I shall be happy if you would let me hear further from you with all possible definiteness of every defect which may be discovered in or attributed to this code.

It is my thought to have prepared from time to time, as authorized by law, supplements to this code which will not only contain supplementary legislation and changes coming with each fresh session of the Congress, but also corrections of everything that is found faulty in the present work.

You will perhaps agree with me that whether or not the code is a complete and accurate statement in scientific form of the laws governing the District of Columbia, it affords an excellent opportunity of studying how the laws for the District may be best revised in order to make them most suitable instruments for the security of life, property, and the administration of justice in the District.

Any assistance which you or others may be willing to give as to how the present statutes may be best amended in the common interest will be happily received.

With appreciation of your letter, I am, very truly yours,

ROY G. FITZGERALD, *Chairman.*

DAYTON, OHIO, *November 6, 1930.*

HARRY S. BARGER, Esq.,
Lawyer, National Press Building, Washington, D. C.

DEAR MR. BARGER: With reference to your letter of August 21, after further consideration promised in regard to your statements

therein, I feel now prepared to take up more thoroughly the criticisms.

You state that—

"It very clearly appears from an examination of the results of the labors of your committee that there has been attempted a complete revision of the laws, and that it is equally apparent that the attempt and the results are far beyond the authority conferred by Congress."

To sustain this assertion, that "a complete revision of the laws" has been attempted, you submit three specifications—one that there has been an instance of improper inclusion of certain statutes, and two instances, in your opinion, of statutes improperly omitted, as follows:

1. That numerous statutes of Maryland have been improperly included.
2. That the entire provisions of chapter 60 of the 1901 code (31 Stat. 1189) have been improperly omitted.
3. That the words "All British statutes in force in Maryland on the 27th day of February, 1801," as contained in section 1 of the 1901 code, have been improperly omitted.

I shall endeavor to answer each of the above criticisms in order:

I. MARYLAND STATUTES IMPROPERLY INCLUDED

I wish that you had pointed out some specific Maryland statutes improperly included, in stating that there were some "notwithstanding they seem to be general and permanent in their character and not within the exceptions contained in the chapter of the 1901 code relating to repeals."

On page 499 of the new code will be found the table of all Maryland statutes included or even referred to in the compilation, together with a reference to the specific title and section in which each will be found. It will reveal that but 15 sections set forth or refer to such Maryland laws. The compilers have furnished me with necessary data, and since I do not have access here to the committee's files, I refer to their report concerning these statutes.

Sections 125–132, title 18, and sections 10–11, title 20, District of Columbia Code, contain the Maryland statutes included. Explanatory of these 10 sections I quote the following excerpt from a résumé by the compilers:

"Sections 10 and 11 of title 29 relate to the powers and duties of the register of wills. Section 1636, of the code of 1901, after repealing 'all acts and parts of acts of the General Assembly of the State of Maryland general and permanent in their nature,' specifically exempts from the operation of the repealing clause (see par. 7 of sec. 1636) 'acts and parts of acts authorizing, defining, and prescribing the organization, powers, duties, fees, and emoluments of the register of wills of the District of Columbia and his office.'"

The propriety of the inclusion of these Maryland acts appears, therefore, to be beyond question.

"Sections 125–132, inclusive, of title 18 relate to the powers and duties of the probate court. If section 1636 were the only legislation on the subject, the law set forth in these sections would have been clearly repealed by section 1636 of the 1901 code. Section 116 of the 1901 code, however, provides:

"'SEC. 116. Probate court.—The special term of said supreme court, heretofore known as the orphans' court, shall be designated the probate court, and the justice holding said court shall have and exercise all the powers and jurisdiction by law held and exercised by the orphans' court of Washington County, District of Columbia, prior to the 21st day of June, A. D. 1870.'

"Attention is also called to the case of Hutchins *v.* Hutchins (48 App. D. C. 286 (decided 1919)), in which the Court of Appeals of the District of Columbia held that the specific provision contained in section 116 was sufficient to save from repeal under section 1636 the Maryland law dealing with the probate court. Other authorities to the same effect will be found in the annotations to section 116 of the 1924 edition of the code. These references clearly answer the criticism to the effect that these statutes were repealed by section 1636—and fully justify their inclusion in the work.

"Sections 102, 104, and 107 of title 19 of the new code set forth certain British statutes relative to gaming. In the case of Wirt *v.* Stubblefield (17 App. D. C. 283) the Court of Appeals of the District of Columbia held that 'those statutes are still in force here except as they may have been repealed by force of the act of Congress of January 12, 1899, known as the negotiable instrument law, so far as they relate to or may affect negotiable instruments, such as bills and notes.' The original British statutes impose penalties the amount of which is indicated in pounds sterling, which it was necessary to reduce to an American equivalent. Solely for the information of such attorneys as might be interested in the historical development of the subject, reference was made at the end of the section to the Maryland act of 1781, chapter 16, entitled 'An act to declare what foreign gold and silver coin shall be deemed current money in the State.' No portion of the Maryland act was included in the compilation. The same explanation is applicable to section 2 of title 24 of the new code, which refers to the same Maryland act for the same purpose.

"Section 21 of title 24 is taken from the Revised Statutes of the District of Columbia, section 837, and relates to the recovery of 'fines, penalties, and forfeitures accruing under the laws of the State of Maryland, which by adoption have become laws of the District.' For the purpose of tracing the historical development of this section, the compilers furnished a reference at the end of the section to the Maryland act of April 20, 1777, chapter 6, entitled 'An act to direct in what manner all fines, forfeitures, and penalties shall be recovered, and in what manner fines, forfeitures, penalties, and amerciaments shall be applied.' No portion of the Maryland act was included in the compilation.

"No Maryland acts other than those above discussed were included or referred to in the code."

II. CHAPTER 60 OF THE 1901 CODE IMPROPERLY OMITTED

The provisions of this chapter provide for the repeal of acts and parts of acts except—

1. Acts relating to the rights, powers, duties, or obligations of the United States.
2. Acts relating to the Court of Claims.
3. Acts relating to the organization of the District government.
4. Acts relating to the militia.
5. Certain penal statutes.
6. Acts relating to the department of the General Government.
7. Acts relating to the office of the register of wills.
8. Certain specifically enumerated acts.
9. Acts relating to the vestries or other governing bodies of religious denominations.

Concerning this criticism, I again quote from the compilers' report:

"The act authorizing the compilation specifically required the compilers to exclude 'such laws as are of application in the District of Columbia by reason of being laws of the United States general and permanent in their nature' (D. C. Code, title 1, sec. 1) which have already been recodified by your committee and made prima facie evidence of the law. (Preamble to the U. S. Code.) There are included in the United States Code all of the laws referred to in items 1, 2, and 6 of the preceding paragraph. All of the laws continued in force by items 3, 4, 7, and 8 are set forth verbatim in the compilation of the District laws. Item 9 appears as section 23 of title 1. All of the acts exempted from repeal having been included in either the United States Code or the District of Columbia Code; such inclusion constituted them prima facie evidence of the law (D. C. Code, title 1, sec. 2). To have included that portion of section 1636, which continued those laws in force, would have been a mere duplication of that which was already included in the compilation and would tend to confusion.

"In the light of the provision of the law authorizing the compilation of the 'laws general and permanent in their nature, relating to or in force in the District of Columbia,' it was obviously improper to include the acts of Congress repealing legislation omitted from the code. However, for the information of the profession the compilers inserted a table at the conclusion of the work (see p. 511), setting forth in detail the laws omitted from the compilation, together with a specific reference to such acts of Congress as repealed or superseded them.

"Section 1637 continued in force appropriation acts and laws of a private or temporary character. Appropriation acts and private and temporary acts were not included in the compilation because they were not 'general and permanent laws' within the meaning of the act of Congress authorizing the compilation.

"Section 1638 related to suits pending at the time of the adoption of the original act in 1901, all of which pending actions have been long disposed of by the courts. This section was temporary, and has long since been obsolete.

"Section 1639 provided that acts of Congress passed between the 3d day of March, 1901, and the 1st day of January, 1902, should be regarded as a part of the law in force in the District of Columbia, notwithstanding the enactment of the code. This section was purely precautionary. No acts of Congress were passed within the date specified to which the law was applicable. It was, therefore, omitted.

"Section 1640 is hereafter discussed in connection with the third criticism.

"Section 1641 related to penalties and forfeitures incurred prior to January 1, 1902, and was but temporary, intended as a saving clause, not general and permanent, and in the course of the 30 years which have elapsed since its enactment has long since served its purpose. It was, therefore, omitted.

"Section 1642 provides: 'Where any action or proceeding by the provisions of chapter 41 of this code would be barred at the time it goes into effect, or within one year thereafter, which would not be so barred by prior laws, such action or proceeding may be brought or instituted within such period of one year, anything in said chapter to the contrary notwithstanding.'

"The act of 1901 went into effect on January 1, 1902 (31 Stat. 1189, preamble). It is perfectly obvious from the very phraseology of the section that it was purely temporary in its character and became obsolete and inoperative on January 1, 1903.

"Section 1643 provided that the passage of the code of 1901 should not affect the tenure of office of existing judicial officers. There are now no officers of the type specified in the section who held office at the time of the enactment of the code in 1901, and the section, obviously temporary in its character, was not, therefore, included."

III. THAT THE WORDS "ALL BRITISH STATUTES IN FORCE IN MARYLAND ON THE 27TH DAY OF FEBRUARY, 1801," AS CONTAINED IN SECTION 1 OF THE 1901 CODE, HAVE BEEN IMPROPERLY OMITTED

Section 1 of the 1901 code is found in section 21, title 1, District of Columbia Code, but the foregoing words were eliminated therefrom. Section 1640 of the 1901 code is a similar and correlated section which provided that any of the British statutes in force in Maryland on the above date were not to be affected by anything in the repeal provisions of the 1901 code except in so far

as they might be inconsistent with or replaced by some provision of that code. Section 1640 was omitted in its entirety.

The British statutes included in the District of Columbia Code are set forth verbatim. Such statutes are those which have been determined after examination and research to relate to or be in force in the District. As I wrote you on October 6, these were included so that they could be found and read with certainty. In the 1901 code they were incorporated by reference only under the provisions of section 1 of that volume. The new code restates them in their exact phraseology, and to facilitate reference thereto there has been inserted a table of British statutes included (see p. 499), which also cites their source.

It must be apparent that it would have been improper to repeat the exact wording of section 1 of the 1901 code alluding to the British statutes and then set them out in the code itself.

As you know, under the law, the code is prima facie evidence of the law in force in the District of Columbia. It was also required that the laws, general and permanent in their nature, relating to or in force in the District of Columbia should be included in the act of Congress of March 3, 1901 (31 Stat. 1189), which provided that "all British statutes in force in Maryland on February 27, 1801, shall remain in force." Since this consolidation and codification of the laws was required to be prepared and published, it is obvious that it would have been incorrect to have incorporated in the new code the British statutes by reference only, and thereby tend only to confuse the courts and the profession, instead of setting forth such statutes in their entirety based upon proper and official compilations. A statement from the compilers merely reaffirms what I have said in this connection, and this phase of the situation was discussed at extended conferences held with the Senate and House legislative counsel.

I shall be glad if you will examine the matter further and let me know if a wiser course could have been pursued.

Very truly yours,

ROY G. FITZGERALD,
Chairman Committee on Revision of the Laws.

The pressing need for simplicity in stating the laws that govern us is voiced by Chief Justice Hughes. Unless the theoretically self-governing governed are awakened and aroused to the necessity of formulating and exercising a system of continuous codification and revision of the laws in the interest of precision and clarity, the criticisms he made of existing conditions will continue. His statements made recently before the Federal Bar Association and commented upon in the editorial columns of the Washington Post of February 14, 1931, parallel the observations of Bentham, to which I have already alluded.

In conclusion I quote a few pertinent paragraphs. The responsibility is upon the Congress, and must be met if the people of a great Nation are to be assured of their right to know the statute law they are presumed to know, and by which they are bound:

Some of the difficulties in making law conform to common sense were pointed out in the address of Chief Justice Hughes to the Federal Bar Association. "How difficult it is," he exclaimed, "to secure legislation that is simple and unequivocal."

* * * Legislative bodies are themselves to blame for much of the confusion and many of the incongruities resulting from their statutes. * * *

Government by the majority is essentially based on compromise, but there is reason to believe that vast improvements could be made in the enactment of laws. * * * Sooner or later Congress must face the problems of coordinating its laws, of formulating policies rather than ambiguous phrases, and of conducting the Nation's business rather than that of individuals and groups.

Mr. FITZGERALD. Mr. Speaker, I call attention to the opportunity offered to Members of Congress to secure thorough physical and medical examinations by 24 specialists of Johns Hopkins University. Dr. Arthur MacDonald, of 314 East Capitol Street, Washington, D. C., has announced that these specialists will make without any expense such examinations of those whose anthropological measurements are taken by Doctor MacDonald.

Doctor MacDonald, interested in scientific research, offers to make the measurements of all Members of the House of Representatives gratis and will be pleased to make appointments either at his own office, 314 East Capitol Street, or at the offices of the Members.

He states that—

The anthropological measurements are few and simple, being: Height; weight; chest girth; arm reach; hand grasp; length, width, and height of head, of face and nose; and a few physiological measurements. All Members of Congress should take these measurements, to establish the physical status of the United States; and also the medical examinations, so that any latent weaknesses or defects, unknown to their regular physician, may be found and provided for in advance. For incipient tendencies, not yet noticed, if discovered early by the specialist usually can be remedied; but if undetected, they may become serious, if not fatal. Each specialist makes a full report to Doctor MacDonald, and the Member examined can have a copy. The one fundamental idea is to keep well, and every hour spent in these examinations may add many years to the Member's life and also spare him from much pain, suffering, and sickness. This will enable him to be still more efficient in his public service. The examination by different specialists is fundamental. The problem is to have the normal decadence of life extended equally to all the vital organs, for the chain is never stronger than its weakest link. Synchronicity is the secret of long life. The author, though always in the best of health, was examined by 10 specialists of the Johns Hopkins University, some of his old friends. He has a copy of the report of each specialist. Every citizen, as well as Members of Congress, should have such privilege, who desires to live an active and long life.

Moreover, every Member of Congress should encourage the governor of his State to have the State medical society recommend specialists for appointment to examine for a nominal sum every citizen desiring it, especially the laboring man (seldom does he go to a specialist and too late) whose health is much more necessary for physical work than that of the professional or sedentary worker. Thus preventive medicine would be of great practical benefit to the whole country.

MRS. LAWRENCE CHLEBEK

The SPEAKER pro tempore. The Clerk will report the first bill on the calendar.

The Clerk read the title of the first bill on the Private Calendar, H. R. 7798, for the relief of Mrs. Lawrence Chlebek.

Mr. COLLINS. Reserving the right to object——

Mr. CHALMERS. Reserving the right to object, there are quite a number here to-night who are interested in certain bills. I have no objection to their extending remarks, but why take up a lot of time with objections——

Mr. MAAS. If I am not going to have an opportunity to explain this bill, I shall object to every bill that is brought up here to-night. I have stayed here two days waiting for an opportunity to have this bill taken up.

This bill is to relieve a woman who is in need. She was entering the customhouse at St. Paul, which is occupied by the Government and is a Government building, and through the negligence of the Government agent the staircase had become icy and slippery and the woman slipped and fell and broke her wrist. If it had been a private building, she would have received compensation. It seems manifestly unfair that the Government should stand in any different attitude of liability than a private individual. Of course, we can get out of it on the basis that we do not have to pay, but the Government ought to be obliged to keep this building in proper condition so that citizens entering it would not break their limbs.

The bill was not disapproved by the department. I hope the gentleman from Mississippi will not make an objection to the bill. I recently introduced the bill for $2,000. The woman lost a year's time—she is the mother of a number of children, all minors, I believe. I reduced the sum to $500 which will be a figure that will barely pay her expenses of hospital and the doctor's fee.

Mr. KNUTSON. I do not believe that anybody will object to a bill of that kind.

Mr. COLLINS. I do not think the gentleman should make that statement. The gentleman is not helping Mr. MAAS by such statements. I have given the gentleman from Minnesota a chance to explain the bill. The only matter that concerns me is as to whether the Government was negligent. If it was I would be perfectly willing for the bill to pass.

I can not find anything, however, in the report that indicates any negligence on the part of the Government.

Mr. MAAS. That is the reason I asked to make an explanation. The report is not complete.

Mr. COLLINS. It is an ordinary stairway. The person was going up the stairway and fell and suffered certain injuries. If there was fault, it was the fault of the person herself, and not the Government.

Mr. MAAS. The reason I asked to make an explanation was because the report does not show all of the facts. If the gentleman knew the facts I know that he would have no

objection. The drainpipe up above had become clogged, and the ice had melted and the water had run from the eave and dripped down on the stairway, and had frozen there. It was clearly a case of negligence upon the part of the Government itself. It was a Government building.

Mr. COLLINS. There is no information in the report of that sort.

Mr. MAAS. That is why I asked to make a statement.

Mr. COLLINS. Has the gentleman an affidavit to that effect?

Mr. MAAS. I suppose I could get one. I know the facts. I have investigated the facts personally.

Mr. SOMERS of New York. Was that evidence brought before the committee?

Mr. MAAS. This is a case that I inherited from my predecessor. I took the files as I found them.

Mr. COLLINS. If the gentleman by proper proof can make that kind of a showing, I would be perfectly willing to vote to give her the $2,000 originally asked.

Mr. MAAS. The gentleman knows that there is no time to get that proof now. This bill has to be passed at the present time if it is going to be passed. I wish the gentleman would accept my word for it.

Mr. COLLINS. If the gentleman will say that he knows that as a fact, all right.

Mr. MAAS. I know those to be the facts, and can assure the gentleman that they are the facts.

Mr. COLLINS. Mr. Speaker, I withdraw the reservation of objection.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I examined this bill, and, for reasons similar to those that actuated the gentleman from Mississippi, I was unable to see where there was any negligence on the part of the Government. I had objected to a bill introduced by the gentleman from Ohio [Mr. CABLE], where a woman had slipped down some icy steps, and the condition of the steps was not the fault of the Government at all. If the gentleman says that the building was defective, so that the drain did not carry off the water and that the water dripping from the roof froze on the steps and the accident was occasioned by that condition and directly traceable to the negligence of the Government, I shall withdraw my reservation of objection.

Mr. MAAS. I assure the gentleman that those are the facts.

Mr. STAFFORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Without objection, the Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Lawrence Chlebek the sum of $500 in full settlement of all claims against the Government of the United States for injuries suffered and expenses incurred as a result of an accident in the United States customhouse building, St. Paul, Minn.: *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."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee 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, and a motion to reconsider was laid on the table.

MAJ. THOMAS J. BERRY

The Clerk called the next bill, H. R. 8585, for the relief of Maj. Thomas J. Berry.

Mr. STAFFORD. Mr. Speaker, I reserve the right to object. I have difficulty in bringing myself to favor this bill. The department sets out that this officer could have had the services of the regularly constituted attorneys connected with the Military Establishment, but did not avail himself of their services. He employed private attorneys. In the case of hospitalization, where an officer connected with the Army goes outside of the service for medical treatment, we do not recognize the obligation.

Mr. SCHAFER of Wisconsin. In the case of hospitalization of a World War veteran, if the veteran obtained private dental or medical treatment for a service-connected disability or disease and submitted evidence to the bureau that he had no knowledge that he could have received said treatment of that kind from the Government he is reimbursed by the Veterans' Bureau. I carefully considered this bill as chairman of a Claims Committee subcommittee and the file that I had before me was an inch thick.

What struck me as remarkable was that in view of the extensive legal services rendered there was such a small bill rendered for the same. It would be wonderful if all of the beneficiaries of these claims bills would be able to obtain legal service at as low a cost as Major Berry. This major was a new man in the service. He was an able, experienced doctor. The evidence indicated that a great injustice had been done him in bringing these many suits. He was dragged halfway across the continent on several occasions to appear in court, and he had to be defended by counsel. It seems regrettable that he was subjected to all of this expense, particularly in view of the fact that the testimony indicated that he had done the best possible thing for the soldier who died, and had done the best possible thing for thousands of other soldiers in camp, in trying to protect them from contracting a contagious disease.

Mr. BRAND of Ohio. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. BRAND of Ohio. I just want to say to the gentleman that the reason for the small fee is that it comes from the office of Gen. J. Warren Keifer, of Springfield, Ohio, who is a former Speaker of this House.

Mr. STAFFORD. I may say without any reflection upon the life and character of that rugged old stalwart Republican, J. Warren Keifer, even though he hails from the State of Ohio, that many a time in the good old days in the late evening hours, but before midnight, at Gerstenberg's, on Pennsylvania Avenue near Fourteenth Street, he and I after a hard day's work regaled ourselves with a glass of beer and a sandwich. That is a life that has passed from the scene, I fear, forever.

Mr. KNUTSON. The gentleman is too pessimistic.

Mr. STAFFORD. General Keifer is still living, and I say God bless that old Republican war horse. I withdraw the reservation of objection.

Mr. BRAND of Ohio. And he is 94 years old.

Mr. COCHRAN of Missouri. And was the beer served in a glass in those days or in steins?

Mr. STAFFORD. Oh, we had the privilege of having it either way.

Mr. BACHMANN. I demand the regular order.

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 the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $543.42 to Maj. Thomas J. Berry, commanding Companies C and D, Third Ohio Infantry, to reimburse him for expenses incurred in defending himself in suits instituted by relatives of Pvt. Seymour M. Sprouse, of Company C, Third Ohio Infantry.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

CHARLES E. REYBURN

The Clerk called the next bill, H. R. 8991, for the relief of Charles E. Reyburn.

Mr. PATTERSON. I object.

Mr. HALL of Indiana. Will the gentleman reserve his objection?

Mr. PATTERSON. Yes; I will reserve the objection.

Mr. HALL of Indiana. Mr. Chairman, this is a bill that has unusual merit, seeking to bring Mr. Reyburn under the United States Employees' Compensation Commission. He was injured in 1916, just eight months before the act became a law, which would have helped him out. Of course, he received certain benefits that were granted at that time, but eight months after this accident Congress recognized that the compensation to which he was entitled at that time was not sufficient, and passed the act. Mr. Reyburn has been suffering ever since that time, and the doctors have said he can not be cured. He lost everything he had trying to cure himself. Now, after 14 years, we are seeking to give him the benefit which the Government would have given him if he had been injured eight months later.

Mr. PATTERSON. Let me say to my good friend from Indiana [Mr. HALL] I realize there is some merit in a great many of these cases, but the policy of the committee has been to object to this class of cases.

Mr. HALL of Indiana. Well, perhaps the policy is wrong. Just because we have not seen fit to pass an act that would bring everybody under this is no reason why meritorious cases should be objected to.

Mr. CAMPBELL of Iowa. Will the gentleman yield?

Mr. HALL of Indiana. I yield.

Mr. CAMPBELL of Iowa. Directing my remarks to the gentleman from Alabama [Mr. PATTERSON], I am interested in this bill for the reason that I have a bill very much like it following. I suppose that every Member of the House is to be treated exactly alike. I take it the gentleman from Wisconsin [Mr. STAFFORD], the gentleman from Mississippi [Mr. COLLINS], and the gentleman from Alabama [Mr. PATTERSON] expect to treat all gentlemen alike.

Mr. PATTERSON. Personally, speaking for myself, and I think the other gentlemen, too; yes, sir.

Mr. CAMPBELL of Iowa. I have looked up the record to find out if there was anyone who was receiving the benefit that is prescribed by this bill. Congressmen have come in here for their constituents and had the same class of bill, and those constituents are enjoying the benefits of that law under the same conditions that exist with regard to this bill and in my bill which is to follow. If the gentleman will look up the record, he will find there are on the rolls now the same class of cases that this bill prescribes.

Mr. PATTERSON. Let me say to my good friend from Iowa [Mr. CAMPBELL] that personally I have not objected to a single one of these bills yet, but there were a dozen or more of these bills objected to on the last evening we considered the Private Calendar.

Mr. CAMPBELL of Iowa. Then how does it come that bills of the same character have been passed and others have not?

Mr. PATTERSON. I did not object to any of them.

Mr. CAMPBELL of Iowa. I will ask the gentleman from Alabama [Mr. PATTERSON] if he will say that none of these bills while he has been objecting have been passed?

Mr. PATTERSON. I think quite a few of them have been passed before last Friday, but since that time none has been passed.

Mr. CAMPBELL of Iowa. Well, I called up the commission to find out. Those men had been placed on the compensation rolls.

Mr. BLANTON. Will the gentleman yield?

Mr. CAMPBELL of Iowa. I yield.

Mr. BLANTON. Does not the gentleman from Alabama [Mr. PATTERSON] believe that when men have worked up their cases in the manner in which the gentleman from Indiana [Mr. HALL] and the gentleman from Iowa [Mr. CAMPBELL] have prepared their cases and have presented them so ably before the House, we should make an exception and let those two bills go by? They do know something about their bills, and they have been able to tell us about the merits of them. They have fairly presented their cases.

Mr. PATTERSON. May I ask the gentleman from Indiana [Mr. HALL] one other question? Did this man pay for his own medical treatment?

Mr. HALL of Indiana. Of course, at that time he received one year's salary, which amounted to $1,700, and he received half of the next year's salary. Yes; he paid for his doctors' bills, and he has been paying bills in the hospital ever since.

Mr. PATTERSON. Since there has been so many of these bills objected to recently, I feel we must have some kind of a policy on such bills. I did not start that policy, but since this strong administration man from Texas, who has been so enthusiastically following the Secretary of the Treasury and his recommendations, delivered that pointed blow that was aimed at me, and also on account of the earnest pleadings of my good friend from Iowa and my good friend from Indiana, it looks as if I will have to withdraw my objection if some other member of the committee does not object.

Mr. BACHMANN. If the gentleman withdraws his objection I will be compelled to object.

Mr. COLLINS. Mr. Speaker, I object.

MARGARET V. PEARSON

The Clerk called the next bill, H. R. 10888, for the relief of Margaret V. Pearson.

There being 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 and directed to pay, out of any money in the Treasury not otherwise appropriated, to Margaret V. Pearson, widow of Lieut. Col. Samuel B. Pearson, deceased, the sum of $169.05, being 18 days' retired pay for the period from October 1, 1929, to October 18, 1929, which was due Colonel Pearson at the date of his death.

Mr. COLLINS. Mr. Speaker, I move to strike out the last word. I want to ask the gentleman from California [Mr. BARBOUR] why this bill carries $169.05, when the report indicates that it ought to carry only $20.72?

Mr. BARBOUR. The amount due the estate is $169.05. The War Department was claiming a set-off of $148 on account of payments that were not validated in the act of July 3, 1926.

Mr. COLLINS. The War Department indicates that this bill ought to be for $20.72 rather than $169.05.

Mr. BARBOUR. It would have been if the payments were not validated, but the gentleman from Mississippi will remember that we passed the act of July 3, 1926, validating all payments of this kind up to July 2, 1921. July 2, 1921, came in the middle of the period of these payments and validated part of them, but the rest of them were beyond that date. This law permitted the War Department to treat these subsequent payments the same as those that were validated.

Mr. COLLINS. It is a small amount.

Mr. BARBOUR. The chairman of the committee has a letter from the War Department recommending that it be paid.

The pro forma amendment was withdrawn.

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.

FRITZ ZOLLER

The Clerk called the next bill, H. R. 11189, for the relief of Fritz Zoller.

Mr. BLANTON. Mr. Speaker, reserving the right to object, it seems the committee is granting a rather large sum to a man for a broken leg. Five thousand dollars is as much as the committee has in many instances allowed in death claims.

Mr. IRWIN. I think the gentleman will agree with me that many of these injury cases are worth more than when a man is killed. In this case the man has a leg that is an inch and a half or two inches shorter than it should be, and I think he is entitled to more than if he had been killed outright. That is the attitude the committee took with respect to this bill. Both bones of the leg of this man were broken; the bones protruded through the flesh and the leg could not be properly set, so that the leg is now an inch and a half or two inches shorter than it should be. That

man is a cripple for life and will be compelled to go around with a crutch all his life. So the committee felt that $5,000 would not be too much.

Mr. BLANTON. I do not know whether the gentleman ever played football, but I did. I have had one of my legs broken in three places. I can tell when bad weather is coming; it is a barometer for bad weather, but it does not stop me from attending the sessions of Congress.

Mr. IRWIN. I would like to ask the gentleman from Texas if both bones were protruding through the flesh when he had his leg broken?

Mr. BLANTON. About the worst thing that happened to me was that after I had been on crutches for two months and was walking down the stairs of the university watching a fellow who was walking with my girl I fell and broke my leg over again. [Laughter.] Then for three more months that fellow walked with my girl when I was on crutches.

Mr. IRWIN. The gentleman should have been attending to his business.

Mr. BLANTON. I think this is too much for a broken leg, and it is setting a bad precedent. The committee has allowed as little as $3,500 for death cases.

Mr. COCHRAN of Missouri. What will the gentleman offer?

Mr. BLANTON. I do not think we ought to set that high a price for a broken leg, and I think this amount should be reduced to at least $2,500.

Mr. IRWIN. I want to say that the committee considered this particular bill very carefully.

Mr. BLANTON. There is no question but what he ought to be paid something, although the Government is not lawfully bound. This is a gratuitous payment on the part of the Government because the Government is not bound for torts. These Army truck drivers ought to be more careful than to be forever injuring people.

Mr. IRWIN. I think the gentleman is right in that.

Mr. BLANTON. So that the committee may consider some proper sum, I think that for the present we ought to object to this bill.

Mr. IRWIN. What amount would the gentleman suggest?

Mr. BLANTON. Does the House believe with me that $2,500 is enough for a broken leg?

Mr. COLE. Make it $3,000.

Mr. IRWIN. I will accept a reasonable amount.

Mr. BLANTON. Would the gentleman object to having it reduced to $2,500? If my colleagues will stand with me on that amount I shall not object to the bill. With that understanding, Mr. Speaker, I shall not object.

There being no objection, the bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay out of any money in the Treasury not otherwise appropriated, to Fritz Zoller the sum of $10,000 in full settlement of all injuries suffered and expenses incurred as a result of a collision between a United States Army Government truck in the city of San Antonio, Bexar County, Tex., on August 21, 1925.

With the following committee amendments:

In line 5, strike out "$10,000" and insert "$5,000."

In line 6, after the word "all" insert "claims against the Government resulting from."

After the figures in line 10 insert the following:

"*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. BLANTON. Mr. Speaker, I offer an amendment. In line 6, on page 1, strike out "$5,000" and insert "$2,500."

The SPEAKER pro tempore. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON to the committee amendment: In line 6, strike out the sign and figures "$5,000" and insert in lieu thereof the sign and figures "$2,500."

The amendment to the committee amendment was agreed to.

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, and a motion to reconsider laid on the table.

OSCAR R. HAHNEL

The Clerk called the next bill, S. 2811, for the relief of Oscar R. Hahnel.

Mr. BACHMANN. Mr. Speaker, reserving the right to object, I would like to inquire of the chairman of the committee why the amount was increased from $150 to $981.02?

Mr. IRWIN. I will say to the gentleman from West Virginia that the car was literally ruined, and being an almost new car, the committee thought he ought to get not only $150 for damages, but also something on the price of the car, and that is the reason we put in this amount.

Mr. BACHMANN. The committee was certainly very kind in that connection, because, as I read the report in the case, I do not think there is any evidence upon which to increase the amount to the figure that the committee has put in.

Mr. STAFFORD. I would like to know the basis for the statement of the chairman that this was a new car. As I recall the report, the car was about three years old.

Mr. IRWIN. I did not mean a brand new car, but a car that was practically new.

Mr. BLANTON. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. BLANTON. Do our friends in another body, when they are introducing these bills, often overlook a bet of this kind and ask for only $150 when the damage is $900? They only asked for $150 when the bill was first introduced, but when this bill passed the Senate they raised the ante up to $981.02.

Mr. IRWIN. The bill was originally introduced in the Senate for this amount and was amended over there.

Mr. BLANTON. It was introduced for $150 and amended and passed by the committee at $981.02.

Mr. BACHMANN. The Senate bill was for $150, but this committee raised it before they passed on it.

Mr. WHITE rose.

Mr. BLANTON. I overlooked the fact that we had our distinguished Senator elect present. I yield to him.

Mr. WHITE. Mr. Chairman, the facts in this case are that this was a comparatively new car, and it was smashed almost completely to pieces.

Mr. BLANTON. What kind of car?

Mr. WHITE. A Reo touring car, I believe. Because of the accident the man paid out in cash approximately $300, and there was an estimate that, to put the car in the condition in which it was at the time of the accident, would require an expenditure of approximately $677 more, making the amount of $981, for which the bill was reported by the committee. I appreciate we are very near the close of the session and I am filled with the spirit of compromise, I will say to the gentleman.

Mr. BACHMANN. Will the Senator elect permit me to suggest that the board in this case recommended $500 as a fair, just, and equitable settlement of this case? Why the Senate cut it down to $150 I do not know, but I think this bill ought to be amended, reducing the amount to $500, in accordance with the finding of the board that investigated the matter for the War Department.

Mr. BLANTON. The gentleman will accept that, I am sure.

Mr. WHITE. I think the gentleman from Texas is right, I accept it very reluctantly.

Mr. BACHMANN. If the gentleman from Maine agrees to the reduction, I have no objection.

Mr. WHITE. I agree to accept the reduction.

There being 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 and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oscar R. Hahnel, the

sum of $150, in full settlement of all claims against the Government for damages to his automobile caused by a collision with an Army truck near Bretton Woods, N. H., on August 10, 1927.

With the following committee amendment:

Line 6, strike out "$150" and insert "$981.02."

Mr. BACHMANN. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment by Mr. BACHMANN: Line 6, strike out "$981.02" and insert in lieu thereof "$500."

The amendment to the committee amendment was agreed to.

The bill, as amended, was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

JEANNETTE WEIR

The Clerk called the next bill on the Private Calendar, H. R. 778, for the relief of Jeannette Weir.

Mr. BLANTON. Mr. Speaker, reserving the right to object, the gentleman from Missouri will not object to having included the usual provision with respect to attorneys' fees?

Mr. COCHRAN of Missouri. Really, I thought the gentleman was going to get up and ask that this sum be restored to $5,000, the amount in the bill originally.

Mr. BLANTON. No; I think the sum is all right.

Mr. COCHRAN of Missouri. I am perfectly willing and anxious to have a limitation as to attorneys' fees that no one shall receive one cent of the money appropriated but the injured child.

Mr. BLANTON. Mr. Speaker, I am surprised that the gentleman from Wisconsin [Mr. SCHAFER] should bring into this House a bill of this character without the usual limitation with respect to attorneys' fees. The gentleman reported this bill and it comes on this floor from his hands, and it is improperly drawn and he ought to be more careful in presenting such bills on the floor.

Mr. SCHAFER of Wisconsin. I will say to the gentleman that I intended to offer the usual attorneys' fees provision in this case. Perhaps it was not incorporated in the bill through a stenographic inadvertence. If you have about 125 letters coming into your office every day and also had to spend many hours on claims bills as a member of the Claims Committee, you are very liable to make a mistake. Even if it were not a stenographic inadvertence, the gentleman from Wisconsin will admit that he is not a Member who is right all the time and never makes mistakes.

Mr. BLANTON. I think the gentleman ought to be forgiven.

Mr. SCHAFER of Wisconsin. I am glad the gentleman is not going to object.

Mr. PATTERSON. Mr. Speaker, reserving the right to object, I want to say in respect to this bill that I notice there is $1,000 allowed, and I believe we are doing the right thing, and I am not going to offer any amendment; but if this child had been hurt by some private corporation they would have gotten more than $5,000, because this is a just claim.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I do not like that statement to go unchallenged. I think, in view of all the evidence in the case, this is a liberal settlement. There are certain equities in the case, such as contributory negligence, and, as the chairman of the subcommittee recommending the bill with the amount carried, I resent the author of the bill indicating that $5,000 should have been recommended. If the gentleman does not want to take the $1,000 that the Claims Committee has recommended at my suggestion, I will object to the consideration of the bill myself.

Mr. PATTERSON. Let me say to my good friend from Wisconsin, who is always industrious and energetic, that the gentleman did not really mean it but made the statement because the child was seriously injured, and we may not be taking into consideration some slight negligence.

Mr. SCHAFER of Wisconsin. Perhaps the gentleman from Wisconsin would have been more liberal if it had not been for this invisible array of conscientious objectors. [Laughter.]

Mr. STAFFORD. I certainly approve of the position of my colleague because there was evidence of tributary negligence.

The SPEAKER pro tempore. Is there objection?

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 and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Jeanette Weir for injuries sustained by being struck by a United States mail truck January 4, 1922.

With the following committee amendment:

In line 5, strike out "$5,000" and insert in lieu thereof "$1,000 in full settlement of all claims against the Government of the United States."

The committee amendment was agreed to.

Mr. BLANTON. Mr. Speaker, I offer the following amendment:

The Clerk read as follows:

Add at the end of the bill the following:

"*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. SCHAFER of Wisconsin. Mr. Speaker, I offer the following amendment as a substitute to the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Provided, That no part of the amount appropriated in this act 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 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. BLANTON. Mr. Speaker, I do not think it would be a wise policy to adopt an amendment of this kind that would do away with all attorney fees. I do not know that there were any attorney in this case. To single out this case and say that no fee shall be paid anybody seems to me is not wise.

I do not know anything about the method of the preparation in this case. There might have been an honest attorney. There are honest attorneys. Attorneys are like any other class of men, they are, in the main, honest. There are some black sheep among them, just as there are among the class of preachers or doctors or among legislators, even. You might find a black sheep here and there in all classes of men, but in the main, they are honest. There might have been an honest attorney who has done work for this poor widow, the mother of the child.

Mr. COCHRAN of Missouri. I want to say that there was an honest attorney in the case, the author of this bill, and he hopes that the amendment of the gentleman from Wisconsin will be accepted.

Mr. BLANTON. Well, this amendment would be a reflection on the gentleman, and it is a reflection on all such bills passed by Congress. We have a regular attorney-fee clause, and it is proper to have a regular clause to say that no fee shall be allowed above a certain per cent. It is a reflection on the gentleman and a reflection upon his constituent. I do not think the amendment ought to be adopted.

Mr. COCHRAN of Missouri. The gentleman from Wisconsin offers this amendment at my request.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Wisconsin as a substitute for the amendment of the gentleman from Texas.

The question was taken, and on a division (demanded by Mr. BLANTON) there were 37 ayes and 7 noes.

So the amendment to the amendment was agreed to.

The amendment as amended 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.

HENRY W. SUBLET

The Clerk called the next bill, H. R. 3174, for the relief of Henry W. Sublet.

Mr. BACHMANN. Mr. Speaker, I reserve the right to object. As I understand this case, the claimant was a deputy marshal back in 1905, and one night when he was going home some one, he does not know whom, fired upon him and he was shot in the arm and his hand was mutilated. I can not see what connection there is that makes the Government liable for this injury. It did not occur in the performance of his duty as a deputy marshal. Where is the responsibility on the part of the Government?

Mr. GLOVER. If the gentleman will read the affidavit of Mr. Colbert, the marshal, he will see where it is, and also the affidavit signed by Mr. Sublet himself. He says he was an important witness. They had a clan down there that was stealing cattle and they were also selling liquor without having paid a liquor license.

This man was selected because of his fitness by the department itself. He went up and rounded up a number of these people. He was an important witness. This occurred on the 30th day of August, and on the 1st day of September he was to be an important witness against these people. Of course, he did not see the person who fired upon him, but he says they were those people that he was to testify against. The marshal's testimony was taken here in Washington. He was with a Congressman here at that time. He says that Sublet was to be an important witness in this Government case, and that it is his opinion and always has been that it was on account of the fact that he had rounded up these people that he was shot.

Mr. BACHMANN. I know the gentleman is a very valuable Member of Congress and would not introduce a bill unless he thought it was an equitable claim, but I would like the gentleman to explain to the House under the facts in the report just how there was any responsibility of any kind on the part of the Government.

Mr. GLOVER. Why not? He was acting for the Government. If he should not receive compensation in this case, in what kind of a case would the gentleman allow compensation?

Mr. BACHMANN. I call the gentleman's attention to the affidavit of Mr. Sublet himself. He said:

> I had arrested several persons for violating the liquor law and cattle thieving, and was a material witness against them also in a trial that was to be held in a short time after I was shot on the 30th day of August, 1905. The guilty party, or the clan, waylaid me at night and attempted to kill me by shooting me with a gun in the body, and also shooting me in the left hand and wrist so that my left arm had to be taken off at the wrist joint.

Here is your deputy marshal. He was going home at night, under his own statement, not on the business of the Government. He does not know who did it, and now he is asking the Government to pay him $1,000.

Mr. SCHAFER of Wisconsin. The testimony before the committee shows that this man was a very patriotic, zealous enforcer of the liquor law. It also appears that due to the fact that he was faithfully performing his duty and was very zealous in chasing down a notorious ring of liquor operators that they threatened to get him if he did not lay down on his job. He had courage, and he performed his duties. At first when I saw the word "clan" I suggested to the author of the bill that he ought to have his bill filed with the Ku Klux Klan, but he told me that the reference to clan was not to that particular klan but to a clan of law violators.

Mr. BACHMANN. The gentleman from Wisconsin is a member of the Committee on Claims. I would like the gentleman to point out to the House where there is any just claim against the Government in this case. If he will do so I shall not object.

Mr. SCHAFER of Wisconsin. I did point it out to him, and if he had followed me he would have known.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. BLANTON. I notice that the gentleman from Wisconsin [Mr. SCHAFER] stated that this man was doing his duty in enforcing the liquor laws.

Mr. SCHAFER of Wisconsin. Yes.

Mr. BLANTON. I notice that the gentleman from Wisconsin has reduced his claim from $5,000 to $1,000 to cover his being shot in the body and having his hand amputated. Was the reduction made because of the business in which he was engaged?

Mr. SCHAFER of Wisconsin. No; the reduction was made because of the very question which has been raised against the bill in its greatly reduced form, and because I could again see that line of invisible conscientious objectors who would perhaps block any benefit whatever for this faithful public servant.

The SPEAKER pro tempore. Is there objection?

Mr. BACHMANN. I object.

JUDD W. HULBERT

The Clerk called the next bill, H. R. 7909, for the relief of Judd W. Hulbert.

Mr. ARENTZ. Mr. Speaker, I reserve the right to object. In the first place, on page 2, beginning in line 9, there is something which has to do with the withholding or receiving of or the payment of money back in 1922, which was paid in a lump sum. This bill has nothing to do with a lump sum, in my opinion. I would like to have the gentleman from Ohio tell the committee how he is going to deduct the lump sum that has been paid.

Mr. MORGAN. That is provided for in the bill.

Mr. ARENTZ. There is no reason that I can see by the provisions of the bill how it will be paid.

Mr. MORGAN. It will be deducted out of the accumulated sum that would be due him under the restoration of his compensation which was cut off.

Mr. ARENTZ. But, if the man up to 1922 received $66 a month, and it was agreed after he had made application that he should receive $2,000——

Mr. MORGAN. It is debatable whether that is true or not. I have investigated this case, and the best surgeons in the United States Army have examined this man——

Mr. COLLINS. Mr. Speaker, I object.

Mr. MORGAN. Will the gentleman withhold his objection a moment?

Mr. DOXEY. Will the gentleman from Mississippi [Mr. COLLINS] state the ground of his objection?

Mr. COLLINS. I am objecting on the ground that this man has been compensated under the law and this is just another effort to get more.

Mr. MORGAN. If the gentleman will observe, this error was committed on the part of Government surgeons. When the lump-sum settlement, so called, was made it was predicated on the belief of the surgeons who examined this man that he would recover, but instead of recovering he became a total disability case. Doctor Collins—in fact, three of the Army surgeons——

Mr. COLLINS. Is he related to Lawyer Collins?

Mr. MORGAN. No. Doctor Collins, of the United States Public Health Service, Doctor Foley, and Doctor Leach, three of the most famous surgeons in the United States Army, examined this man, and, as the gentleman from Mississippi [Mr. DOXEY] knows, they pronounced this a total disability case. If the United States Government is going to follow the practice that has been outlawed in the State of New York and the State of Ohio and many States in the Union—to obstruct ambulance-case lawyers for indemnity-insurance companies in settling cases that are contrary to the facts—then the gentleman's objection is sound; but if he believes that a total disability case, wrongly diagnosed, should be be compensated, then the gentleman will agree

with the laws that prevail in those States that have compensation laws.

Mr. COLLINS. The trouble is the gentleman is trying to put words into my mouth that I am not disposed to want to use. This man accepted $2,500 in settlement of his claim. I think he ought to be bound by his agreement.

Mr. MORGAN. In other words, if a man is injured in Government service——

Mr. COLLINS. It does not make any difference where he was injured. If he was injured and he settles with the Government or with a private corporation or a private individual, he ought to be bound by his settlement. I object.

Mr. GREENWOOD. Will the gentleman reserve his objection for a moment?

Mr. COLLINS. I will.

Mr. GREENWOOD. Did the man settle under a mistaken idea of his injuries?

Mr. MORGAN. Absolutely.

Mr. GREENWOOD. If he accepted that amount on the statement or suggestion of surgeons that he would recover and then he found out afterwards that he had accepted a settlement under a mistaken idea, would the gentleman be disposed to object to that claim?

Mr. COLLINS. Oh, the man knew as much about his condition as the doctors. He knew what he was doing, and should be bound by his agreement.

Mr. MORGAN. Oh, he is a feeble, helpless old man, an object of charity.

Mr. COLLINS. I object, Mr. Speaker.

JOHN S. STOTTS, DECEASED

The Clerk called the next bill, H. R. 4536, for the relief of John S. Stotts, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers John S. Stotts, deceased, who was a private in Company E, One hundred and twenty-second Regiment Ohio Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of said company and regiment on the 26th day of June, 1865: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was 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.

Mr. COLE. Mr. Speaker, I do not want to delay the proceedings to-night when many Members are anxious to have their bills considered, and so I ask leave to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. COLE. The life of John S. Stotts reads like a romance of the Civil War, and the prolonged efforts to restore his name to an honorable status in the military records illustrates the delays and vicissitudes of legislation. The bill which has just been passed and which must now go to the Senate was introduced by me nearly seven years ago. Twice I have had to reintroduce it as one Congress after another expired. The correspondence, personal and official, in my files is enough to fill a small volume.

My efforts in behalf of this deceased soldier of the Civil War and his widow were not the first in this long record. Two of my predecessors—the Hon. Roberts G. Cousins and the late Hon. James W. Good, who died as Secretary of War, labored on what I have now succeeded in getting through the House. The late Senator William B. Allison, of Iowa, at one time lent his powerful influence to this legislation. All their efforts were defeated by the records in the War Department and by the inability, for one reason or another, to complete the chain of evidence required.

In the meantime John S. Stotts himself died, now almost 30 years ago. He died a disappointed man, because he could not obtain justice from the country he had served.

John S. Stotts belonged to a Muskingum County, Ohio, family, a family of high standing, of industry, and patriotism. He was the youngest of 12 sons. When the Civil War broke out 5 of these 12 sons enlisted promptly and all of them served with distinction. John S. was not only the youngest of the sons but he was too young to be accepted into the service which he sought to enter. Determined as he was to take some part in the war, he became a drummer boy. A little later, probably by misrepresenting his age, under the name of Stillman Stotts, he became a private in Company G of the Eighty-sixth Ohio Volunteer Infantry. He was at that time barely 15 years of age. His enlistment was of August 7, 1863, and was for six months. At the expiration of that time, or on February 7, 1864, he received an honorable discharge.

Not satisfied with that service, on June 7, 1864, he reenlisted as a private in Company E of the One hundred and twenty-second Ohio Volunteers. Two days after this enlistment he was engaged in fighting in the vicinity of Monocacy, Md. He was captured by the enemy, probably due to a leg wound which he had received. He made his escape and found his way to Baltimore. Later he was sent to rejoin his regiment, but in the turmoil of the fighting then in progress around the Danville, Va., railroad, he became attached to another fighting unit. He received a severe foot wound and he was sent to Emory Hospital in Washington. His wound was so serious that there was no hope of his return to the service. Such men were then encouraged to return to their homes for recuperation. Young Stotts returned to Ohio on crutches. Records were badly kept, and it was afterwards impossible to trace his movements from them. It is not even known whether or not he received a furlough. He himself was young and thoughtless of the future when such records would be vital to establish his rights.

When the time did come to rely on records they were missing. He was not enlisted in the unit with which he had fought when he was wounded. The men he had fought with did not know him. There was no one to whom he could appeal. He spent time and money, and he traveled far in search of those who might have testified in his behalf. But in his old home in Muskingum he found doctors and others who could supply the evidence to establish the fact that he returned there in July or August of 1864 on crutches. A Dr. Henry Decker recalled that he had treated him for a foot wound after gangrene had set in. He was not able to walk except with the aid of crutches. On those crutches he followed members of his family who had removed to Boone, Iowa. He was cared for by them and later he made his home in Marshalltown, Iowa, which is one of the principal cities in the district which I have the honor to represent in Congress. It was in Marshalltown that he established himself and reared a family of children.

In 1891, 27 years after he served in the war in which he was wounded, he filed an application for a pension under the act of 1890. It was then that he learned for the first time that "deserter" had been entered in the records after his name. This entry was made because at the conclusion of the war he was not with his company when it was mustered out. All that he seems to have taken into consideration was the fact that the war was over and that he was by that fact released from the service. He was not alone in such carelessness. The realization that he was recorded as a deserter stunned him. Why should an enthusiastic young man who had received one honorable discharge and who had reenlisted to serve during the war, turn deserter when that war was almost over?

He then made every effort to disprove the charge. Nothing could be found in the records to aid him. Far and wide he sought those who might aid him. It was a useless search. After many years he made an appeal to "Major McKinley," another Ohio soldier, who was then President of the United States. He made this appeal from New Castle, Colo., where he was then sojourning, in hope, I believe, of finding there some one who had known him in the war.

I have searched for years—

He wrote in this appeal to the President—

to find some one who was with me at the time I was wounded during the Weldon Railroad expedition in 1864, but all are dead.

Further on in this pathetic appeal he said:

I do not write to bother you with trivial things. It might appear so (trivial) to some men, but I know when Major McKinley, now President of the United States, looks upon a man who has a family growing up around him, having a charge of such a hideous nature (in fact, there is no crime with what I would as soon be charged as deserting flag and country), he will feel it is no small matter but blights the life of a whole family, and if untrue should be removed. * * * It is untrue.

What reference was made of this appeal the records do not disclose, but we do know that before "Major McKinley" could help him solve this problem, the President was assassinated and John S. Stotts himself died. He left a wife and children in Marshalltown, Iowa. It was some time after this when Congressman Cousins interested himself in the matter of securing a pension for the widow. But the unfavorable military record of the deceased husband and father stood in the way. So long as the charge of desertion was in the records no application for a pension could lie. To remove that charge was not easy to do, stubborn as the War Department is as to the accuracy of its records, if not their infallibility.

Many years later Congressman Good was interested in the case and made the same effort. The War Department remained stubborn on the records, and there was no evidence available upon which those records could be corrected.

In 1924, during a visit in Marshalltown, I learned of the plight in which the widow had been left, and of the blight on the family name so long as those records were not corrected. I became the more interested when I learned that her sons, following in the footsteps of a patriotic father, had tendered their services to their country in the World War. One of these sons, Ralph Stotts, was rejected for the service because of disabilities. Another son, Dr. A. F. Stotts, of Galesburg, Ill., was accepted and served in a medical unit of the Air Service. A third son, Thomas Stotts, of Marshalltown, was too old for service.

The widowed mother lacked nothing that her sons could supply her with, but she had the pride of self-reliance, an inheritance of a fine past, and sought to support herself by such services as she could render her neighbors in the way of cooking and baking and sewing. I found no woman in Marshalltown more beloved or more highly esteemed among her neighbors than Mrs. Stotts. To me she was a gracious and even charming woman well along in years. She had to make no other appeal to me than her own personality.

Upon my return to Washington that autumn I introduced a bill similar to the one that has now been passed. That was in 1924. I soon encountered the same difficulties that my predecessors had struggled against. Realizing that it would take some time—but not realizing that the time would be seven years—I introduced another bill, a private pension bill for Mrs. Stotts. I received at first little or no encouragement for the consideration of this bill. But in due time I was able to touch the hearts of those who pass on such bills in the committees. I based my plea on the fact that the deceased husband had received an honorable discharge for his first term of service.

On these continued pleas the bill was passed and approved by President Coolidge, giving the widow $30 a month. She has drawn that amount every month since 1926, and I am glad to say that she is still living in the enjoyment of this aid from a country that her husband had served in his youth. But more than that money will be the completion of this legislation, for the honor of her family is more than money.

For myself, I feel that nothing that I have been able to do as a Member of Congress, or that I may do hereafter, will give me more pleasure than the passage of this bill and its approval by President Hoover, for a righteous service to those who have served their country in its times of need is to me more than all else besides.

CAPT. GUY L. HARTMAN

The Clerk called the next bill, H. R. 9875, for the relief of Capt. Guy L. Hartman.

Mr. STAFFORD. Reserving the right to object, as I read this bill, this claimant forfeited his bond without any real excuse. He jumped his money bail bond and went to Mexico.

Mr. RUTHERFORD. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. RUTHERFORD. Is that the only objection the gentleman has to the bill?

Mr. STAFFORD. That is one of the objections. There is a further objection that there is no report from the Attorney General as to whether this money should be refunded.

Mr. RUTHERFORD. I should like to explain this bill, because I think the committee is entitled to the benefit of the full facts.

When this bill was introduced a subcommittee from the Committee on Claims, three of the best lawyers on the committee, conducted a hearing for the purpose of preserving the testimony in this case, particularly of Captain Hartman, who was going to the Philippines at that time. This was a young man, reared down in North Carolina, who was really a carpenter by trade. His father had been in the contracting business, putting up distilleries where it was legal. These large distillers out West induced this man to come out there, with the assurance that he would be given work in the construction of a distillery. After he got out there they gave him nominal work on the inside of this distillery. Smith, Deal, and others colluded with certain revenue agents down there and defrauded the Government out of a tax of $1.10 a gallon on quite a number of gallons of liquor. The Government suspicioned that something was wrong and arrested all of the people connected with it, including this young man, Hartman.

Bonds were assessed against them all at $20,000 each, and in order to make this bond this boy's father practically sacrificed everything he had in order to put securities in the hands of professional bondsmen in Kansas City to make this bond. When they were brought before the commissioner and bond was assessed this young man went to Mexico with the view of disposing of holdings down there in order to pay this bond if it became necessary. When he reached Mexico he contracted fever and, knowing that he could not return on the day the commissioner had ordered him to return, he secured an affidavit from a physician and sent it to his lawyer in Kansas City, who in turn delivered it to the commissioner.

If the gentleman will examine the report he will find that the commissioner later stated that this was probably so, but his recollection was that a telegram was sent instead of an affidavit. This young man was in Mexico; Pershing was making his expedition there and this young man joined his forces and offered his services as a scout in Mexico. Colonel Evans says this man acted as a scout there and that his services were most wonderful.

Mr. STAFFORD. But he forfeited his bond; he was a criminal and his case was subsequently nolle prossed because of the fact that the bond had been forfeited. Now, he does not wish to abide by the settlement of his case and wishes to get the money back.

Mr. RUTHERFORD. As I understand, a criminal bond is to produce a man when his trial comes up. While he was not there before the commissioner when this bond was forfeited he afterwards came from Mexico and surrendered himself. He was put in jail, and, therefore, answered the bond, after it had been forfeited. While he was in jail he tendered his services to the Government in order that this matter might be ferreted out, and as a result of his efforts and his testimony the Government actually brought into the United States Treasury over $150,000, recovered from these fellows who had swindled the Government. This was largely the result of his testimony.

Mr. STAFFORD. One of the others settled by the payment of $100,000 and his case was nolle prossed.

Mr. RUTHERFORD. One hundred and fifty thousand dollars.

Mr. STAFFORD. The report says $100,000.

Mr. RUTHERFORD. This is an absolutely meritorious case.

Mr. STAFFORD. I wish I could see it that way.

Mr. RUTHERFORD. This man came back and surrendered himself, which, in good conscience, is a compliance

with the bond, although he did not appear before the commissioner on the day his trial was set.

Mr. STAFFORD. But he was not punished, his bail bond was forfeited, and his case was nolle prossed because the bail bond was forfeited.

Mr. RUTHERFORD. The Internal Revenue Commissioner, after investigating this case, said he was satisfied that this man was only technically guilty, and after he had rendered such valuable services to his Government in punishing these fellows and putting into the Treasury of the United States $150,000, the commissioner felt that the indictment should be nolle prossed.

Mr. STAFFORD. I regret, but I will have to object.

FIRST STATE BANK & TRUST CO., OF MISSION, TEX.

The Clerk called the next bill, H. R. 1335, for the relief of the First State Bank & Trust Co., of Mission, Tex.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. Without objection, a Senate bill of the same import will be substituted for the House bill.

There being no objection, the Clerk read the Senate bill (S. 3924), as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of the First State Bank & Trust Co., of Mission, Tex., United States registered bond No. 89539 for $1,000 of the Third Liberty loan 4¼ per cent per annum bonds of 1928, registered in the name of Alpha G. Decker, with interest from March 15, 1928, to September 15, 1928, without presentation of the bond, said bond having been assigned in blank by the registered payee and alleged to have been lost, stolen, or destroyed in the First State Bank & Trust Co., of Mission, Tex.: *Provided*, That the said bond shall not have been previously presented and paid: *And provided further*, That the said First State Bank & Trust Co. shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal of the said bond and the final interest payable thereon September 15, 1928, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the bond hereinbefore described.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

A similar House bill was laid on the table.

HEDWIG GRASSMAN STEHN

The Clerk called the next bill, H. R. 1709, for the relief of Hedwig Grassman Stehn.

There being no objection, the bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hedwig Grassman Stehn the sum of $15,000 for damages suffered by her by reason of being struck and seriously injured by the explosion of munitions on board the *Amackassin*.

With the following committee amendments:

In line 6, on page 1, strike out "$15,000 for damages suffered by her by reason of being struck and seriously injured by the explosion of munitions on board the *Amackassin*," and insert in lieu thereof "$5,000 in full settlement of all claims against the Government of the United States resulting from serious permanent injuries due to the explosion of munitions on board the United States Government steam lighter *Amackassin*: *Provided*, That no part of the amount appropriated in this act in excess of 5 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 5 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."

At the end of the bill, insert the following proviso:

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.

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, and a motion to reconsider laid on the table.

ARTHUR A. BURN, SR., AND J. K. RYLAND

The Clerk called the next bill, H. R. 7175, for the relief of Arthur A. Burn, sr., and J. K. Ryland.

Mr. STAFFORD. Mr. Speaker, I object.

Mr. HARE. Will the gentleman withhold his objection?

Mr. STAFFORD. I will.

Mr. HARE. I would like to know what the gentleman's objection is.

Mr. STAFFORD. He has already received compensation.

Mr. HARE. No; he has not. The gentleman is mistaken. All of the compensation that has ever been received is deducted from the amount recommended by the Department of Commerce. The Director of the Coast and Geodetic Survey recommends the payment of this sum and the Secretary of Commerce recommends it. They all recommend it, and I can not see why there should be any objection to this bill.

Mr. STAFFORD. The relatives have received the allowances which are allowed by law.

Mr. HARE. No; they have not, neither one.

Mr. STAFFORD. That is my note.

Mr. BACHMANN. They have only received the funeral expenses, and so on. I intended to reserve the right to object in order to give the gentleman an opportunity to explain the bill, because on the face of it it would look as though there were no obligations on the part of the Government, but after going over it, I do not think there is any question but what this bill should be passed.

Mr. GREENWOOD. I am somewhat familiar with the Geodetic Survey. They take young men or students during the vacation season and send them out to make these surveys. I presume this is a similar case. If they sent these young men out to sea in a ship that was not seaworthy, certainly, under those circumstances, the Government ought to bear a reasonable compensation.

Mr. BACHMANN. In this case they were under orders, and they went out to sea in a boat that was not seaworthy.

Mr. GREENWOOD. These young men were sent out on a vessel that was not seaworthy and they had no knowledge as to whether the boat was seaworthy or not. They were under orders, as the gentleman from West Virginia suggested, and they had no recourse but to go out on the boat in the performance of their duties.

Mr. HARE. These men were carried out there and did not go of their own accord, and they were in this skiff that was not seaworthy. The captain and the others escaped, but these two boys were drowned, and the director says that this was in the line of duty.

Mr. STAFFORD. The report says "Kate Elizabeth Burn married June 6, 1928, and compensation accordingly was discontinued that date."

Mr. HARE. That was a dependent sister on the part of one of these boys, and she received $98 compensation. This is in behalf of his father and in the case of the other man in behalf of his father and mother. They have not received anything. This bill has been recommended by everybody concerned.

Mr. STAFFORD. Mr. Speaker, in view of the presentation made by the gentleman from South Carolina and the position of my friend, the gentleman from West Virginia [Mr. BACHMANN], I withdraw the reservation of objection.

There being 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 and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to each Arthur A. Burn, sr., of Daufuskie Island, S. C., and J. K. Ryland, of Bermuda, Ala., father of Arthur A. Burn, jr., and J. B. Ryland, respectively, the sum of $10,000, the same being in full satisfaction of any claim they may have against the United States Government on account of the death of the said Arthur A. Burn,

jr., and J. B. Ryland as a result of having been sent to sea in an admittedly unseaworthy boat or skiff while employed in the United States Coast and Geodetic Survey near St. Petersburg, Fla., February 3, 1926.

With the following committee amendment:

On page 1, in line 6, strike out the words "each Arthur A. Burn, sr., of Daufuskie Island, S. C., and J. K. Ryland, of Bermuda, Ala., father of Arthur A. Burn, jr., and J. B. Ryland, respectively, the sum of $10,000" and insert "Arthur A. Burn, sr., of Daufuskie Island, S. C., the sum of $5,000; and to J. K. Ryland, of Bermuda, Ala., the sum of $4,246.06."

The committee amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer the usual attorney's fee provision.

The Clerk read as follows:

Amendment by Mr. STAFFORD: On page 2, after line 7, 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."

The amendment was agreed to.

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

G. CARROLL ROSS

The Clerk called the next bill on the Private Calendar, H. R. 9526, for the relief of G. Carroll Ross.

There being 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 and directed to pay, out of any money in the Treasury not otherwise appropriated, to G. Carroll Ross, of the city of South Haven, Mich., the sum of $200 to reimburse him for money expended in payment of a fine levied against Captain Quickfall, master of the British steamship *Errington-Dunford*, on October 8, 1925, for violation of section 8 of the act of June 19, 1886, as amended.

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.

BERNIS BRIEN

The Clerk called the next bill on the Private Calendar, H. R. 10850, for the relief of Bernis Brien.

Mr. BACHMANN. Mr. Speaker, reserving the right to object, I would like to have some explanation with reference to this bill.

Mr. FITZGERALD. Mr. Speaker, I have known Bernis Brien substantially all his life. He is older than I am, and was a soldier in the Spanish-American War. I remember his first going to that war. He is partially disabled. He has little of this world's goods. He was employed by the soldiers' home and was given a position at the home where he could make some income. A man was put under him, and this man under him was named Harry Spreng. Harry Spreng never took a vacation, and Brien was made responsible for him. Brien gave a bond, paid for his own bond, and thought he had a position that would keep him.

Mr. BACHMANN. And he paid the Hartford Insurance Co. every premium.

Mr. FITZGERALD. Yes. This man Spreng was already an embezzler as was afterwards found out.

The system and this man, Spreng, were foisted upon Brien. He had no more control over the employment of this man than a postmaster who also gives a bond to protect the Government against his own misconduct. This man received deposits from soldiers in the soldiers' home and they had a system inaugurated there before Bernis Brien was made local treasurer, by which a card was given to the soldier who made a deposit of his money, and then they had a loose-leaf ledger with these cards to match what the soldier was given when he made a deposit.

Mr. BACHMANN. I understand there was some subordinate under him who took the money.

Mr. FITZGERALD. Yes; and he has been sent to the penitentiary.

Mr. BACHMANN. If the gentleman will let me interrupt, I have no objection on the merits of this case in so far as Bernis Brien is concerned, and if the bill were a bill to relieve him I would have no objection to it.

Mr. FITZGERALD. That is it exactly.

Mr. BACHMANN. But he paid the Hartford Insurance Co. a premium on a bond, and this bill seeks to relieve the insurance company after they have collected the premium. The very purpose of giving the bond was to protect this account, and the very purpose of the insurance company in going on the bond was to collect the premium and I do not think we ought to relieve any insurance company after they have collected premiums on a bond.

Mr. FITZGERALD. I am absolutely with the gentleman, but let me show you how this matter is not just as the gentleman thinks. This man gave his own bond for his own integrity, and he is the one who discovered this. His predecessor was in the same fix to the extent of $860, that had been stolen by this man who stole the leaves out of the ledger.

Mr. BLANTON. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. BLANTON. This bookkeeper who was under the man who was bonded and who was responsible for the funds, was merely an employee there to assist him.

Mr. FITZGERALD. And was foisted on this other man.

Mr. BLANTON. This insurance company, as has been stated by the gentleman from West Virginia, is bonded and the bonding company is bound to make that $6,000 good.

Mr. FITZGERALD. It is true that if they win the case they can make Brien pay. They can make the insurance company pay if they can get judgment against him. It all depends on whether the court will hold Brien responsible.

Mr. BLANTON. They will hold the insurance company.

Mr. FITZGERALD. But this man is personally liable. This man Brien is going to be ruined because he is liable to the insurance company.

Mr. BLANTON. The insurance company can not collect from him.

Mr. FITZGERALD. They are only sureties for this man.

Mr. BLANTON. I can see the force of the logic in the position taken by the gentleman from West Virginia. We ought not to relieve the insurance company after it has collected the premium.

Mr. BACHMANN. Why require a bond of these men in the first place?

Mr. FITZGERALD. This man must be honest, he has given the company a bond and he is liable for the money that was stolen by some one under him whom he had no say in putting in the position.

Mr. BLANTON. How long ago did the defalcation occur?

Mr. FITZGERALD. Four years.

Mr. BLANTON. Has the statute of limitations run against the insurance company?

Mr. FITZGERALD. No.

Mr. BLANTON. Why does he not bring suit against the insurance company?

Mr. FITZGERALD. If judgment goes against him his property may be exhausted.

Mr. BLANTON. Has he any property?

Mr. FITZGERALD. He has a little property.

Mr. BACHMANN. I understand that the claimant is without resources. I will say to the gentleman that I can not bring myself to relieve any insurance company that has collected a premium. It is not right, it is not equitable, and it is not just, and I must object.

Mr. FITZGERALD. May I say this?

SEVERAL MEMBERS. Regular order!

The SPEAKER pro tempore. The regular order is called for, and the Clerk will report the next bill.

Mr. FITZGERALD. Mr. Speaker, I am going to have an opportunity to explain this or else there will be no further proceedings.

Mr. COLLINS. Mr. Speaker, I object.

Mr. FITZGERALD. Then I will object to each and every bill that comes along, and you might as well understand that this is the end of the calendar.

The SPEAKER pro tempore. The Clerk will report the next bill.

REFUND BACK SALARIES DUE COLORED DIRECTORS OF THE SCHOOL SYSTEM OF THE DISTRICT OF COLUMBIA

The Clerk read the title of the next bill on the Private Calendar, the bill H. R. 12158, authorizing the Secretary of the Treasury to refund to the so-called assistant directors in the public schools in the District of Columbia, 10–13, all that portion of their salaries erroneously and illegally deducted and withheld under the provisions of the act of June 20, 1906.

Mr. FITZGERALD. I object.

STUART L. RITZ

The Clerk called the next bill, H. R. 7943, for the relief of Stuart L. Ritz.

Mr. FITZGERALD. I object.

Mr. DE PRIEST. Mr. Speaker, I make the point of order that there is no quorum present. Let us stop this foolishness now.

Mr. SOMERS of New York. Mr. Speaker, I move that the House do now adjourn.

Mr. SWING. Mr. Speaker, I ask unanimous consent that the House stand in recess for 15 minutes.

Mr. DE PRIEST. I withdraw the point of order.

Mr. BOX. Mr. Speaker, I ask unanimous consent to proceed for one minute.

Mr. STAFFORD. Mr. Speaker, I think the gentleman from Texas ought to be accorded that privilege in view of the fact that he is the ranking Democratic Member.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BOX. Mr. Speaker, I want to suggest to my colleagues that most of us at times share these feelings of irritation, develop friction, and get out of humor. The strain of this work under prevailing conditions puts us on edge, but we are not helping each other nor expediting the transaction of this necessary business when we lose our temper and patience. I therefore suggest to my friends that they withdraw the point of no quorum and allow this work to go ahead. We generally do not strike the man we are striking at when we do these things. We are merely injuring some one or more persons having just claims. In the interest of peace and the transaction of this public business I make this suggestion.

The SPEAKER pro tempore. The Clerk will report the next bill.

Mr. BACHMANN. Mr. Speaker, I ask unanimous consent that we return to the bill under consideration a few moments ago, No. 939 on the calendar, H. R. 10850, the Bernis Brien bill, to which the gentleman from Ohio [Mr. FITZGERALD] was speaking, and that he be permitted to finish his statement with respect to that bill before any objection is made. I think he is entitled to make a fair, clear statement to the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, no matter how much we may be irritated, there is one fundamental principle involved, and that is that the person who has taken the trouble to introduce a bill in good faith and press the evidence before a committee and cross all of the obstacles that must be crossed to reach this position should have the right to present that case before the House when it is being considered. If that can not be accorded, then there should be no further sessions of the House on the Private Calendar, because we may just as well abandon the whole thing.

Mr. McKEOWN. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. McKEOWN. As I understand it, the sureties in this case will have to make good to the insurance company. The principal surety will have to make good to the insurance company?

Mr. FITZGERALD. Absolutely. Bernis Brien has got to make this good if he is able, and it will hang over him all of his life unless he goes through bankruptcy.

Mr. McKEOWN. The gentleman states the law correctly. No matter if he was insured and paid the premium, the insurance company will advance the money, and if he does not pay, they will make him pay every month of the year.

Mr. FITZGERALD. The gentleman knows that. I sympathize with the position of the gentleman from West Virginia [Mr. BACHMANN] and with Mr. BLANTON's position. We do not want to relieve any insurance company of any kind.

Mr. BLANTON. The gentleman's statement has appealed to me very much because it seems that this man will be ruined if not granted relief. I call the attention of the gentleman from Mississippi [Mr. COLLINS] to this fact, that the Comptroller General, who is one of our most valuable public officials, and yet who is considered to be one of the hard-boiled Government officials, who passes on these claims, and who usually turns them down and gives an adverse report, when this matter was submitted to him did not make a recommendation against the bill, and when we find those facts present, there is some merit in the bill.

Mr. COLE. I suggest that we let this bill go to the House and let us take a vote upon it.

Mr. FITZGERALD. Oh, I do not want to do that. If the gentleman from West Virginia [Mr. BACHMANN] feels that it is wrong, all right. I am not complaining against him. I would like to have him listen to me because this man is ruined whether he pays it or whether they get it over under his surety.

Mr. SCHAFER of Wisconsin. Is it not a fact that the Claims Committee with a big majority sitting at that meeting spent considerable time considering the merits of this bill?

Mr. FITZGERALD. My recollection is that the board of managers came down in regard to it.

Mr. SCHAFER of Wisconsin. I am one member of the Committee on Claims that does not want to vote money out of the Treasury for the benefit of bonding companies that have made the people pay robbers' interest, but I know from the facts in this case and the report from the Comptroller General that, if this bill is not enacted, it will ruin the man for whose benefit the bill was introduced.

Mr. FITZGERALD. I stand with the gentleman from Wisconsin on that principle.

Mr. BACHMANN. The report shows that this case is pending in the Federal court over there and it has never been decided. Why not be fair about this?

If there is a judgment against this man in that court, I, as a Member of this House, will vote to relieve him and help him to be relieved; but we do not know whether or not the court is going to find him responsible in this case. He did not steal the money. It was a subordinate under him who took the money. In the first place, the case is prematurely here to relieve a man where a case is pending in the Federal court.

Mr. FITZGERALD. I think the gentleman means to be fair about it.

Mr. BACHMANN. I agree with the gentleman about the relief principal in this case, because I do not believe he is responsible, but the other principal is there, the bonding company, seeking to be relieved here, and in addition the case is pending in the Federal court.

Mr. FITZGERALD. But he has been discharged. He has lost his position. The money is gone.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. FITZGERALD. I yield.

Mr. SCHAFER of Wisconsin. The gentleman from West Virginia [Mr. BACHMANN] is an able, efficient, and experienced attorney, and he knows from evidence produced before the committee that there is not the ghost of a chance for the beneficiary under this bill to receive relief in that court action.

Mr. BACHMANN. The gentleman has as many responsibilities as I have or any other Member of this House. If the

gentleman thinks, in justice and fairness, that the insurance company should be relieved here, I will not make any objection.

Mr. FITZGERALD. I do not think this will relieve the insurance company. I do not want the insurance company to be relieved.

Mr. BACHMANN. That is what the gentleman is doing in this case, after they have collected a premium. If the gentleman from Ohio and the other Members of this House want to reimburse a bonding company that has collected a premium, while the case is still pending in the Federal court, I will not make any objection, because I do not want to delay this calendar.

Mr. COLE. Regular order Mr. Speaker.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. Mr. Speaker, I object.

ASSISTANT DIRECTORS IN PUBLIC SCHOOLS OF THE DISTRICT OF COLUMBIA

The Clerk called the next bill, H. R. 12158, authorizing the Secretary of the Treasury to refund to the so-called assistant directors in the public schools of the District of Columbia, divisions 10-13, all that portion of their salaries erroneously and illegally deducted and withheld under the provisions of the act of June 20, 1906.

Mr. BLANTON. I object.

Mr. DE PRIEST. I am satisfied the gentleman from Texas tion?

Mr. BLANTON. Certainly.

Mr. DE PRIEST. I am satisfied the genleman from Texas objected because he thinks the bill has not merit.

Mr. BLANTON. My reasons for objection to this bill are these: This is a District matter, pertaining to District schoolteachers in Washington. There is a committee for the District of Columbia that grinds every week in the year when Congress is in session. They have a District day which comes up regularly, on which day they can bring their legislation before the House.

Mr. DE PRIEST. This has been before the District Committee.

Mr. BLANTON. They have so many opportunities for bringing their legislation here that I do not think we ought to take up the time of the House in disposing of District of Columbia legislation on Private Calendar day.

Mr. HALL of Indiana. Will the gentleman yield?

Mr. BLANTON. Certainly.

Mr. HALL of Indiana. It is true that the District Committee handled this bill. I happened to be on the subcommittee that investigated it thoroughly. We have only had perhaps one day during this session and during the long session the District of Columbia had only three hours.

Mr. BLANTON. If that is the case, if they were not given their days in the long session, I shall not object.

Mr. COLLINS. Mr. Speaker, I have this bill down for objection.

Mr. HALL of Indiana. Will the gentleman reserve his objection?

Mr. COLLINS. Oh, I think we have had enough discussion of it.

Mr. HALL of Indiana. There has been no discussion of it.

Mr. COLLINS. I will reserve the objection and allow a further explanation.

Mr. DE PRIEST. I wish to state that from 1906 to 1924 the negro directors of the schools in Washington were paid one salary and the white directors another salary. Under the law they are entitled to equal salaries. This bill equalizes the salaries as they should have been during that time. Upon the hearings the District Committee made every investigation and reported the bill favorably. I am sure the gentleman would not keep these people from their just pay. If the gentleman will read the report thoroughly, I am sure he would not object. It goes back several years. I do not think the gentleman will make any objection if he reads the report carefully.

Mr. HALL of Indiana. Will the gentleman yield?

Mr. DE PRIEST. I yield.

Mr. HALL of Indiana. It might also be added that it was never the intention of Congress when the act of 1906 was passed that there should be any difference in the salaries paid to colored teachers and to white teachers doing exactly the same work, but when the law was changed it was found that those who were designated as "assistant directors" were the colored teachers and those who were designated as "directors of the schools" were the white teachers, and the basis of the salary was different.

Mr. COLLINS. I will withdraw the reservation of objection.

Mr. DE PRIEST. I thank the gentleman from Mississippi.

There being 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 and directed to refund and pay, out of any money in the Treasury not otherwise appropriated and statute of limitation notwithstanding, to the so-called assistant directors of primary instruction, kindergartens, physical culture, drawing, domestic science, domestic art, penmanship, music, and the supervisor of manual training, in the colored schools of the District of Columbia, divisions 10–13, or their legal representatives, the total sums set opposite their names and which represent that portion of salary erroneously, illegally, and unjustly deducted and withheld under the provisions of the act approved June 20, 1906, entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia," aggregating the total sum of $52,635.

Pay to E. F. G. Marritt, director of primary instruction, the sum of $11,330, representing the entire portion of salary deducted and withheld.

Pay to A. J. Turner, director of physical culture, the sum of $7,360, representing total amount deducted from salary.

Pay to O. W. McDonald, supervisor of manual training, the sum of $7,185, representing total amount of salary deducted.

Pay to Mrs. T. W. Hunster, widow of T. W. Hunster, director of drawing, the sum of $6,460, representing total amount deducted from salary.

Pay to J. W. Shaw, director of domestic science, the sum of $5,810, representing the total amount deducted from salary.

Pay to Eva Wilson (Clair), director of domestic art, the sum of $4,210, representing the total amount deducted from salary.

Pay to N. T. Jackson (Meyers), director of kindergartens, the sum of $3,560, representing the total amount deducted from salary.

Pay to C. E. Martin, director of penmanship, the sum of $2,860, representing the total amount deducted from salary.

Pay to J. E. Wormley, director of music, the sum of $2,360, representing the total amount deducted from salary.

Pay to I. Wormley, director of kindergartens, the sum of $1,500, representing the total amount deducted from salary.

Mr. STAFFORD. Mr. Speaker, I offer an amendment, which I have sent to the desk.

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: At the end of the bill insert the following:

"*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."

The amendment was agreed to.

Mr. BLANTON. Mr. Speaker, I offer an amendment which I have sent to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Texas offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: On page 1, in line 6, after the word "notwithstanding," add the following: "and to be paid as other District of Columbia expenses are paid."

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.

STUART L. RITZ

The Clerk called the next bill, H. R. 7943, for the relief of Stuart L. Ritz.

There being no objection, the bill was read as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Stuart L. Ritz, late of Company L, Second Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on the — day of ——, 1899: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendment:

In line 8, after the word "the," insert "22d," and in the same line, after the word "of," insert the word "April."

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; and a motion to reconsider laid on the table.

HENRY W. SUBLET

Mr. GLOVER. Mr. Speaker, I ask unanimous consent to return to No. 931. I have talked with the gentleman who objected a moment ago. He wanted to be assured that the man was in the active discharge of his duty. I can assure the gentleman that he was. This man lives within 6 miles of me, and this is a worthy claim or I would not have presented it.

The SPEAKER pro tempore. The Chair does not think he should recognize a Member to return to a bill that has been objected to.

Mr. GLOVER. That has been the custom, and it was agreed that we should go back to it. I ask unanimous consent to return, Mr. Speaker.

The SPEAKER pro tempore. The Chair does not feel he should recognize the gentleman for that purpose at this time.

Mr. GLOVER. Then, Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Arkansas makes the point of order that there is no quorum present.

Mr. GLOVER. Mr. Speaker, I will reserve that point for a moment. I believe that if the gentleman will refer to this affidavit he will find that it is proof that this man was in the active discharge of his duty.

Mr. BACHMANN. Mr. Speaker, I told the gentleman from Arkansas that if he would assure the House that he knew this man was in the active discharge of his duty at the time of this happening I would not object.

Mr. GLOVER. I say that is my information from a man I know personally.

The SPEAKER pro tempore. The Chair will say to the gentleman from Arkansas that if he will renew his request at the close of the session the Chair will recognize him, but the Chair does not believe he should recognize the gentleman at this time.

Mr. TEMPLE. Mr. Speaker, if the Chair will recall what occurred in the House when the order was made for this evening session he will remember the question was asked as to whether it would be in order to ask to return to any bills back of the star. That point was settled, which implies that it is in order to return to bills not preceding the star.

The SPEAKER pro tempore. The Chair does not think that order carries with it any implication whatever, and the Chair believes we will make better progress not to return at this time to bills that have been objected to. The Chair has announced that he will recognize the gentleman from Arkansas before the House adjourns.

Mr. GLOVER. Then I will withdraw my point of no quorum.

JOHN HOLLY WILKIE

The Clerk called the next bill, H. R. 819, for the relief of John Holly Wilkie.

Mr. COLLINS. Mr. Speaker, I object.

Mr. CHRISTGAU. Will the gentleman reserve his objection?

Mr. COLLINS. Yes.

Mr. CHRISTGAU. This man was in active service and it happened that he was injured just before the compensation law went into effect. He is an old man, and the fact that he tried his best for years to get along without this compensation should certainly entitle him to some consideration when he appeals to the Government. I think this is a meritorious case.

Mr. COLLINS. We have been objecting to this class of bills.

Mr. CHRISTGAU. Were they of this type?

Mr. COLLINS. Yes. We have been objecting to this type of bills, and I think we ought to treat them all alike. I object.

M'ILWRAITH M'EACHARN'S LINE, PROPRIETARY (LTD.)

The Clerk called the next bill, H. R. 11541, for the relief of McIlwraith McEacharn's Line, Proprietary (Ltd.).

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TEMPLE. Mr. Speaker, I ask unanimous consent that Senate bill 4120 be considered in lieu of the House bill.

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

There was no objection.

The Senate bill was read, as follows:

Be it enacted, etc., That the claim of McIlwraith McEacharn's Line, Proprietary (Ltd.), against the United States for damages and loss alleged to have been sustained by it as a result of the collision between the U. S. S. *MacDonough* and the Australian coal barge *Werfa*, which occurred in Victoria Basin, Melbourne, Australia, on or about August 5, 1925, may be determined in a suit to be brought by the said claimant against the United States in the District Court of the United States for the Southern District of New York, sitting as a court of admiralty and acting under the rules governing such court in admiralty cases, and that said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages, without interest, and costs, if any, as shall be found to be due against the United States in favor of the McIlwraith McEacharn's Line, Proprietary (Ltd.), or against the McIlwraith McEacharn's Line, Proprietary (Ltd.), in favor of the United States, sustained by reason of said collision, upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by the order of the said court, and upon the receipt of such notice it shall be the duty of the Attorney General to cause the United States attorney in the district to appear and defend for the United States: *Provided further*, That such suit shall be brought and commenced within four months of the date of the approval of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

A similar House bill was laid on the table.

NELSON M. HOLDERMAN

The Clerk called the next bill, H. R. 654, for the relief of Nelson M. Holderman.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I want to call attention to the following statement made by the War Department:

The War Department is consistently opposed to legislation of the type carried in this bill, which would single out an individual of a class for preferential treatment to the prejudice of others of that class who may be equally deserving. Captain Holderman is one of many officers who rendered distinguished service during the World War, and who became incapacitated for the performance of active duty. He was placed on the retired list after less than nine years' commissioned service with three-fourths of the pay of his grade at date of retirement.

After careful investigation of this case, I can find no justification for extending to Captain Holderman any exceptional benefits which are denied to others who were disabled during the World War, and who have since been retired under the same conditions as Captain Holderman.

Accordingly, I recommend that H. R. 15187 be not favorably considered by your committee, and be not enacted into law.

That is signed by the Acting Secretary of War.

Mr. WAINWRIGHT. I should be very glad to answer the gentleman, but I know the sponsor of the bill would prefer to engage in the colloquy.

Mr. SWING. Mr. Speaker, the bill on which that report was written was stricken out by the committee, and the committee wrote its own bill. Their bill meets that report, at least to this extent, that it takes away any and all increases in pay or allowances. The committee did feel, however, after an exhaustive review of the evidence which was

presented, that three officers were outstanding in the Lost Battalion, Colonel Whittlesey, Major McMurtry, and Captain Holderman.

Mr. BLANTON. This man is retired on three-fourths pay. Will this bill give him any additional pay?

Mr. SWING. Neither past, present, nor future.

Mr. BLANTON. Mr. Speaker, I withdraw my reservation of objection.

Mr. STAFFORD. Mr. Speaker, I will have to object.

Mr. ARENTZ. Will the gentleman state the grounds of his objection?

Mr. STAFFORD. I will be glad to give my reasons. We are singling out for preferential rank certain persons in the Army, after they have been retired. You might make them generals.

Mr. ARENTZ. Are we doing any more in this bill than to give this man a ribbon? I would object to the bill myself if it did any more than that. That is a fair question and it deserves an answer.

Mr. STAFFORD. We are giving him rank.

Mr. ARENTZ. And a ribbon. That is all we are giving him. We are not giving him one dollar in the way of an increase. We are not giving him anything except a ribbon.

Mr. BLANTON. You are allowing him to walk into some public function ahead of somebody else.

Mr. ARENTZ. That is exactly the situation, and he is entitled to that.

Mr. SWING. May I direct the attention of the gentleman to the statement on page 2 of the report in which the War Department virtually says that but for the fact that this man was wounded three times on three successive days, and notwithstanding the tremendous pain and handicap he was under, stayed with his troops until the engagement was ended and his troops were withdrawn, he would have received his promotion. He was sent to the hospital, where he had to remain for several months, and while he was in the hospital the other promotions were made. If he had been an effective—that is, if he had had the physical ability to qualify for the higher grade—he would have been promoted, but because he was physically disabled by the service and sacrifice he had just rendered, he could not physically qualify for promotion.

Mr. STAFFORD. I was acquainted with that phase of the case.

Mr. WAINWRIGHT. May I take issue with those who say that this bill gives this man the rank of major? By the form of the bill, which was carefully prepared in the Adjutant General's office, it does not do that. It does not promote him as a retired officer. It simply promotes him on the record for the period that he was an emergency officer. As has been said by the gentleman from California, Colonel Whittlesey and Major McMurtry, the other two heroes who commanded the Lost Battalion—and of course, every man in that battalion was a hero—were promoted for their part in withstanding this siege. This man was severely wounded, while they were not wounded.

Mr. STAFFORD. Then there is no question in this case that this man will not receive any emoluments now or hereafter by the passage of this act?

Mr. WAINWRIGHT. I give the gentleman my most emphatic, personal assurance to that effect; and it does not even carry him as a major on the present retired list. It simply gives him the satisfaction of knowing that he was promoted as he deserved to have been at the time his two confreres were promoted.

Mr. STAFFORD. Could this bill be used as a precedent for a number of other cases?

Mr. WAINWRIGHT. Not at all. The gentleman will see by the terms of the bill that he is promoted as of October 9, 1918, the date the Lost Battalion was relieved, and then he is discharged from that rank at the time he ceased to be an emergency officer. It simply gives him this rank upon the record.

Mr. STAFFORD. Mr. Speaker, I withdraw my reservation of objection.

Mr. COLLINS. Mr. Speaker, I think I am going to have to object to this bill.

Mr. SWING. What is the gentleman's objection?

Mr. COLLINS. If we are going to begin this method of promotion, I think we should let every Army or naval officer step up to the table and take a slice of the pie.

Mr. WAINWRIGHT. May I say to the gentleman from Mississippi that there was only one Lost Battalion, and it is not possible that this could occur in any other case. It does not give this man a cent in the way of any emolument.

Mr. COLLINS. It will not be 10 days after the next session of Congress convenes before others will be coming here and asking the Congress to promote some officer who has pull.

Mr. WAINWRIGHT. No; this bill simply gives this man the satisfaction of knowing that he is receiving exactly the same treatment as the other two men.

Mr. SWING. If the gentleman will permit, there exists an obvious discrimination and the case was brought to my attention by this officer's colleagues who served with him. They pointed out to me that the sacrifice of his physical being, by his injuries, gunshot wounds received on three successive days, which sent him to the hospital for months, made it impossible for him to pass the physical examination for major and this was the one thing which prevented him from having identically the same treatment that the others received. He does not ask for any money, but he does feel that the Government ought to recognize the fact that his services were of equal value to those of Major McMurtry and Lieutenant Colonel Whittlesey and that he should be given the same promotion but without pay. That is all that is asked in this bill.

Mr. COLLINS. I have been consistently objecting to all congressional promotion bills.

Mr. SWING. But they were bills that involved a burden upon the Treasury. There is not a dollar, there is not a penny, involved in this bill, either for the past or for the future or at any time. Its purpose is to do justice only by removing a discrimination. I trust the gentleman will not deny this man, one of the outstanding heroes of the World War.

Nelson M. Holderman was one of the three outstanding officers in the Lost Battalion commanded by Lieut. Col. Charles W. Whittlesey. Capt. George McMurtry commanded the left flank, while Captain Holderman commanded the right flank. Captain Holderman, because of his unusual military record, was awarded the congressional medal of honor. He was also awarded silver star citation for act September 30, 1918; Italian croce di guerra; Belgian ordre de la couronne (officer); Belgian order of Leopold II (5th Cl.) (knight); croix de guerre, with gilt star (French); French Legion of Honor (chevalier).

Mr. Holderman's principal claim for consideration can be found in the statement of Lieut. Col. Charles W. Whittlesey of October 6, 1920, to the Secretary of War, in which he said:

> He was wounded on October 4, on October 5, and again on October 7. Throughout the entire period, suffering great pain and subjected to fire of every character, he continued personally to lead and encourage the officers and men under his command with unflinching courage and with distinguished success. He personally supervised the care of the wounded, repeatedly exposing himself to severe machine-gun and rifle fire for that purpose, and, after assistance arrived on the 8th of October, he led his men out of the position before permitting himself to be attended.
>
> During the entire period in which this detachment was surrounded by the enemy and cut off from food and supplies the work of two officers was conspicuous: Maj. George McMurtry (then captain), who commanded the Second Battalion, Three hundred and eighth Infantry, and acted as second in command of the entire detachment, and Captain Holderman. And the undersigned believes that the gallantry and initiative of these two officers was largely responsible for the successful defense of the position, and that the work of these officers was distinguished over and beyond that of the other members of the command, many of whom performed acts of signal bravery. Major McMurtry has already been awarded the medal of honor.

A great many letters and affidavits of former associates of Captain Holderman were filed with the committee which

prove the unquestioned fact that he was an officer not only with great courage but also with exceptional ability. He sacrificed himself for this country. I ask the passage of this bill as a just and merited recognition of his fine record and his outstanding accomplishments as a soldier and an officer.

Mr. COLLINS. Mr. Speaker, I shall very reluctantly withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That on and after March 17, 1926, Capt. Nelson M. Holderman, United States Army, retired, shall have the rank and receive the retired pay and allowances of a major on the retired list of the United States Army.

With the following committee amendment:

Page 1, strike out lines 3, 4, 5, and 6, and insert in lieu thereof the following:

"That the President be, and he is hereby, authorized to issue to Nelson M. Holderman, now captain, United States Army, retired, a commission as major of Infantry, United States Army, with rank from October 9, 1918, and an honorable discharge therefrom as of October 21, 1919, he having been regarded as ineligible for promotion to the grade of major due to physical disability incident to the service: *Provided*, That no pay or allowance shall accrue by reason of the passage of this act."

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 was laid on the table.

NIAGARA FALLS

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to address the committee and speak out of order.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DEMPSEY. A treaty for the beautification and preservation of Niagara Falls was considered by the Senate Committee on Foreign Relations two days since. It was reported adversely wholly through a misunderstanding both of the facts and of the law. I want to state what those mistakes were. I ask unanimous consent to extend my remarks on that question.

The SPEAKER pro tempore (Mr. LUCE). Is there objection?

There was no objection.

Mr. DEMPSEY. Mr. Speaker and colleagues, there has been pending before the Senate for two years a treaty negotiated between this country and Great Britain for the preservation and improvement of Niagara Falls.

The Falls at Niagara are divided into two sections—the American Fall, 1,000 feet wide, and the Canadian Fall, separated from the American side by Goat Island, 3,000 feet in width. The American Fall has a straight line, and for its entire width it is covered by a flow of water and presents a beautiful cataract of foaming water descending the tremendous height of the Falls.

On the other hand, the Canadian Fall, through the formation of the river bed, has largely discharged the water on that side in the center or about 500 feet of its 3,000 feet of breadth, leaving 2,500 feet of bare, unattractive rocks. Through painstaking and careful investigation, involving in its course the development of a miniature but exact reproduction on an exceedingly small scale of Niagara Falls, it has been proved that the flow of the river may be spread over the entire 3,000 feet of width of the Canadian Fall, and it may be made as splendid, attractive, and grand a spectacle as that presented by the American Fall.

The beauty lovers, those who devote much of their time to arousing the public sentiment for the preservation of this beauty spot of the Nation, and the millions of tourists who come each year to see the grandeur of the Falls, through continuous agitation aroused public sentiment, and the State Departments of the two countries—Great Britain and the United States—resulting in the negotiation of a treaty for the construction of correction works, which will not alone stop the erosion of the Falls but will largely remedy the harm already done and make of this world wonder a grander and more attractive spectacle than it has ever been.

In arranging to have the work done the State Departments of the two countries concluded that the power companies on each side of the river, from their long experience with the river and its peculiarities and from the immense volume of work they have done from time to time, would know better what to do and how to do it than anyone else, and they would be more certain to assure the success of the undertaking by having such experienced and skillful hands than in attempting to have contractors who had done no previous work on the river, who had had no opportunity to observe it, and were not at all familiar with it.

Accordingly it was arranged that the two power companies—one on the Canadian and one on the American side of the river—should do the work at an estimated expense of one and three-quarter millions, and should pay for it by being allowed to divert and develop into power 10,000 cubic feet of water per second for the six winter months of the seven years succeeding the completion of the installment of the correction works. Canada ratified the treaty.

About two weeks ago the Senate Committee on Foreign Relations took up the consideration of the treaty. It was near the end of the session and every member of the committee undoubtedly had many times the work he could possibly do, and all of it of a most important nature, so that it was impossible to give the matter the consideration its importance demanded.

An engineer witness testified that the volume of water diverted by the Niagara Falls Power Co. would be the equivalent of 225,000 tons of coal for six months each of seven years, and that this coal was worth $3.07 per ton at Buffalo. Thereupon the following statements were made by distinguished members of the committee, namely:

It occurs to me that in order to save $600,000 we are giving about one-seventh of Niagara Falls for seven years, with an implication that it is going to be permanent. (20.) (Report of board, par. 17.)

Senator VANDENBERG. You say it is the equivalent of 225,000 tons of coal a year, which is 750,000 a year, which, in seven years is 5,250,000 tons. In other words, we propose to give the Niagara Power Co. 5,250,000 tons in value on an investment of $600,000; or we propose to give them their money back and 800 per cent profit. (30.)

Senator REED. You are giving one-seventh of Niagara Falls. That is how it appears to me. (31.)

Hastily concluding that these statements were correct, the Senate committee unanimously agreed to an adverse report upon the treaty.

The result is as striking an illustration as could be had of the fact that the great matter of preserving and enhancing the beauty of one of the seven natural wonders of the world, in which not alone our people who visit the Falls to the number of millions of tourists yearly, but the people of all lands are interested, should have patient and careful investigation, and when the Senators considering it have the time to ascertain the controlling facts relative to the subject.

The United States would not be giving away one-seventh of Niagara Falls for seven years, or at all, by ratifying this treaty. One can not give away what he does not own, and the United States never owned Niagara River. All it has is the right to control the stream for the purpose of navigation. Throughout our history, and from the time this country was formed to this day, the law has been that the bed of the stream belongs either to the State or to their grantees, subject to the control of Congress of navigable streams under the commerce clause of the Constitution, but for navigation purposes only.

I give a few of the great number of authorities upon this subject:

From the formation of the Federal Government it has been held, without interruption, that the title to the lands under all inland waters, navigable in fact, was not in the United States, but in either the State or the grantees, as the law of the State declared. (U. S. *v.* Chandler-Dunbar Water Power Co. (229 U. S. 53).)

Matter of Long Sault Development Co. (212 N. Y. 1, (18); 242 U. S. 272, 278–279).

* * * although the title to the shore and submerged soil is in the various States and individual owners under them, it is always subject to the servitude in respect of navigation, created in favor of the Federal Government by the Constitution. This

power is an incident of the expressly granted power to regulate commerce. (27 Ruling Case Law, sec. 233, p. 1324.)

Lands underlying navigable waters in State belong to respective States in virtue of their sovereignty and may be used and disposed of as they may direct, subject to the rights of public use in such waters, and to permanent control of Congress to control navigation. (Approved in U. S. *v.* Chandler Dunbar Water Power Co., 229 U. S. 60, 57 L. ed. 1074.)

That the law is that the Federal Government has no interest in navigable streams except for navigation purposes was recognized when the general water power bill was passed in the adoption of the policy that in issuing licenses for the development of power no charge should be made for water power other than a nominal one of 25 cents per horsepower, just sufficient to defray the expenses of administration of the water power act.

From the proceedings of the committee quoted by me it is obvious that the distinguished Senators on the Foreign Relations Committee started with the erroneous assumption that the Federal Government itself, by ratifying this treaty, would be transferring property to the Niagara Falls Power Co. Having reached this conclusion they began to inquire what its value was and how much the power company was paying for it. From the evidence before them they concluded that they were giving the power company $5,500,000 as a return on an investment of $600,000, or, as it was expressed, their money back and 800 per cent profit.

Even if the United States Government owned the water and by ratification of the treaty was transferring it to the Niagara Falls Power Co. for six months in each year of a 7-year period, the conclusion as to its value was wholly erroneous. The rates charged by the power company are controlled by the Public Service Commission of the State of New York, and they are allowed to charge such rates as will yield a fair return only upon the actual capital invested in their enterprise. At present the stock in the Niagara Hudson Power Co. is selling at about $10 per share, and it pays 40 cents a year, or 4 per cent. The stock sells now for only about half its price in prosperous times. So under ordinary conditions the stock earns about 2 per cent upon the investment. And it is not owned by a few wealthy men but among a very large number of people of moderate means.

The additional power would be distributed at prices to be fixed by the State commission, and would, it is fair to assume, earn about the same return of 4 per cent on the market price in periods of depression such as we now have, and of 2 or possibly 3 per cent in ordinary times.

Not alone is the price of electric current regulated by the public service commission, but the power company is subject to Federal, State, and city taxes, to the earning of money upon its invested capital, and to the expenses of operation. No one of these things is taken into consideration in the necessarily hurried computation made by the very able and distinguished Senators who constitute the Foreign Relations Committee.

On the contrary, it was erroneously assumed that the Government owned and by this treaty was conveying this water for a limited period to the power company; and the committee erred equally by assuming that the gross value of the coal of which the 10,000 cubic feet per second is the equivalent was a net profit to the power company, without taking into account Federal, State, and city taxes, cost of operation, or capital invested. It thus becomes obvious that the disapproval of the treaty was brought about wholly by errors as to facts and as to the law controlling the matter.

There can be no doubt that the able and distinguished Senators on this committee are just as anxious to preserve and increase the beauty of Niagara Falls as any other citizens of the United States. They will recognize, I have no question, the errors which they made, and which very naturally resulted from the fact that they were forced to give this exceedingly important treaty only a most hasty consideration at the end of the session. They will find, on going into the facts, that under regulation by the Public Service Commission of the State of New York the power company earns but a very small return on its invested capital; that it pays very large sums in Federal, State, and city taxes; that it has a heavy overhead; and that it will make only a modest return upon the sum it will invest in the dangerous and difficult work of placing correction works in the river, if it should determine to investigate this question rather than reach the only correct conclusion that the questions of rates and returns are for the State of New York, which will control them in the interest of the public.

Indeed, the work is so dangerous and so difficult, and at the same time it is so important to all of our people, that it should not fail and the Falls suffer additional disfigurement; that it should only be intrusted to the experienced hands of these two power companies. On the question of return the power companies have had, I learn, grave doubts as to whether they could afford to do this work for the small profit they will receive from being permitted to divert this water for the limited time named in the treaty. Indeed, it has been felt that if the State imposes, as it has the right to do, a considerable tax per horsepower, that the power companies could not afford to and would hesitate to undertake the work.

To illustrate, when the Grand Central Station was built in New York City the work was done while the railroad business of this, perhaps the greatest of all terminals, was being carried on in the usual way, and above the mass of live tracks. After letting the work to contractors and their attempting to do it, it was found that they were entirely unable to cope with the problems, and the New York Central Railroad had to take its own men and do the work. Just such is apt to be the experience here if the attempt is made to negotiate a new treaty and have the work done by some one other than the power companies. The work will cost several times what it ought to cost; it will be doubtful whether it will be done at all; and if it is done we can not be assured that it will be done in the best way or to produce the results desired.

Under these circumstances I am sure that the great Committee on Foreign Relations of the Senate of the United States will feel that consideration of this treaty should be resumed at a time when it can be undertaken patiently, carefully, so as to get a correct view of both the law and the facts, and when this has been done, I have no doubt from a long study of Niagara and the various problems its preservation involves, that this treaty will receive the unanimous approval of the committee and of the Senate.

MARGARET THOMKIN

The Clerk read the title of the next bill on the Private Calendar, H. R. 4858, for the relief of Margaret Thomkin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers George Henry Thomkin, also known as Henry Tompkins and as George White, who was a member of Company F, Eleventh Regiment New Jersey Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 6th day of June, 1865: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendment:

Line 5, strike out "alias" and insert "also known as Henry Tompkins and as George White."

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 was laid on the table.

ELIZABETH J. EDWARDS

The Clerk read the title of the next bill on the Private Calendar, H. R. 7525, for the relief of Elizabeth J. Edwards.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Justin Edwards, deceased, who was a member of Company G, Second Regiment New York Volunteer Mounted Infantry,

shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 2d day of June, 1864: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendments:

Line 5, after the name "Edwards," add the word "deceased" in parentheses.

Line 9, after the word "the," add "2d"; after the word "of," add "June, 1864".

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.

ELIZABETH MONCRAVIE

The Clerk read the title of the next bill on the Private Calendar, H. R. 8858, for the relief of Elizabeth Moncravie.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers John W. Moncravie, alias John Wisner, deceased, who was a member of Company G, One hundred and seventeenth Regiment Illinois Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 1st day of November, 1862: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was 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.

THOMAS F. GIBBONS

The Clerk called the next bill, H. R. 9816, for the relief of Thomas F. Gibbons.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Thomas F. Gibbons, who was a member of Battery I, Fourth Artillery, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the day of , 1899: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendments:

Line 9, after the word "the," insert "29th," and after the word "of" insert the word "May," and strike out "1899" and insert "1900."

The amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

WALTER G. HARRELL

The Clerk called the next bill, H. R. 9866, for the relief of Walter G. Harrell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Walter G. Harrell, who was a member of Company F, Eighth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 16th day of October, 1902: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

LUIS H. DEBAYLE

The Clerk called the next bill, H. R. 8998, for the relief of Dr. Luis H. Debayle.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,937.83 to Dr. Luis H. Debayle, of Leon, Nicaragua, as reimbursement for loss of drugs and other medical supplies taken from his pharmacy by personnel of the United States Marine Corps, in January and February, 1928.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed; and a motion to reconsider laid on the table.

CHARLES A. HOLDER

The Clerk called the next bill, H. R. 11464, for the relief of Charles A. Holder.

There being 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 and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles A. Holder the sum of $10,000 for injuries received and losses sustained as a result of being run down and over by a motor truck of the United States Marine Hospital in Carville, La., on February 23, 1926.

With the following committee amendment:

Line 6, strike out "$10,000" and insert "$1,000."

The committee amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Line 9, after the figures "1926," strike out the period, insert a colon, and the following: "*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."

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; and a motion to reconsider laid on the table.

ROBERT PEASE

The Clerk called the next bill, H. R. 11839, for the relief of Robert Pease.

There being 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 and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $554.70 to Robert Pease, postmaster at Beatrice, Gage County, Nebr., to reimburse him for funds stolen from the Beatrice post office by unknown persons on the day of November 17, 1928.

With the following committee amendment:

Line 6, strike out the words "to Robert Pease, postmaster," and insert "Galen E. Lichty, stamp clerk of the post office."

The committee amendment was agreed to; and the bill as amended ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

C. B. BELLOWS

The Clerk called the next bill, H. R. 12184, for the relief of C. B. Bellows.

There being 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 and directed to pay to C. B. Bellows, out of any money in the Treasury not otherwise appropriated, the sum of $1,141 in full settlement of damages sustained on January 31, 1930, at the Municipal Airport, Long Beach, Calif., when the hangar owned by said C. B. Bellows was damaged by the crash of 0-2-U-I Landplane No. 7543, operated under the jurisdiction of the Navy Department.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

LELA B. SMITH

The Clerk called the next bill, H. R. 12239, for the relief of Lela B. Smith.

There being no objection, 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, to Lela B. Smith, widow of Harry A. Smith, late lieutenant, Officers' Reserve Corps, Air Service, United States Army, who was killed in an airplane accident while in the line of duty at Marshall Field, Fort Riley, Kans., on October 1, 1929, the sum of $1,575, being a gratuity equal to six months' pay at the rate received by Lieut. Harry A. Smith at the time of his death.

With the following committee amendments:

Line 6, at the beginning of the line, insert the word "second," and strike out the words "Officers' Reserve Corps, Air Service," and insert "Air Corps Reserve."

Line 9, strike out "$1,575," and insert "$1,181.22."

The committee amendments were agreed to; and the bill as amended ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

KENNETH G. GOULD

The Clerk called the next bill, H. R. 12679, for the relief of Kenneth G. Gould.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury of the United States is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $199.50 to Kenneth G. Gould, lieutenant in the Medical Corps Reserve, as reimbursement for cost of shipment of personal property.

With the following committee amendment:

Line 6, strike out "$199.50" and insert "$186.17."

The committee 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, and a motion to reconsider laid on the table.

MARY ALTIERI

The Clerk called the next bill, S. 1042, for the relief of Mary Altieri.

Mr. BACHMANN. Mr. Speaker, I reserve the right to object. What did these injuries consist of to warrant the payment of $1,000 to this claimant?

Mr. IRWIN. This is a Senate bill. It came over from the Senate. The Post Office Department went into the matter thoroughly and recommended the payment of the bill. I read from the report:

Dr. M. A. Serritella stated that he was called to the home of Mary Altieri about 10 p. m. February 11, 1917, and found her in bed, pretty badly lacerated, and so much so that he was compelled to take 22 stitches in it; that her shoulder was badly bruised, but not dislocated; that the seventh and eighth ribs on the right side were fractured. He further stated that during the four hours that they worked with her he did not find it necessary to administer an anæsthetic; he further stated that in his opinion there were no internal injuries and that she was getting along very nicely. He further stated that there was no indication of skull fracture.

Mr. BACHMANN. I withdraw the objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,000 to Mary Altieri as compensation for personal injuries to said Mary Altieri, who was injured February 11, 1917, by a United States automobile which was carrying mail in the city of Chicago, Ill., at the time driven by an unidentified person.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

AYER & LORD TIE CO. (INC.)

The Clerk called the next bill, S. 1251, for the relief of the Ayer & Lord Tie Co. (Inc.).

Mr. BLANTON. Reserving the right to object, does the gentleman think that this sum is the proper amount?

Mr. IRWIN. I do. The gentleman knows the Comptroller General does not recommend things unless he feels they are just. There was no authority to pay, on account of some contract, but the Comptroller General recommends that this bill is just and should be paid. On the strength of that we made the recommendation.

Mr. STAFFORD. This is a Senate bill?

Mr. IRWIN. Yes.

Mr. BLANTON. Did the gentleman's committee investigate this matter?

Mr. IRWIN Yes, we did; on the report and also by report from the Attorney General.

Mr. BLANTON. Did the committee report a similar bill?

Mr. IRWIN. No; we just take the Senate bills.

Mr. BLANTON. But did the gentleman's committee appoint a subcommittee to make an investigation of the Senate bill?

Mr. IRWIN. Yes.

Mr. BLANTON. And then the entire committee approves the bill?

Mr. IRWIN. Yes. We report it back to the full committee and they approve it.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be authorized and directed to allow the Ayer & Lord Tie Co. (Inc.), Railway Exchange Building, Chicago, Ill., the sum of $2,306.64 as increased expenses of performance of contract dated August 21, 1926, between the United States, represented by Willis E. Teale, captain, Corps of Engineers, United States Army, for the Mississippi River Commission, and Ayer & Lord Tie Co. (Inc.), for certain construction work on the steamship *Mississippi* and resulting from 118 days' delay of the Government in delivery of the vessel to the contractor so that the work could be performed. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $2,306.64 for payment of the claim.

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.

PATRICK J. MULKAREN

The Clerk called the next bill, S. 4070, for the relief of Patrick J. Mulkaren.

Mr. STAFFORD. Reserving the right to object, I have gone over this bill and the report very carefully. I have no objection to the bill in the form that it passed the Senate, but I do not think that we should adopt the amendment in lieu of the third provision which has been stricken out by the committee. I think the payment of $6,000 is ample to this gentleman for the loss he suffered. If that is agreeable to the author of the bill and to the committee, I have no objection.

Mr. McKEOWN. That is satisfactory.

Mr. STAFFORD. With that understanding, I withdraw the reservation of objection.

There being 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 and directed to pay, out of any money in the Treasury not otherwise appropriated, to Patrick J. Mulkaren, Wewoka, Okla., the sum of $6,000 in full satisfaction of his claim against the United States for (1) the value of certain homestead lands to which a patent was issued to him on September 21, 1925, but title to which was subsequently determined to be in the State of Oklahoma, (2) the value of land taken from him and the value of his improvements upon such lands, and (3) reimbursement of all amounts paid by him to the United States in connection with such lands prior to the issuance of such patent.

With the following committee amendment:

Page 2, line 1, after the words "lands," strike out "and (3) reimbursement of all amounts paid by him to the United States in connection with such lands prior to the issuance of such patent" and insert:

"*Provided*, That in lieu of the amounts paid by him to the United States in connection with such lands prior to the issuance of patent, he may make entry of other lands to the amount of 160 acres under the general homestead law, or 320 acres under the enlarged homestead law, or 640 acres under the stock raising homestead law, anywhere in the United States where there are public lands subject to such entry, and receive United States patent for such lands without payment to the United States of any fees, commissions, or other moneys, and without further compliance with the homestead laws."

The committee amendments were rejected.

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.

JAMES JOHNSON

The Clerk called the next bill, H. R. 4799, for the relief of James Johnson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws James Johnson, who served as a private in Troop F, Tenth Regiment Kentucky Volunteer Cavalry, from September 9, 1862, to September 17, 1863, and in Company A, Fifty-fourth Regiment Kentucky Volunteer Mounted Infantry, from September 19, 1864, to December 19, 1864, shall hereafter be held to have been honorably discharged from the military forces of the United States on December 19, 1864: *Provided*, That no pay, bounty, pension, or other emolument shall accrue prior to the enactment of this act

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, James Johnson, who was a member of Company A, Fifty-fourth Regiment Kentucky Volunteer Mounted Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 19th day of December, 1864: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act."

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.

FRANZ J. JONITZ, FIRST LIEUTENANT, QUARTERMASTER CORPS, UNITED STATES ARMY

The Clerk called the next bill, H. R. 2697, for the relief of Franz J. Jonitz, first lieutenant, Quartermaster Corps, United States Army.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. Without objection, the Clerk will report a Senate bill, S. 988, in lieu of the House bill.

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Franz J. Jonitz, first lieutenant, Quartermaster Corps, United States Army, such amount as he may have refunded to the United States on account of the loss of public funds for which he was responsible amounting to $215.56 and which were stolen from the safe of the agent finance officer at Fort Meade, S. Dak., on or about March 31, 1928; and that both he and H. G. Salmon, major, Finance Department, United States Army, whose agent officer Lieutenant Jonitz, was relieved from further responsibility therefor.

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.

FRED W. BOSCHEN, LIEUTENANT COLONEL, FINANCE DEPARTMENT, UNITED STATES ARMY

The Clerk called the next bill, H. R. 4242, for the relief of Fred W. Boschen, lieutenant colonel, Finance Department, United States Army.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Fred W. Boschen, lieutenant colonel, Finance Department, United States Army, in the sum of $1,165.58, being payments made by him to officers of the Regular Army for traveling expenses and disallowed by the Comptroller General: *Provided*, That the amounts so paid shall not be charged against any moneys otherwise due payees.

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.

ALBERT G. DAWSON

The Clerk called the next bill, H. R. 6763, for the relief of Albert G. Dawson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Albert G. Dawson, who was a member of Company A, Ninth Battalion Ohio Volunteer Infantry, and Tenth Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of the latter organization on the 11th day of March, 1902: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was 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.

DANIEL W. SEAL

The Clerk called the next bill, H. R. 8848, for the relief of Daniel W. Seal.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Daniel W. Seal, who was a member of Company B, Fiftieth Regiment Wisconsin Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 25th day of August, 1865: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was 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.

ROBERT H. WILDER

The Clerk called the next bill, H. R. 6772, for the relief of Robert H. Wilder.

Mr. STAFFORD. Reserving the right to object, the gentleman from Massachusetts has given me some facts about this bill that are not covered in the report. I was going to have the benefit of the testimony, but unfortunately I did not have time to review it. I gained the impression from reading the report that this claimant was engaged in this work for his own benefit. The gentleman has stated to me that was not the character of his service.

Mr. TREADWAY. The character of the service, as explained to the gentleman, was at the request of the State of New York in relation to the defense of the city of New York from antiaircraft attack. The trip that he made abroad with two other officers of a New York organization was with the official consent of the War Department, and the passports provided the gentleman in making the trip bore that indorsement. So that it was not a personal trip in any shape or manner. The original request came from the mayor of New York, Mr. Mitchell, who, at the opening of the war, was considerably exercised as to the possibility of aircraft attack against New York City.

These gentlemen, who were connected with a well-known State organization, at the request from the mayor and backed by the governor of the State, came down to Washington, secured the permission of the War Department, and were regularly assigned overseas.

Mr. STAFFORD. Could not this bill be used as a precedent in many other cases, where persons went abroad in a civilian capacity and suffered injury by reason of their investigation, even as a member of the State militia? The report of the War Department states positively that he was not in the military service of the Government.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. WAINWRIGHT. He might not have been in the military service of the United States, but he was in the service, being in the militia of the State of New York. The uniform he wore was precisely the same uniform. He was accorded to the headquarters of the Army at Chaumont, where he and these other two gentlemen reported to General Pershing. One was assigned to Paris and went to London, and this man to the French front line; and there while in uniform, while serving with the French forces, he suffered practically a wound. He was quite severely gassed.

In other words, he was subjected to all the hazards of front-line service.

Mr. PATTERSON. I want the distinguished gentleman from Massachusetts to make any statement he wishes rela-

tive to this matter, but, according to the policy we have followed in cases like this, I do not think I could let this bill pass without objection.

Mr. TREADWAY. That is perfectly satisfactory, of course.

Mr. PATTERSON. It is with no feeling, except that the bill comes in the class of bills to which objections have been made.

Mr. TREADWAY. Will the gentleman be kind enough to state what his objection is, in order to see whether we can not clear it up?

Mr. PATTERSON. This man was a member of the National Guard, and this bill would enable him to go before some board and be retired on three-fourths pay under the emergency officers' retirement law, when he was only a member of the National Guard. That is my objection.

Mr. TREADWAY. I will state that the three gentlemen referred to were not members of the National Guard that was called to service as Federal troops. They were members of a New York State organization which had been recruited to the number of about 1,000 under General Delafield. General Delafield was the one man who urged this work to be done in behalf of the State of New York, under the supervision of the Federal Government. The point at issue is this: These three men did what the War Department itself said was a splendid work. Their indorsement of the report bears that language.

Mr. PATTERSON. There is no question about that in my mind.

Mr. TREADWAY. Then one of them was immediately attached overseas to General Pershing's staff and he was assigned by General Pershing. The other two came home to make their report. The man in behalf of whom this bill appears had been so seriously gassed at the front that he was not qualified to be admitted into the service on his return home. The two who accompanied him and came back home to make their report were taken into the Federal service.

This man offered his services but the condition of his lungs was such, as the result of the gas he had inhaled at the front, that he was prevented by the medical officers from being taken into the Federal service. I assure my friend he was under our flag at the request of our War Department, was overseas with a passport issued by Secretary Lansing, was recommended by the War Department to General Pershing, and was assigned by General Pershing to the front ranks where he was gassed.

Mr. PATTERSON. There is no question in my mind about that, and the excellent statement the gentleman has made makes me regret that I must object; but I must object on the ground of the precedent it might set.

Mr. TREADWAY. Is it the question of the precedent that is troubling the gentleman?

Mr. PATTERSON. Yes. We are going to retire this man, who is a member of the National Guard, on three-fourths pay.

Mr. TREADWAY. In relation to the precedent feature, here are three outstanding men, and to grant this relief to this man would establish no precedent in any way, shape, or manner, because two men who accompanied him were taken into the Federal service, but this man was so ill that he could not be accepted. So there could not possibly be any similar case to it and there is no way of establishing a precedent.

Mr. PATTERSON. Well, I suggest that we let it go.

Mr. TREADWAY. If it goes to-night, it is gone.

Mr. PATTERSON. But if it is a meritorious case, it can be taken up later.

Mr. TREADWAY. I am afraid this man will not be living if the bill is not passed now. This bill has been on the calendar for a year, and this is the first opportunity I have had to get it before the House.

Mr. PATTERSON. I shall have to object to-night.

Mr. BLANTON. Mr. Speaker, may I ask the chairman a question. It is now almost 10.30. We are going to have a hard day to-morrow. There will be suspension after suspension and some important bills to consider. Does not the gentleman think we have gone long enough? I wish the gentleman would agree to a recess until to-morrow.

Mr. COLLINS. Mr. Speaker, I demand the regular order.

ALLEN HOLMES

The Clerk called the next bill, H. R. 12316, for settlement of claim of Allen Holmes.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, here is the case of a young colored boy who was below the draft age being deprived of his liberty for some time by order of the local draft board. The phase of the bill which is causing me some disturbance is that the Acting Secretary of War says:

> Since the proposed bill, if enacted into law, would create a precedent under which others having the same status could, with equal justice, claim similar legislation, the whole question of relief for this class of personnel is indirectly involved.

Mr. IRWIN. The war has been over for 12 years and this is the first case of this kind that has ever come up. There may be other similar cases but I do not believe so. I do not believe the Government has any right to deprive anybody of their liberty, as was done in this case.

This young man was about 17 years of age. He was under the draft age, and for some unaccountable reason he was put in jail and kept there four or five months. He was a poor boy who had to earn his living and he has asked that he be paid $18 a week for the time he was in jail.

Mr. STAFFORD. It is not the amount involved that is troubling me.

Mr. IRWIN. Will the gentleman let me explain further? We cut the amount about in half. The report states—

> The War Department feels that the above question is one of national policy that the Congress should decide and therefore prefers to make no recommendation.

They feel that Congress ought to decide this question, and I may say that this is the first bill of the kind that has come up since the war.

Mr. STAFFORD. There have been bills reported by the gentleman's committee which the gentleman's committee should not have taken jurisdiction of, because they involve matters of policy. I think this bill should have been considered by the Committee on Military Affairs as it involves a question of policy, but the Chairman of the Claims Committee has done such wonderful service that I perhaps should withdraw that statement.

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I am glad the committee has reduced the amount involved by a committee amendment.

Mr. STAFFORD. Oh, it is not the amount that is troubling me.

Mr. SCHAFER of Wisconsin. In fact, this is a questionable bill, to my mind. This man was taken into the Government service on September 7 and he was hospitalized for a venereal disease——

Mr. IRWIN. No; the gentleman has the wrong bill.

Mr. STAFFORD. No; my colleague from Wisconsin is right.

Mr. SCHAFER of Wisconsin. I have the report here on the bill H. R. 12316, calendar No. 966.

Mr. STAFFORD. The gentleman is absolutely right.

Mr. SCHAFER of Wisconsin. This report shows that he was taken into the Government military service on September 7, 1918, and he was hospitalized by the Government from September 10 to October 1, 1918, for a venereal disease, which was not the result of his Army service, and he was further hospitalized from December 30, 1918, to January 14, 1919, for mumps, bilateral; in fact, instead of presenting a claim for relief out of the Federal Treasury, I believe this man ought to be making an offer to pay the Federal Government for taking care of him and treating him for this disability. However, since the report from the department is not directly against the enactment of the measure, and since the committee has reduced the amount, in order that no injustice may be done and in order that no policy may be established which will prevent minors who have

been taken into the service unlawfully from obtaining relief in the future, I shall not object.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I think the statement made by my colleague shows almost conclusively that the time he was detained he was in the hospital for treatment, and the very day after he was released from the hospital he was released, and therefore I object.

Mr. IRWIN. Will the gentleman withhold that one moment?

Mr. STAFFORD. This is a question of policy that should be determined by the Committee on Military Affairs, as to whether those who happened to have been detained during the war for some reason or other for a certain time should be compensated.

Mr. BLANTON. On the question of policy, does not the gentleman think that when the Government takes boys away from their homes and keeps them for two or three or four months before it determines whether they want to send them to France or not, and then sends them home—does not the gentleman think that the Government should pay every one of them as a matter of policy?

Mr. STAFFORD. Oh, during the war a person's liberties were often invaded and they were deprived of certain liberties in many instances. It is the question of policy that I object to. I object, Mr. Speaker.

INTERNATIONAL MANUFACTURERS' SALES CO. OF AMERICA (INC.)

The Clerk called the next bill on the Private Calendar, H. R. 10064, for the relief of the International Manufacturers' Sales Co. of America (Inc.).

Mr. STAFFORD and Mr. BLANTON objected.

SYDNEY THAYER, JR.

The Clerk called the next bill on the Private Calendar, H. R. 11930, for the relief of Sydney Thayer, jr.

Mr. COLLINS. Mr. Speaker, I object.

MARY WILLOUGHBY OSTERHAUS

The Clerk read the title of the next bill on the Private Calendar, S. 3646, an act granting an increase of pension to Mary Willoughby Osterhaus.

Mr. BACHMANN. This bill has been taken care of, and I think it should be laid on the table.

The SPEAKER pro tempore. Without objection, the bill will be indefinitely postponed.

There was no objection.

LIEUT. COL. TIMOTHY J. POWERS

The Clerk read the title of the next bill on the Private Calendar, S. 325, an act for the relief of former Lieut. Col. Timothy J. Powers.

Mr. COLLINS. I object.

JOHN W. BARNUM

The Clerk read the title of the next bill on the Private Calendar, H. R. 834, for the relief of John W. Barnum.

Mr. COLLINS. Reserving the right to object, I have an amendment to strike out in line 4 the words "instructed to receive and determine" and substitute the words "receive and consider."

Mr. DOXEY. I think that amendment is well taken. I reported the bill, and I have no objection to the amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission is hereby authorized and instructed to receive and determine the claim of John W. Barnum, a former employee of the United States Shipping Board, without regard to the limitation of time within which such claims are to be filed under the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended.

Mr. COLLINS. Mr. Speaker, I offer the following amendment:

The Clerk read as follows:

In line 4, after the word "authorize," strike out the balance of the line and the word "determine," in line 5, and insert the words "receive and consider."

Mr. DOXEY. The effect of that amendment is that the Employers Liability Compensation Commission may consider the claim on its merits and if found meritorious to so determine and not have the statute of limitations run against it.

Mr. COLLINS. That is right.

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment:

The Clerk read as follows:

At the end of the bill insert the following:

"*Provided*, That no benefit thereunder shall accrue prior to the enactment of this act."

The 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 was laid on the table.

A SPECIFIC FARM-RELIEF PROGRAM

Mr. LANKFORD of Georgia. Mr. Speaker, I ask unanimous consent to extend my own remarks.

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

Mr. LANKFORD of Georgia. Mr. Speaker, in spite of the many promises that have been made to the farmers of the country they are in a more deplorable condition than ever before. There has been an overproduction of promises in their behalf and almost a total absence of really worth-while legislation.

For fear some one will challenge this statement, let me refer very briefly to at least three outstanding pieces of legislation passed and labeled as farm relief, to wit, the Federal farm loan act, the intermediate credit bank act, and the Federal farm marketing act. Generally, I charge that all these acts are failures, have done the farmer no real good, and in many instances have caused his ruin. I am willing to call the farmers themselves as my witnesses to prove not only this charge but also the others I shall make presently. Ask the farmers whether their condition has become worse or better since the enactment of these laws. Almost without exception they will declare that they are losing out in greater numbers than ever before and in many cases as the direct result of the cold-blooded tactics of some of these institutions brought into being by the laws just mentioned.

To be more specific, let me say that I find it much more difficult to secure the extension of a loan in default which is held by a Federal loan concern than I do where it is held by a life-insurance company or some private loan concern. Thus it is that these agencies set up to help the farmers are getting his land, mulcting him in unconscionable attorneys' fees, and, like heartless pirates, are turning him, his wife and children out in the cold, cruel financial world without food, clothing, or shelter and without means of support.

The farm loan act was designed to help others exploit the farmer rather than to be of real service to the farmer, and now, during this awful depression, the plundering of the farmer under this act is being carried to cruel and heartless extremes.

What I have said about the Federal farm loan system is equally true of the intermediate credit bank system.

I shall not go into detail at this time. Suffice it to say that anyone who has attempted to secure money for the farmers through this system will corroborate what I say. Some of my good friends in Georgia are doing their best to make arrangements for some help for the farmers of my district. I know what they are up against and certainly wish them Godspeed.

About all these two systems do is permit the farmer to try to lift himself over the fence by pulling on his own boot straps, charge him exorbitantly for the experiment, and ruin him if he fails. I am sure some individual farmers have been helped by these systems, but many more have not been helped or have been ruined.

Generally, these and all other so-called farm relief acts provide for the farmers' eternal exploitation rather than

their financial salvation. They help others to make money out of the farmer rather than help the farmer to get a square deal. Many of those who supported these measures acted in the best of faith, but as is always the case the profiteer, the speculator, and those who consider the farmers as only cattle and to be handled and herded only for the money that can be obtained by their slaughter were ever present by lobbyist, high-salaried counsel, and office seeker, to see that the bills were finally shaped to suit them and not for the best interest of the farmers of the country.

Of course, there is some good in these bills. The deadliest poison may be sugar-coated. The passage of these and other loan measures by Congress are not only repeated admissions that the farmer is not getting a square deal, but is being robbed. Help the farmer get a fair price for his product and he will not need any farm-loan system. He will have all the money he needs and to spare.

Oh, if Congress would only enact a proper marketing act for the farmer, all else would be well with him. Banks have been closing all over the country. Why? Simply because the farmers and the common folks who keep the small banks going are losing out. To be more specific, many banks closed in my section last year that would have kept open and been in good shape if the farmers had received a fair price for their cotton, tobacco, and other farm products.

The prices at which the farmers' tobacco is being taken—not purchased—is only one illustration of the awful robbery that is being perpetrated. The farmer gets only a few cents for a pound of tobacco which when manufactured into cigarettes sells for many dollars. The farmers and their families are being reduced to peasantry and abject slavery, while the manufacturers are making millions upon top of millions of profits.

What is the Government doing to help this situation? The truth about the situation is unbelievable. In 1929 the Government received in taxes from the manufactured products of tobacco $43 net every time the farmer got $28 gross. For the purpose of emphasis, let me repeat, the Government got net $43 every time the farmer got $28 for all of his labor, use of his land and farm property, fertilizer, and every other farm cost. Just think of it, the Government gets out of a tobacco crop a dozen times as much and even a hundred times as much as the farmer gets net. In fact, in most cases the Government and the manufacturers or exporters get all the profit, while the producers are being ground into oblivion by a system of torture more cruel and inhuman than was ever inflicted on ancient peon or galley slave.

Much has been said about the Government subsidizing the farmer. This is not the case. In so far as the tobacco producer is concerned, the farmer is subsidizing the Government to the tune of approximately $500,000,000 a year.

This money received by the Government each year out of the farmers' tobacco crop is the equivalent of the entire amount put up for use by the Federal Farm Board in handling the marketing of all farm products. And still neither the tobacco growers nor the cotton producers of the South have ever received any real benefit from the Federal Farm Board and I very much fear never will.

Since my discourse has brought me to mention the Federal Farm Board and since in the beginning of my statement I named the Federal Farm Board Act as one of the three outstanding farm relief legislative failures, I shall now briefly discuss this act and the activities under it.

Just here let me say I have great respect for the members of the Farm Board and have the fullest confidence in their honesty as public officials. I regret very much, though, to say I have little or no faith in the law under which they are operating. I have repeatedly said that the Farm Board officials are not to blame for the failure of the marketing act, but that Congress is to blame for the passage of a so-called farm relief measure filled with so many disabilities and glaring inconsistencies.

I believe the present Farm Board would like to help the farmer. I also believe that it can not render real permanent service to the farmer by the law as now written. I firmly believe the present act should be either amended in many very vital particulars or repealed entirely and a new law passed in its stead.

My convictions on this subject are strong and have existed since the present plan was first proposed, several years before it was finally enacted in June of 1929. The RECORD will disclose that I criticized the present marketing plan much more severely before it was passed than since it enactment. Since it became law I have all the while been hoping it would prove to be a better plan than I had believed it to be. I have been most anxious to help the membership of the board make the most of the scheme. I do not want any word or act of mine to impede them in any proper course they may pursue.

I feel that the plan is bound to fail. I can not see how it can possibly work without an effective control of both production and marketing. I am most anxious for the board to do its best under the law and let the farmers of the country and their friends see whether the law provides real farm relief or is a failure and must be amended if real relief is to come to the producers.

Progress is being made even by the failures under the present act. All students of the farm problem are more and more seeing the defects of the present law and are planning for something better. The law will be amended in the near future and I hope for the best to come of the changes.

The recent passage of the naval-stores provision enables the Federal Farm Board to aid in the marketing of three south Georgia products of prime importance, as well as several other products not as yet produced in such great quantities in this section of the country.

The production of cotton, tobacco, and turpentine at a reasonable selling price means prosperity for all the coastal-plains section of Georgia and the other Southern States.

It is hoped that the Federal Farm Board will render every possible assistance to the producers of these products. As I have just said, it is supremely important that the Federal Farm Board not only help all producers in every way possible but ascertain without delay by practical demonstration any and all defects of present marketing act to the end that proper amendments may be made at the earliest possible moment.

The entire marketing act is based on and revolves around the organization of the producers. The farmers must organize; the organization must be loyal to the farmers and the Federal Farm Board must give the farmer and his organization the fullest possible benefit of the act and with Congress work out and put into force such additional laws and regulations as will ultimately put the farmer on a parity with other businesses and enterprises as has been so often promised.

I repeat, personally I feel that real farm relief can only come from effectively controlling production and marketing by a contract system under which and by which a fair price will be assured the producers for the basic farm products. Of course, this control of production and marketing, thus bringing about not only price control but price elevation, can only be accomplished by efficient organization of the producers. Of course, I have some well-defined ideas as to how Congress can amend the marketing act so as to bring about this "consummation devoutly to be wished," but that involves a plan which I have many times heretofore discussed more in detail and of which I shall tell much more in the future.

Since the Federal Farm Board operates through cooperative associations, stabilization corporations, and other intermediary agencies, it follows that these agencies which occupy the ground between the board and the farmer must act in good faith and to the best interest of both the farmer and the board or become unworthy of a place in any honorable farm-marketing scheme.

One of my criticisms of the bill was that under it these intermediary agencies might exploit the farmer for the agencies' own selfish interest. I am now convinced that my fears were well founded. It is becoming known that some are brazenly robbing the farmers under the guise

of operating under a so-called farm relief act. I am now sure that I was right when I suspected some of these same individuals did not want a law to help the farmer but sought only to plunder the farmer within the law. They desired a law as a smoke screen behind which, with all the greed for gold and disregard of human life of the pirates of old, they might descend upon, plunder, and kill the farmers, their wives, and children. I am talking about those in the stabilization and cooperative associations, who are not giving the board, the farmers, or any one else a square deal and are willing to wreck the other cooperative associations or other farm agencies in order to accumulate for themselves a hoard of stolen property.

I am not talking about the organization that is endeavoring to help the farmer, neither am I discussing any official who is drawing a reasonable salary and with all his powers is serving the producers of the Nation. I am not talking about an honest man, but I am talking about a man who under the guise of helping the farmer is a greater thief and a viler wretch than the man who goes out at night bent on committing robbery with a gun in his hand and murder in his heart.

Will the farmer never get a square deal? He never has been accorded the same treatment which during all these years has been graciously bestowed upon others. He has more patience than Job, and all the while has kept doing his best, but unless he gets some relief, and that speedily, he is coming to the end of the way. As a free, independent individual the farmer is about to disappear from the earth. He can not carry his present load and keep on going.

The Government which the farmer founded, the Government which he has supported and defended all these years, and the Government which can not exist without him is deliberately destroying him. Under our present economic system, as sustained and made possible by laws enacted by Congress the farmers are losing out. Their homes are being sold by foreclosure and the country is shifting from the individual home-owning, independent farmer to mass production by great corporations.

Unless proper laws are enacted at once the independent individual on the farm and in business is to be superseded by great corporations and monopolies. The individual farmer and business man will become a hireling and will no longer patronize the corner grocery store or drug store of his neighbors, for they will be relics of the past. Neither will he patronize a chain store, for he will be getting his clothes and rations from a commissary of the boss corporation which owns and cultivates thousands of acres, including his old home place. Some say there is no danger of such a situation. Let us see if there is.

Lands of the farmers are being sold by foreclosure to the big loan concerns. These companies do not want to keep these lands. They are going to sell them. If the farmers can not get them again, they will pass into the ownership of corporations engaged in chain farming or mass production, and the very thing I so much fear will be here and to stay.

A recent issue of the Washington Star carried an article from the pen of Mark Sullivan, from which I quote, as follows:

During several days last month a Kansas newspaper, Victor Murdock's Wichita Eagle, recorded that the Republican State convention of last summer had adopted a plank about farming by corporations. The plank read: "The Pepublican Party is opposed to corporation farming and believes that the future welfare of Kansas depends upon Kansas farming remaining in the hands of the individual Kansas farmers." And the House of Representatives of the Kansas Legislature during January passed two resolutions, one calling on the State attorney general to start proceedings to oust farming corporations from Kansas. The other was a bill to prohibit the chartering of any corporation proposing to engage in farming. The prohibition expressed in the bill was specific and extensive. As approved for passage the bill would "prohibit the chartering of any corporation proposing to engage in the agricultural or horticultural business of producing, planting, raising, harvesting, or gathering wheat, corn, barley, oats, rye, or potatoes and apples or other fruits, or any other agricultural or horticultural crop, or the owning, keeping, breeding, or raising of poultry or livestock and the milking of cows for dairy purposes."

One wonders what we have here. Is corporation farming a valid economic innovation? Is farming in the future to be carried on in units of several hundred or several thousand acres by corporation owners that employ farmers in the way that corporation manufacturers employ factory hands? If it is a valid economic innovation, will the action of the Kansas House of Representatives appear in history as a vain attempt, even though a most appealing one, to resist economic evolution? If corporation farming is justifiable on economic grounds, is it deplorable on social and sentimental grounds? Do the economic advantages to the country outweigh the detriment to the individual farm owner who is displaced?

I quite agree that the mere passage of a bill declaring against farming by corporations will probably be ineffective. The effect of an economic pressure is terriffic and can only be overcome by a similar counterpressure or by removal of the original force.

If farming is so unprofitable as to force the independent individual farmer out, then he simply loses out; it matters not how many laws may provide that big wealth shall not buy up the farms and run them on a large scale with machinery and cheap labor. There is no way to keep the farms now owned by Federal land banks and other long-term loan concerns from being bought up and cultivated by a big corporation unless we provide a way for these lands to get back into the ownership of the farmers of the Nation.

In brief we must change our economic system by passing real farm relief legislation and enabling the farmers to regain their property and keep it. This will never be done by the big parties making promises in glittering generalities and never keeping them or intending to keep them. Not only hundreds but thousands of men run for Congress every two years, and declare their purpose to work for and vote for farm relief without any idea what real farm relief is, with no purpose to vote for legislation for the farmers and with the deliberate and malicious intent to support no bills or moves except those which enable the profiteers and speculators to get a firmer strangle hold on the private individual farmer, business man, and laboring man. Let campaign promises be specific and let them be kept.

The expression "farm relief" has come to mean absolutely nothing. Everyone construes it to suit his own purpose. The high-tariff advocate says high tariff is farm relief; the low-tariff man says low tariff is farm relief. The big corporation man says save the corporations and big business and these will save the farmer. Those with counterviews say corporate greed is destroying the farmer. One says Government operation of Muscle Shoals would be farm relief; the other says this would destroy private initiative, hurt business, and injure the farmer. Both are declaring they favor farm relief. The liquor man says, sell more corn liquor; help the price of corn, and bring about farm relief. The dry advocate says let us have prohibition, eliminate unnecessary expenditure and the evil effects of drunkenness, help the common people, and bring about a better citizenry and farm relief.

I could go on almost without limit. All of which shows that we need not only definite promises but definite performances, not by only a faithful few but by enough to pass and put into full force and effect real farm-relief legislation of a definite specific nature. I know many are already saying, "Mr. LANKFORD, tell us what you mean by definite specific legislation for the farmer, and how are we to get it?" That is a proper question and I shall attempt to answer it.

To begin with let me say I have worked out, introduced in Congress, and am fighting for with all my God-given faculties, a contract-marketing plan whereby and under which the farmer would agree in writing to allow his acreage and marketing of cotton, tobacco, and other basic crops to be controlled with the distinct understanding and agreement that the farmer is guaranteed a fair price of more than twice what he is now getting, for what he does produce on the limited acreage.

This is a very specific, definite proposal, and having discussed it so fully heretofore, I shall now pass it, without attempting to go more into detail except to say it is, to my mind, the only plan yet proposed which will enable the farmer, within reasonable limits, to name the price of what

he sells like other people and concerns, thus putting the farmer on a parity with other businesses and enterprises as promised by both the Democratic and Republican Parties.

It is not only important to help the farmer get a good price for his products and thus obtain his reasonable share of money but it is equally as important to see that he is not unfairly deprived of his money or robbed of that which is justly his own.

Thus we come next to tariff and taxation. The tariff is old and yet very much alive. Under the high tariff system, every store, shop, and market place is a tax-collector's office where money is collected by the millions, in a small way, for the Government and in tremendous amounts for the protected manufacturer and other corporate concern. Under this system every store or other place where goods are sold is a cruel, heartless tax collector's office where the poorest of the poor and every purchaser must pay tribute to the immensely rich or go naked and starve. When the last penny has been squeezed from the starving, freezing multitude, these millionaire tax gatherers, despise those whom they have robbed and vigorously urge that it is uneconomic for a few pennies of this stolen money to be used to buy soup for those who have been robbed, murdered, and left dying. Since others are giving this subject serious consideration I shall pass it to deal with a specific proposal of mine to relieve the tax burdens of the farmer and common citizen.

My plan is easily understood, provides for no big salaries, and will, without doubt, relieve the poor of a considerable tax burden, and therefore it is hard to get support for it from those who preach farm relief and laws for the laboring man but practice doing the will of the profiteer and the rich interest. Taxes must be paid by some one and the common man has always borne more than his share and any effort to shift part of the load to the more wealthy class is sure to meet strong opposition and all kinds of misrepresentations.

It has often been said that Congress can do nothing about the tax burdens of the State, county, or city. This is a mistaken idea. Before mentioning my plan let me name at least three other instances where the Federal Government can help in local tax matters. First, increase the inheritance tax on large inheritances and large incomes and leave certain other incomes to be taxed for State purposes. Second, let the Federal Government remove all or a large part of the tax assessed against manufactured tobacco and leave these commodities to be taxed by the State for local purposes.

In fact, I have spent much time working on, and have about perfected, a plan whereby the Government can relieve the part of the tobacco tax in such a way as to not only help the tax situation in the States but become a part of my marketing scheme to elevate and stabilize the farmers' prices on a fair and living basis.

Third. Another change that will be very beneficial to the States and the people of the respective States is a Federal act giving the States the right to tax national banks the same as State banks, but without discrimination against or in favor of either.

Now, let me get back to my proposal which is to submit to the States a resolution proposing an amendment to the Federal Constitution providing that every head of a family shall have the right to own free from all taxes whatsoever $5,000 worth of land or other property when used for home purposes.

Anybody can understand this proposed amendment. It will actually bring relief to the man of small means and cause some additional burden to those more able to pay and who are getting more out of the Government. This provision will not only help the farmer and laboring man, it will help business generally. There will be more homes which means more homes will be built, more homes furnished, and more homes supplied. All that the common people get will not go for taxes; they will have more to buy with, more to put in the banks, and will be more contented. They can give their children a better chance in every way, and our great country citizenship will be maintained and the perpetuity of our Government made more assured.

Secure the adoption of this amendment with a bill helping the farmer get a fair price for his crops and the farmer will be protected and the country home—the greatest of all institutions—will not perish from the earth.

I wish it was possible for every citizen of this Nation to realize just how difficult is the task of anyone who attempts to secure the enactment of law either protecting the common people from depredations of great corporate wealth, or giving a square deal to the laboring man and the farmer, or lessening the tax burdens of the poor when it may mean the increase of the tax rate of the rich.

Any bona fide move along these lines, when about to succeed, brings the author within the range of an angry firing squad, paid by predatory wealth to not only destroy the meritorious measure, but if necessary politically destroy all sponsors. Of course these fights are never fair. These opponents of just legislation can not use the truth and win, and winning is their objective regardless of tactics.

Greedy corporate wealth is heartless and has no regard for the individual man, woman, or child, nor even for millions of citizens, whose rights are about to be destroyed or whose property or lives are in danger of destruction.

Most great legislative battles for the good of the common people are lost because the enemies of wholesome laws, by misrepresentation and unfair tactics, induce those about to be benefited to mutiny and fight among themselves concerning the proposal or even stampede and overwhelm the meritorious move. Just as many a bad piece of legislation succeeded because of its pretty name regardless of its vicious provisions so many a good proposal has been killed simply because its enemies by word of mouth and by newspaper publicity gave the proposal a bad name regardless of the real merits of the measure.

These kind of fights are very effective, when properly staged, just a short while before a matter comes up for determination either in a legislative body or at an election and when those sponsoring the good measure either because of the lack of time or money or both can not answer the unfair attack by showing the real merits of the proposal.

I have seen so much of these tactics here in Washington and the dangerous effect of such maneuvers until I am very much disappointed when I see a good proposal slaughtered in this manner. I am not surprised but I am disappointed. This kind of fight on a good measure was very forcefully brought to my attention just before the last general election in my State.

My brother, State Senator George W. Lankford, of Lyons, Ga., had introduced and helped secure the adoption of a resolution to amend the State constitution so as to provide for the levy and collection of income taxes and the reduction of ad valorem or property tax.

The first paragraph of the resolution provided that—

> The general assembly shall also have authority to levy taxes upon incomes for State purposes only, which tax shall be graduated, the rate in no case to exceed 5 per cent, and to provide further for such exemptions as may appear to the general assembly to be reasonable.

The second paragraph of the resolution provided that—

> The ad valorem tax for State purposes on all classes of property shall not exceed 4 mills for the first year an income tax is collected, and shall not exceed 3 mills for the second year an income tax is collected, and shall not exceed 2 mills for any subsequent year thereafter that an income tax is collected; except that the State's right to levy ad valorem tax for the purpose of paying the interest and principal of the present outstanding, recognized, valid, and legal bonded indebtedness of the State shall not be hereby abridged.

At the election last November this resolution was submitted to the qualified voters of Georgia for their ratification or rejection and, strange to say, was overwhelmingly rejected, notwithstanding its special provisions in behalf of every farmer, every laborer, and every individual citizen of the State.

The proposed constitutional amendment, if accepted, would have said to the Georgia Assembly, "You can not double tax the people of Georgia; you can not levy an income tax and an ad valorem tax, to the limit, at the same time," and yet it was rejected.

Thus the people by their own vote said "We know income taxes are coming, but we want the entire property tax also left of full force."

The present State constitution says the ad valorem or property tax "shall not exceed 5 mills on each dollar of the value of the property taxable in the State."

In other words, the man whose property tax is $100 per year by his vote said, "Levy the income tax, but I oppose my property tax being reduced from $100 to $80 the first year; reduced to $60 the second year and reduced to $40 every year thereafter."

Just think of the proposition to reduce all property tax in two years by taking $60 from every hundred dollars, being turned down by the very people who are overburdened with taxes, who are losing their property at tax sales and whom the author, George W. Lankford, was striving to help and to save.

My brother was heartbroken over the defeat of his amendment, not because it bore his name but because he was so anxious to relieve the property owners of Georgia—including the farmer, the small business man, and the laborer—from the awful unfair tax burden that is destroying them. He knew the people had been mislead, and neither he nor I nor anyone else blamed them. We all knew then, and every right-thinking man must know now, that the voters were mislead by an unfair and misleading attack made on the proposed amendment at the eleventh hour by those who with big incomes and with untaxed intangible assets themselves dodge taxes and yet want more and yet more appropriations regardless of the burden on the ad valorem taxpayer.

Of course, the average citizen did not know he was voting to let tax dodgers continue to dodge, big incomes and valuable intangible property go untaxed and leave the whole tax burden on the bended and broken backs of the poor. He did not know he was voting the destruction of himself and family for the benefit of those who have plundered the common people from the beginning of time. The farmer never dreamed that he was voting for his home to be sold for taxes, while he has no income at all, and at the same time voting to relieve from all tax burdens those with big incomes, who are receiving most from the Government and who are best able to pay taxes.

I can readily see why the man with big income or large holdings of intangible property objected to the proposed amendment of State Senator George W. Lankford. These men of great wealth all want taxes either paid by common people or paid by the rich in such a way as permits its being passed on to and finally paid by the poor.

Income tax with proper exemptions as provided in the proposed Lankford amendment is one of the fairest and best of all taxes. It is only collected from a man making a profit after exempting enough profit to support himself and family.

Too often the property or ad valorem tax is collected from a man who is making no profit but is losing his all. The Lankford amendment, if correctly understood, would have received the support of the vast majority of the people of Georgia and would have become part of Georgia's State constitution. The man with a small income would have favored it, for it would have exempted most of his income and at the same time cut off three-fifths of his property tax. It would have even limited the amount of the income tax, which now may be levied without limit.

The George W. Lankford proposed tax amendment had more real value in it for the taxpayer of Georgia than any yet offered since the adoption of the State constitution more than 50 years ago, and yet it was defeated by the very people it was designed to help and to save, not on its merits but because its enemies misled the public by calling it "vicious," "a dangerous amendment," "a complicated affair," "an amendment that would prevent proper financing of the State," and "a blow to the public schools," and so forth.

These and other similar unfair objections were urged where they were expected to be most effective. Where George W. Lankford was born and reared, and also in those sections where he is now best known, the opponents of the proposal were shrewd enough to say no harm of the author to his friends, but simply admitted that my brother had always been in the closest sympathy with and worked for all oppressed people, be they farmers, laborers, or overburdened taxpayers, and that he was a friend of the State public-school system and as a legislator had rendered most splendid service to the common schools of Georgia; but they would add, "When George W. Lankford introduced and passed his amendment and when the governor approved it the supreme court had not held that an income tax is authorized under our constitution, and that now since the supreme court says it is authorized everyone, including the author, admits the amendment is unnecessary and will only cause trouble." The opposition then very well knew George Lankford at that very moment was very much in favor of the amendment, and that the supreme court decision did not make the amendment unnecessary but only emphasized the great need for the amendment to bring about the reduction of property tax and to prevent the double taxing of the people of Georgia.

Thus the fight was waged and won to prevent tax relief in Georgia, which, more than any other State move in recent years, would have helped and saved the farmer, the laborer, and the common people of my State and preserved not only our public schools but also the individual country home of the farmer with all the influence that noblest of institutions has and—I hope and pray—will continue to exert for the good and perpetuity of our national existence.

After this propaganda was started it was taken up, often innocently, by many newspapers and people and the unfair publicity went forward like a forest fire. Dozens of people, editors of papers and others, asked me about it. I found most of them were fighting the amendment without knowing what it was. When it was explained they were heartily in favor of it. The conspirators who had started the fight dared not fight the amendment on its merits or by telling what it proposed. They hoped to win, and did win, by starting a campaign of misrepresentation too late for it to be answered.

Neither Senator Lankford nor the other supporters of the resolution could stem the tide, just a few days before the election, without being prepared for the onslaught and spending thousands upon thousands of dollars.

Many people asked me why my brother sponsored a bill against the public schools. When I explained to them the real truth of the amendment and called their attention to the record of my brother, which shows that no man in or out of public life, similarly situated, has tried to do more or fought harder for the public schools and common people of Georgia than George Lankford, they were glad to fight for the proposed amendment and told me they had been very much misled about the amendment and the motives of my brother.

I have said this much to let the public know just the kind of a fight that was waged in Georgia, not only in this instance but in many others, and not only in Georgia but in all the States and in Congress and everywhere, whenever and wherever a bona fide move to help the common people is about to succeed.

The people in Georgia were stampeded into doing something against their own interest. The people of other States are often stampeded the same way. I have often seen the Members of Congress stampede like a herd of wild cattle. While in these stampedes they will not stop to reason, they do not seem to care about the real merits of the proposal. They have started on a wild rampage and will even unwittingly injure or destroy their own friends who may attempt to head them or stop them.

Thus it is seen just how difficult it is to relieve the poor of unfair tax burdens or legislate for the farmer or common people.

Now let me say a little more about my idea of a specific program of farm relief.

Since I am making some general observations and discussing briefly several matters which I feel are of special importance to the farmers, let me, just here, mention again

two bills which I have introduced and yet hope to pass, which I feel will be real farm relief in so far as perishable farm food products are concerned.

One provides for experimentation by the Government in the sale of fruit, watermelons, cataloupes, and other food products directly from the producer to the consumer. I am firm in the belief that the Government can work out a system which will give the producer a much better price and the consumer a fresher, better article for much less cost.

I want to eliminate the unnecessary middle man and his enormous profits. This can be done by the plan I am advocating. For this marketing plan to be fully carried into effect it will be necessary to pass another of my schemes, as included in a bill by me to extend the Parcel Post System by providing for the handling of identical packages such as dozens of eggs, market baskets, or other containers of vegetables, watermelons, cantaloupes, and so forth, in carload lots at the farm or post office of the producer and then distribute the carload by delivering one of each identical package to each of a list of consumers. This system would save addressing each package, several handlings, and much delay. It could be maintained by the Government at much less cost per package than is charged now, and would result in a great saving in transportation cost.

This parcel-post extension plan and my producer-to-consumer marketing scheme will work together perfectly. I do not wish to discuss these proposals more at this time. I am naming them as parts and parcels of some definite farm-relief plans which I am advocating and hope to see put into effect.

Now, I wish to briefly discuss another plan of mine which I feel is very meritorious. I refer to the bill introduced by me which would authorize and empower the Secretary of the Interior to reclaim the farms and lands which have been taken over by the long-term-loan concerns under foreclosures. The bill provides that the Secretary buy in all these lands possible and so far as possible resell them to the original owners. If the original owners can not or do not wish to rebuy the land, then it would be sold in small tracts to other farmers for home purposes.

The Government can issue bonds at a small rate of interest for money necessary to buy in these lands and can then resell them on long time at a very low rate of interest. The long-term-loan concerns would gladly accept bonds in lieu of the lands, as they are anxious to dispose of these lands. The farmers would pay enough interest to cover the interest on the bonds. The Government probably would not have to raise any money, for the bonds could be swapped for the lands. The Government would be safe and the millions of farmers who have lost their homes would have another and a much better chance to save their homes.

At this time there can be no perfect, comprehensive farm-relief plan unless it provides for some plan whereby the farmers who have lost their homes can recapture and keep them.

Now, I have completed my farm-relief picture and want us to pause a few minutes and look at it in its completed form.

Let us see if there are any defects and how they are to be remedied. If the plan is not good, please offer something better.

In brief, here is the picture: Return all farm lands to individual farmers and enable them to keep them by guaranteeing them a good price for cotton, tobacco, and other basic products, by and under a contract system controlling production and marketing; help them sell perishable products directly to consumer at better price to farmer and less cost to consumer under my producer to consumer marketing plan and parcel-post extension idea, and relieve a reasonable amount of farm property for each family from all taxes by amendment to the Federal Constitution. This, to my mind, is farm relief in the true sense of the term. The individual farmer would be saved; the country home, the greatest bulwark of our liberty, would be preserved, and our great institutions made more secure.

I invite constructive criticism of the farm-relief picture I have just painted. I am sure many will find what they believe to be defects. I wish some one would convince me I am wrong and show we something better. I would gladly accept it.

For my part I can truthfully say that with the present lights before me, with my way of thinking, and after months and years of earnest, faithful study I am offering the very best of which I am capable.

There are other minor matters that can be handled for the best interest of the farmer, but I hold that the principles I advocate are cardinal, would enable the farmer not only to become free but become a potent factor in the scheme of his county, working out and properly solving all problems which concern him and the rights of himself and his country.

Let the Democratic Party and the Republican Party, acting either jointly or as separate parties, pass the measures I have suggested and put them into full force and effect, and I believe the greatest service will have been rendered the farmer and the Nation ever yet voted by a free legislative assembly.

HEIRS OF HARRIS SMITH

The Clerk read the title of the next bill on the Private Calendar, H. R. 1704, a bill for the relief of the heirs of Harris Smith.

There being no objection, the Senate bill, S. 4489, was substituted for the House bill.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to the heirs of Harris Smith the sum of $2,500, out of any money in the Treasury not otherwise appropriated. Said Harris Smith was struck and killed August 1, 1921, by a United States mail truck. His widow has since died and he is survived by his children: *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.

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.

W. A. BLANKENSHIP

The Clerk read the title of the next bill on the Private Calendar, H. R. 5314, for the relief of W. A. Blankenship.

There being 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 and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. A. Blankenship, of Randle, Wash., the sum of $2,000 in full settlement of all claims against the Government on account of damages to his property resulting from the construction of the Purcell Creek section, Randle-Yakima Forest Road project, Rainier National Park, Lewis County, State of Washington.

With the following committee amendment:

In line 6, strike out the figures "$2,000" and insert in lieu thereof the figures "$350."

Mr. CROWTHER. Mr. Speaker, I move to strike out the last word. As I sit here listening to the settlement of some of these claims I wonder what the difference is between similar bills I have introduced and some of these that are being passed at this and other sessions of the committee. I think I hold almost a record. In 12 years of service in this House I have pressed only five bills upon the Claims Committee. Two of them were reported and passed. They were simple matters, one correcting a soldier's record and one providing a term of court in my home town, Schenectady. Of the other three, one of them is on this calendar and is another matter of correcting a man's record. The other two I have never been able to have reported. I have had them before this Claims Committee since along in 1919 or 1920, under the distinguished chairman, Mr. Edwards, of

Pennsylvania, and also under Mr. UNDERHILL, and under the present chairman, Mr. IRWIN. I have been referred at various times to subcommittees. I had a hearing before one subcommittee under a Republican administration, when Mr. UNDERHILL was chairman, and the subcommittee was composed of two Democrats and one pseudo Republican named Beck, from Wisconsin. That seemed to me to be a very peculiar make-up of a subcommittee in a Republican administration. However, I must say that they were very courteous and were interested listeners, but they were not very enthusiastic about reporting my bill.

I see the gentleman from Texas [Mr. BOX] is here, and he well remembers the occasion. The first bill that was never reported was the case of where a United States mail truck killed a little boy 9 years old, nearly severing his head from his body. The truck was on the wrong side of the street; evidently they are permitted to be on the wrong side of the street. The boy came along following the right curb of an intersecting street, and the mail truck struck him and drove him and his bicycle clear through the windshield, and killed the boy.

A bill was called up to-night, and I think the gentleman from Wisconsin [Mr. SCHAFER], in discussing it, said that there were some extenuating circumstances in the case, that there were some equities, and I think he spoke of contributory negligence. I am not a lawyer, but I do not know how contributory negligence can be an equity. It seems to be a liability in my case, because they suggested contributory negligence as a reason for not reporting the bill. I have never been able to get any consideration of that bill.

The other bill involves the payment of duties that were paid on wool on skins by importers, and in that case it was decided by the United States Customs Court and the Court of Customs Appeals that these duties never should have been assessed, and the Treasury Department admits that they collected the money illegally, and that they hold the money illegally, but claim that they are automatically estopped from adjudicating this case because my constituent's agents did not pay the duties under protest, a 60-day limitation being provided in the tariff act.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. CROWTHER. Yes.

Mr. BLANTON. In my few years of experience in the law I never heard of a doctrine of contributory negligence being applied against a child.

Mr. CROWTHER. That is what the committee hold in my case. I do not believe the boy was over 9 years old. I had a letter from the chairman of the committee only a short time ago in answer to an inquiry from the parents and relatives of this boy. Again I state that I have never been able to secure any compensation for the loss of that little boy. I never have been able to get some $12,000 which was collected illegally by the Treasury Department from three business concerns in my district, even though the courts decided in their favor. I can not collect that sum for my people, and they think that they have the very poorest kind of a Representative down here, and it may be that they are right.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

The amendment was agreed to; and 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.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I move to strike out the last two words. I shall be very brief. One of the bills, the $12,000 bill, to which the gentleman refers, was referred to the Committee on Claims subcommittee of which I am chairman. Although we have thousands of bills to consider in that Claims Committee, I held hearings on the bill, and I regret that I have not been able to have a decision reached up to the present time in favor of reporting out the bill.

This bill provides for a remission of duties collected under the tariff act in a case where the payments by the Government to the claimants are prohibited by specific language in the tariff act. I respectfully submit to the energetic, diligent gentleman from New York——

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask for one minute more.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, how are we helping these bills already reported by discussing a bill that can not come out until next year?

Mr. SCHAFER of Wisconsin. Oh, the gentleman from Texas speaks more than any Member on the floor of the House. I desire to state that the constituents of the gentleman from New York [Mr. CROWTHER] can not complain that he is laying down on the bill for their relief. He has, day in and day out, been urging the Claims Committee to favorably report the bill, and almost every time I meet the gentleman he tells me about its merits and urges prompt, favorable action.

ESTATE OF CLARENDON DAVIS

The Clerk called the next bill, H. R. 7520, for the relief of the estate of Clarendon Davis.

There being 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 and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $300 to the legal representative of the estate of Clarendon Davis, deceased, Camilla, Ga., for war-savings certificates, which were registered and lost, for the reason that the evidence submitted, while showing registration, does not show that the certificates were actually delivered to the purchaser by postmaster.

With the following committee amendments:

Page 1, line 8, strike out "which were registered and lost."

Page 1, line 9, strike out the word "showing," and insert the word "indicating."

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

WILLIAM T. ROCHE

The Clerk called the next bill, H. R. 8172, to extend the benefits of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," to William T. Roche.

Mr. STAFFORD. Mr. Speaker, reserving the right to object——

Mr. CAMPBELL of Iowa. Mr. Speaker and gentlemen of the House, this bill is much like a bill that the gentleman from Indiana [Mr. HALL] had before the House earlier this evening.

I have before me a picture of this unfortunate man. This shows he has lost both hands. All I want the House to do is to treat every man here exactly alike. I have taken this matter up with some of the objectors here, and they said, "Yes; we might have made some mistakes up to last night, but we changed our rule."

I want to say that it is very unfair that you should come into this House and change your rule within the last week of the session. If you wanted to have a different rule, why did you not wait until the next session of Congress when we would have the power to make the rules then? Now, where do I stand? I leave it to you gentlemen.

Men in this House have brought up bills just exactly like the bill I have, only their constituents have not been crippled like this man has been crippled. They send a wire home, "I got compensation for you." Then they turn around when my bill comes up, and—do not think they do not look up the RECORD—they find that CAMPBELL could not get his bill passed. I have no objection if any objector here had the nerve to get up on one class of bills and object and do it all the time. I will never make any kick about that. But to sit here one night and let one man's bill go over and then come in later and object to another man's

bill, then I say you are not playing fair and square. [Applause.] As I said before, I called up the commission because I wanted to be sure on this. If I had a character of bill that had not been allowed in the past, if they had not had compensation under like circumstances, naturally I did not care for mine. But I say to you, it is a shame when one Member of this House is treated differently from another Member.

Mr. GREENWOOD. Will the gentleman yield?

Mr. CAMPBELL of Iowa. I yield.

Mr. GREENWOOD. As I understand the gentleman's case, it is one which attempts to apply the workman's compensation act in a retroactive manner.

Mr. CAMPBELL of Iowa. Yes.

Mr. GREENWOOD. Several bills of that kind have been passed during this session of Congress. I agree with the gentleman from Iowa that it is not right to change the policy during a term of Congress on bills that are similar. I think the Committee on Claims ought to adopt a fixed rule of how far they will go back in a retroactive way on certain kinds of cases and classify them, and then the House should stand by that ruling of the committee when they report it. They should be considered on the merits according to the rule fixed by the committee. Then we will all be treated alike. Cases will be considered on their merits, and I quite agree with the gentleman from Iowa.

Mr. CAMPBELL of Iowa. I notice an amendment that was just placed on the bill. I noticed after the argument this afternoon they went up there and placed a little provision on there, "This does not apply back of 1916, when the law went into effect."

I want to say to the gentleman from Wisconsin [Mr. STAFFORD] that all I want is a fair chance here. That is all I want. I want to tell you something about this case and show you the conditions that existed. It was something like 20 below zero in our country, and there was a mail carrier whom I know well—he is one of those men who, when he has got a job, does not loaf on the job. Drifts came in the road. Other mail carriers had routes on which they could have covered carriages, but this man did not take a covered carriage, because he could not get through the drifts except with a sled. He went out at that time when it was below zero and the pennies were frozen in the bottom of the boxes, and he had to reach in and grab those pennies. He went from box to box along that route. Finally his hands became numb, and the result was, as shown by this picture, that after he had worked as he did, loyally, when other men would quit, when my hired man would have been in the barn, they had to amputate. There is a picture of the man after they had amputated both of his hands.

There have been men with wrenched knees and crippled arms who have been placed on the roll, and I say that a man in this condition is as much entitled to be placed on the roll as these other men. I say it is not fair, when you have placed these other men on the roll, to establish the practice that you will not hereafter place men on the roll who are in a similar condition.

Mr. CHRISTGAU. If this man had not resigned he would have had the benefit of the compensation law.

Mr. CAMPBELL of Iowa. Yes. This man was so crippled that he could not drive. He had both hands off, and as a result of that they wrote him a letter and asked him if he would resign, and pursuant to that letter he sent in his resignation.

Mr. STAFFORD. Will the gentleman yield?

Mr. CAMPBELL of Iowa. Certainly.

Mr. STAFFORD. The department raises objection to the fact that instead of using a closed vehicle, as the other carriers did, he used an open sleigh.

Mr. CAMPBELL of Iowa. I will explain that. If the gentleman will look up one of the affidavits that was filed he will find the reason why he did not use a closed vehicle. The closed vehicles were buggies, and anybody who has ever lived on a farm knows that you can not get through snowdrifts with a closed vehicle, but must use a sled or sleigh. In this cold spell, when the thermometer was below zero, he had to get out his sleigh, and that is when he had his hands frozen so that they had to be amputated, and that resulted because he was loyal to his job and loyal to his Government.

Then you say that as to such a man you are going to throw him out.

Mr. STAFFORD. I assume the gentleman will have no objection to having the provision added to the bill, which I have been insisting on ever since my attention was called to the fact that the Employees' Compensation Commission has been antedating these benefits. I assume the gentleman will have no objection to having these benefits accrue from after the date of the enactment of this act.

Mr. CAMPBELL of Iowa. That is fair enough.

Mr. STAFFORD. Mr. Speaker, reserving the right to object further, I am not as well acquainted with the bill introduced by the gentleman from Indiana [Mr. HALL] that was earlier in the evening objected to. It is true, as the gentleman from Iowa stated, that during the consideration of the Private Calendar in prior sessions of this Congress we have allowed some of these bills to go by rather liberally. It was called to my attention by the former chairman of the Committee on Claims [Mr. UNDERHILL] that there have been more bills of this character passed in this session of Congress than during the past 10 years. That was only called to my attention this week. It was the understanding that we would naturally have to put the brakes on.

The gentleman from Massachusetts also called my attention some time ago to some exceptions. I wish to treat all fairly, without favoritism. I do not like to single out any person. I have tried to be consistent in my position. It was because of the fact that our attention had been called to the fact that we had been very liberal in passing such bills that I decided the brakes should be put on. But as we have been so liberal it would seem this character of bill might be passed, where the injury is so extreme and there is no question as to its origin, without setting a precedent and, therefore, I am going to withdraw my reservation of objection.

There being no objection, the bill was read, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission is hereby authorized and directed to pay, in accordance with the provisions of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, compensation in respect to the injury of William T. Roche, who was employed as a rural mail carrier from January 1, 1903, until the date of injury, the 25th day of December, 1914, and while in the performance of his duty as such carrier had both hands frozen, necessitating the amputation of both said hands at the wrist, at the rate of $66.67 per month during his lifetime from the 1st day of January, 1917, in the same manner and to the same extent as if such act of September 7, 1916, had been passed prior to the date of said injury.

SEC. 2. That all payments provided for in the foregoing section of $66.67 per month which would have accrued since January 1, 1917, and the date of the passage of this act shall, as soon as practicable after such date of passage, be paid in a lump sum.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That sections 17 and 20 of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916, as amended, are hereby waived in favor of William T. Roche, who lost both his hands as a result of his duties as a rural mail carrier."

Mr. STAFFORD. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: At the end of the committee amendment insert: "*Provided*, That no benefits hereunder shall accrue prior to the enactment of this act."

The amendment to the committee amendment was agreed to.

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, and a motion to reconsider laid on the table.

The title was amended.

HENRY W. SUBLET

Mr. GLOVER. Mr. Speaker, I ask unanimous consent to return to Calendar No. 931, H. R. 3174, a bill for the relief of Henry W. Sublet.

Mr. STAFFORD. Mr. Speaker, I have no objection to returning to the bill with a reservation of objection after the bill is again called.

There being no objection, the Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire why we should consider this bill 25 years after the incident happened. Of course, you can make the argument that if it was a merited claim 25 years ago the Government should pay it.

Mr. GLOVER. The gentleman knows that if I had the right to go into court this claim would be worth $10,000 in a lawsuit. I come to the Congress because this is the only place where the matter can be adjusted. This is an old man 64 years of age.

Mr. STAFFORD. You do not mean to say that a man 64 years of age is an old man?

Mr. GLOVER. Yes; he is an old man.

Mr. STAFFORD. I will have to dissent from that statement, so far as I am concerned.

Mr. GLOVER. And I know him to be an honorable man, and if I did not think this was an honest claim I would not present it here. I have been considering claims of various kinds for 20 years.

Mr. STAFFORD. The question is one of whether he was really injured in the performance of his duties.

Mr. GLOVER. He was.

Mr. STAFFORD. How? Where is that shown?

Mr. GLOVER. There is the testimony of the marshal that he was in the active discharge of his duty.

Mr. BACHMANN. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. BACHMANN. I was interested in the same question, and the gentleman from Arkansas has given his word here on the floor of the House that this man was injured in the performance of his duties, and the gentleman from Arkansas has just as much responsibility here as a Member of the House as the gentleman or myself.

Mr. STAFFORD. If the incident had occurred yesterday or last year, it would be another matter, but this incident happened 20 or 25 years ago.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. I object.

DONATION OF A BRONZE CANNON TO THE MARYLAND SOCIETY, DAUGHTERS OF THE AMERICAN REVOLUTION

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to advance to Calendar No. 1155 the bill (H. R. 12781) to authorize the Secretary of War to donate certain bronze cannon to the Maryland Society, Daughters of the American Revolution, for use at Fort Frederick, Md., as an emergency measure.

Mr. STAFFORD. Is this the cannon bill?

Mr. LINTHICUM. Yes.

There being no objection, 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 authorized and directed to donate, without expense to the United States, to the Maryland Society, Daughters of the American Revolution, for use at Fort Frederick, Md., four bronze cannon of Civil War type on hand at the Watervliet Arsenal, Watervliet, N. Y., and described as follows: Bronze cannon, 12-pounder, muzzle loading, smooth bore, length 72 inches, estimated weight 1,200 pounds, diameter of bore 4⅝ inches, gun No. 108; bronze cannon, 12-pounder, muzzle loading, smooth bore, length 72 inches, estimated weight 1,200 pounds, diameter of bore 4⅝ inches, gun No. 109; bronze cannon, 12-pounder, muzzle loading, smooth bore, length 72 inches, estimated weight 1,200 pounds, diameter of bore 4⅝ inches, gun No. 110; bronze cannon, 12-pounder, muzzle loading, smooth bore, length 72 inches, estimated weight 1,200 pounds, diameter of bore 4⅝ inches, gun No. 111.

Mr. STAFFORD. Does the bill provide that this is to be without expense to the Government?

Mr. LINTHICUM. Yes.

Mr. SIMMONS. Mr. Speaker, what is the emergency in a bill of this kind?

Mr. LINTHICUM. The emergency is that these ladies have arranged to have a dedication of the cannon at Fort Frederick in July, and they have already made their arrangements.

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.

AMELIA ISLAND LIGHTHOUSE RESERVATION, FLA.

Mr. BACHMANN. Mr. Speaker, I ask unanimous consent to call up the bill (S. 3404) authorizing the Secretary of Commerce to dispose of a portion of the Amelia Island Lighthouse Reservation, Fla., No. 1192 on the calendar, and I will state to the Members of the House that this is a bill that affects an entire county in the State of Florida and not one individual.

Mr. STAFFORD. Oh, I am going to advance that bill for consideration on Monday night, because it is a Senate bill that will come up in the regular order. I do not want the gentlemen to think there is anything personal in this and I am going to see that the bill is passed on Monday night.

Mr. BACHMANN. Then, Mr. Speaker, I withdraw the request.

CHARLES E. REYBURN

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to return to Calendar No. 926, the bill (H. R. 8991) for the relief of Charles E. Reyburn.

Mr. BLANTON. Mr. Speaker, it is after 11 o'clock, and we are going to have a hard day to-morrow.

Mr. KNUTSON. We did an injustice to this man, so let us spend a couple of minutes in rectifying the error.

LEAVE OF ABSENCE

Mr. McDUFFIE. Mr. Speaker, I rise to ask unanimous consent to proceed for one-quarter of a minute.

The gentleman from Texas [Mr. MANSFIELD] was compelled to leave the city yesterday on account of illness in his family, and asks leave of absence for the rest of this session on that account. It will not be possible for him to return.

The SPEAKER pro tempore. Without objection, the request is granted.

CHARLES R. REYBURN

Mr. KNUTSON. Mr. Speaker, the gentleman from Texas has withdrawn his objection, and I ask unanimous consent to return to Calendar No. 926.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the title to the bill H. R. 8991, a bill for the relief of Charles R. Reyburn.

Mr. STAFFORD. I had intended to inquire as to certain phases of the bill that were not brought out in its earlier consideration. He was injured in the performance of his duty as a railway mail clerk and received a year's pay; that was brought out. But there is nothing in the report to show the amount of money, if any, that he recovered from the railroad because of its negligence; nothing to show whether he carried with the railway mail clerks' association insurance and how much insurance he received. For these reasons I object.

R. D. BAUGH

Mr. BACHMANN. Mr. Speaker, I ask unanimous consent to consider the very next bill that is in order on the calendar, for the reason that that bill was introduced by the gentleman from Mississippi [Mr. COLLINS] who has served faithfully as a member of the committee.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the title of the next bill on the Private Calendar, H. R. 9244, a bill to authorize the Secretary of War to pay to R. D. Baugh certain money due him for services rendered as a member of the local board of Smith County, Miss., operated during the World War.

Mr. SCHAFER of Wisconsin. I object.

AMELIA ISLAND LIGHTHOUSE RESERVATION, FLA.

Mr. STAFFORD. Mr. Speaker, for some time I have been deferring consideration of a bill in which the gentleman from Florida is particularly interested. Only until to-night was I aware of the fact that, though a Senate bill, the House committee had reported a substitute amendment which would require action by the Senate. I do not wish in any way to block the consideration of that bill. I have been laboring under the impression that it only required action by the House to pass it. As it will require action by the Senate as well I ask unanimous consent to consider the bill, S. 3404.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. STAFFORD. I ask unanimous consent that the House amendment be read in lieu of the Senate bill.

There being no objection, the Clerk read as follows:

That upon the payment of $4,762.50 by the city of Fernandina, Fla., to the Secretary of Commerce such city is authorized to convey, without regard to the conditions and limitations of paragraph (6) of section 1 and of section 2 of the act entitled "An act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and to increase the efficiency of the Lighthouse Service, and for other purposes," approved May 22, 1926, the lands conveyed to such city pursuant to paragraph (6) of section 1 of such act, except a tract bounded on the south by so much of the shell road as crosses section 12, on the east by the eastern boundary of section 12 with a water front of not less than 960 feet, on the north by a straight line extending from such eastern boundary for 1,000 feet, more or less to the western boundary of section 12, and on the west by the western boundary of section 12 extending 1,000 feet, more or less to the shell road. Such tract shall contain not less than 20 acres and shall, together with the ocean beach and water front abutting on the eastern boundary thereof (including all easements and rights of ingress and egress), be devoted exclusively to public-park purposes. Any conveyance made by such city shall contain express conditions reserving to the United States (1) a perpetual easement for beams of light from the Amelia Island Lighthouse, and (2) the right to trim any trees and to limit the height of any structures erected on such property that may obstruct the beams of such light.

The amendment was agreed to.

The bill was ordered to be read the third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

TO AMEND CODE IN RESPECT TO DISTRICT OF COLUMBIA CORPORATION

Mr. STAFFORD. Mr. Speaker, I ask the indulgence of the House for a minute in recognition of the services of the gentleman from Texas [Mr. Box], who is retiring from this body at the end of the session after many years of faithful service in performing his duty on the Committee on Claims. When the bill providing for the reference to the Court of Claims of a certain claim was up for consideration I asked unanimous consent that the matter be deferred until I could get further facts from the Shipping Board. At that time I did not have those facts. Now, that I have received the facts, and the doubts that I had have been removed, I ask unanimous consent that the bill (S. 4553) be considered.

The SPEAKER pro tempore. Is there objection?

Mr. SCHAFER of Wisconsin. Reserving the right to object, as a member of the Committee on Claims, permit me to say that that committee very carefully considered this bill, spent a whole day at it. It is one of the most meritorious bills I have seen before our committee, and the gentleman from Texas [Mr. Box], who will not be with us next session, worked diligently and conscientiously on the facts of this case. I congratulate my colleague from Wisconsin in making this request.

The SPEAKER pro tempore. Is there objection?

There was no objection, and the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Orange Car & Steel Co., a corporation organized under the laws of the State of Texas, with headquarters at Orange, Tex., the successor of the Southern Dry Dock & Ship Building Co. and owner of its assets, is hereby authorized to prosecute its alleged claim for plant amortization, dredging, and removal of outboardways to an amount not exceeding $176,665.42, as provided in article 3 of a certain agreement entered into on the 31st day of December, 1921, between Southern Dry Dock & Ship Building Co., a corporation organized and existing under the laws of the State of Texas, party of the first part, and the United States Shipping Board, representing the United States of America, acting by and through the United States Shipping Board Emergency Fleet Corporation, party of the second part, a corporation organized and existing under the laws of the District of Columbia. Jurisdiction is hereby conferred upon the Court of Claims of the United States to hear and consider such action and to enter decree or judgment against the United States for the amount of such damages, if any, as may be found to be due said Orange Car & Steel Co. as successors to said Southern Dry Dock & Ship Building Co. within the limitations above set forth. The right to sue hereby granted is given notwithstanding any statute of limitation: *Provided, however,* That such action shall be brought and commenced within six months after this act becomes effective.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mr. MANSFIELD, at the request of Mr. MCDUFFIE, for the remainder of the session on account of illness in his family.

HOW TO BORROW ON THE ADJUSTED-SERVICE CERTIFICATE

Mr. COCHRAN of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

There was no objection.

Mr. COCHRAN of Missouri. Mr. Speaker, the making of additional loans on adjusted-compensation certificates as the result of the law passed over the President's veto, need occasion no great difficulty to the veteran who is desirous of applying for the same.

Those who have had previous loans should secure from the American Legion, Veterans of Foreign Wars, Disabled American Veterans of the World War, the American Red Cross, or the nearest veterans' bureau or hospital a blank note. This note is simple of execution—it is the same form as used previously and, if attached to the pink slip, furnished by the bureau with the last loan, it will facilitate the identification by the bureau.

Those who have never had loans before need only secure a loan note and attach their adjusted-service certificates and forward the same by registered mail, preferably to the nearest Veterans' Bureau regional office, and action will be taken by the bureau.

It is not necessary to apply in person. Long lines of waiting veterans are being formed at each regional office and time is being consumed by them in making applications in person for loans, whereas sending by registered mail will be sufficient to assure the veteran borrower that his application will be duly received.

Those who have borrowed from a bank previously will be unable to receive additional funds from the bank in most instances, because the rate of interest is said by some of the banks to be unattractive to them. However, veterans who have so borrowed may make application to the Veterans' Bureau central office in Washington, D. C., and that office will redeem the note from the bank and make the additional loan as requested. This character of loan may take additional time by reason of the work involved, but the Veterans' Bureau has been placed in a position by Congress to expedite in every practicable manner the borrowing by each person in distress, and the immediate congestion which will naturally result will be cleared away in a matter of two or three weeks.

In deference to those who are in distress and in need of this money for emergency purposes, those better situated should wait at least two weeks before making application. Such delay on the part of those who are not in urgent need will avoid congestion in the regional offices and will accomplish the purpose of Congress in making available the additional money to those now in distress.

It is interesting to note that the Veterans' Bureau before the closing of business yesterday had dispatched the first thousand checks on the additional loans. I will have some-

thing to say later concerning the use of the money secured by the veterans under this act.

EXTENSION OF REMARKS

HON. B. CARROLL REECE

Mr. RANSLEY. Mr. Speaker, with permission to extend my remarks, I wish to take this opportunity to pay deserved tribute to a Republican colleague upon the House Military Committee, the Hon. B. CARROLL REECE, whose service as a soldier member of this important committee is quite as distinguished as his remarkable record in the World War.

REECE OF TENNESSEE

Through the patriotic service of Congressman REECE and his influence as a World War hero the committee has been able to accomplish many things which it could not have accomplished without his unusual ability and devotion to the great tasks of the committee.

One of the matters in which he has taken a keen interest from the first and has attracted the favorable attention of the Nation is the development of the Tennessee River Valley for the benefit of flood control, navigation, and national defense, and as an economic resource to the South and Nation. In this connection he was influential in the expenditure of nearly a million dollars for the survey of the river and for plans for its development to Kingsport from the $75,000,000 Tennessee River improvement and which Congress has authorized.

ORIGINATED IDEA OF COVE CREEK DAM

In this same connection, Representative REECE initiated the idea of Cove Creek Dam as an integral factor in the Muscle Shoals project on account of its potential value to flood control, navigation, and the development of all power projects on the Tennessee River between Cove Creek and Muscle Shoals. It was at his suggestion that Cove Creek Dam was incorporated by the House Military Committee in the proposed Muscle Shoals legislation in both the Senate and the House bills. It was he who was instrumental in persuading the members of the Military Committee from other sections of the Nation that the United States Government could afford to construct the Cove Creek Dam and amortize its cost from the benefits which would accrue to the several other projects down the river, including the Muscle Shoals project.

If the people of the Tennessee Valley had informed themselves instead of being misled by false propaganda and a socialistic phantom, and had followed the leadership of the one who had the development of the project in his hands as a virtual gift on the part of the Nation to the States of Tennessee and Alabama, the construction of this great storage dam at Cove Creek would now be authorized and under way by the Federal Government as a necessary incident in the practical disposition of the whole Muscle Shoals project.

CHAIRMAN MUSCLE SHOALS SUBCOMMITTEE AND MEMBER CONFERENCE

Further in this connection, seeing that the entire Muscle Shoals project and the development of the Tennessee Valley were being enmeshed in political designs against a Republican administration and in the soviet dreams of a Senator far removed from the South, Representative REECE took the initiative in helping the House Military Committee formulate plans in accordance with the well-established policies and principles of both the Republican and the Democratic Parties whereby the whole Muscle Shoals project could be modernized and dedicated to the development of the Tennessee Valley and to the benefit of the farmers of the South. Because of his interest and initiative, as well as the full confidence which the Republican administration had in him, he was made chairman of the subcommittee and then a member of the all-important conference committee having in charge the formulation of the House plans on the subject.

In this particular, without evidence of any thought of himself or of the political designs against him on the part of selfish interests, his patriotic service is so singular in its nature and is so distinguished in character that it has gained nation-wide attention and has made the Representative from the first Tennessee district a national figure. He has labored earnestly to get this war relic out of politics and into the realm of actual service to the people of the Tennessee Valley and of the South.

If there are bitter partisans in his State who would prefer to crucify a public servant upon the cross of false propaganda and misrepresentation for political purposes of their own than to accept the benefits being offered by a Republican administration through that public servant, then the blame for the loss of benefits to the South from the failure of constructive legislation upon the subject should not be placed upon the doorstep of the Republican leaders who were offering the only practical or possible plan of solution.

VALUE TO SOUTH OF REECE MUSCLE SHOALS PLAN

Under the terms of the House compromise bill, as submitted to the conference committee by REECE, a number of very important achievements for the South were made a certainty:

First. The Federal Government was willing to construct Cove Creek Storage Dam from Federal funds, the important feature desired by east Tennessee.

Second. The House plan guarantees the production of cheap concentrated fertilizer in quantities for the benefit of agriculture. This fact alone would mean a saving to the farmers of the South in their fertilizer bill of more than $100,000,000 annually, which is by far the greatest and most effective relief ever offered to the farmers of the South.

Third. It offers the development of a vast electro-chemical industry in the Tennessee Valley. This means the immediate development, as soon as the fear of Government competition is removed and the Cove Creek Dam is started, of vast industries throughout the Tennessee Valley by private capital.

Fourth. It assures the development under the Federal water power act of other tremendous power resources of the Tennessee Valley, including 8 or 10 high dams, by private capital to the extent of at least a $150,000,000 investment. History shows that for every dollar spent in the development of a water-power project by private capital at least $5 follow in the development of industry.

PLAN BLOCKED BY FALSE PROPAGANDA

The House proposal, as sponsored by Representative REECE, if he had had the cooperation from the States of Tennessee and Alabama to which the proposal entitled him, undoubtedly would have been reported from conference, would have passed both Houses, and probably have been approved by the President. It would have attracted an early investment of between five hundred and eight hundred million dollars of private capital in the development of the Tennessee Valley. This will become one of the greatest industrial valleys in the world when REECE's plans for Government cooperation, instead of Government operation, are realized.

It is unfortunate, at the very moment when the Republican administration at Washington was engaged in a concrete movement under the sponsorship of the Republican Representative from the first Tennessee district to dedicate this vast project to the economic welfare of the Tennessee Valley and the South, that a campaign of misrepresentation and unwarranted abuse of the very leaders engaged in such valuable movement should be launched from the outside by those who desired to place the Republican President in the false light of withholding this benefit from the South. It is unfortunate that there were prominent Democrats within the State of Tennessee whose bitterness toward a Republican administration took precedence over the welfare of the State and caused them to join with the enemies from the outside in blocking the administration program in the matter.

REECE VINDICATED

The President's veto message clearly vindicates REECE in his campaign statements to the effect that the so-called Norris compromise was only a sham with which to deceive the people; that the Norris bill was unsound, unconstitu-

tional, and impossible of enactment; and that if enacted would stifle the development of the Tennessee Valley for the next half century and blight all hopes of the farmers of the South for benefits from Muscle Shoals. It was clearly designed to foist upon the South a dangerous experiment in sovietism at the expense of both the South and the Nation.

Even to retain his seat in Congress Representative REECE refused to sacrifice his principles under fire, to desert the Republican Party, or to turn traitor to the economic welfare and the ideals of his State for personal political advantage. To these benefits, to these principles, and to the integrity of the Republican Party he preferred to become a martyr rather than to surrender or to betray the trust which had been reposed in him.

ESTEEM OF ECONOMIC SCHOLARS OF NATION

In recent months the political sea has been so stormy that it has been unusual to find men who possessed the intellectual integrity and the individual sincerity to adhere to their principles and convictions in the presence of threats and of adversity. Because of these very qualities the Representative from the first Tennessee district has gained the admiration not only of the leaders in Congress but of the students and leaders of national fame in the field of economics. The present crisis in our national life is an economic problem. Muscle Shoals offered an opportunity for the solution of this problem in one section of the Nation, and REECE's insight and devotion to the solution of that problem has gained for him the admiration of students of economics familiar with the situation. For instance, the president of the National Manufacturers' Association, Mr. John E. Edgerton, under date of July 2, 1930, wrote Representative REECE as follows:

The very rarest quality to be found—particularly in the public life of our country to-day—is the quality of moral courage. Getting office on hypocritical promises and keeping it through demagogic practices has become, in my opinion, the very greatest political evil in modern times.

It is therefore very refreshing to find an exception to the rule of political duplicity which prevails too generally. Because you have proven yourself to be an exception I am writing you this humble word of commendation and admiration for your consistent, courageous, and altogether admirable position on the Muscle Shoals question. It would be, in my opinion, a great reflection upon your constituency if proper recognition of your magnificent service to the Nation in this instance were not freely given.

When the showdown came between your bill and the Norris bill you had the manhood and the unflinching courage to stand for not only what you believed to be right but what is right, and you were not scared away by threats and pressures from those seeking political advantage at the cost of political cowardice. You therefore exhibited that heroism of spirit, that courage in soldiership which marked your career in the service of your country when the very best in men was called forth by the exigencies of war. Although my own affiliation has been for the most part with the political party opposed to your own, my sense of justice and my admiration of virtue in any man compel me to express to you these sentiments and best wishes.

One can not fail to realize that the President's veto message is a similar tribute, and that the loyal and efficient Representative from the first Tennessee district has suffered martyrdom at the hands of demagogues, who were willing to sacrifice this great development as well as a fundamental principle of American government for the political gain of self-seeking individuals.

ESTEEM OF WHITE HOUSE AND DEPARTMENTS

The esteem in which the last three Republican administrations have held Representative REECE is gratifying, no doubt, to his constituents, as manifested in the primary election last August. Not only have the Presidents advised with him in legislative matters, but their personal relationships have been pleasant.

Enjoying the confidence and esteem of the administrative officials has added greatly to the usefulness of Congressman REECE, in that he has been able in an unusual degree to get sympathetic hearings before departments and officials when calling in the interest of constituents. In appearing before the departments, Congressman REECE has been particularly effective. He is courteous but insistent, and has the reputation of getting what he goes after without arousing antagonism. But few Members of the Congress during the same period of service have been able to do more things for more constituents.

KNOWS VALUE OF COOPERATION

It is such confidence and esteem on the part of his colleagues and the administration that caused him to be placed in positions of trust on the Military Committee of the House and on conferences which have enabled him to make the record which he has made, to the great credit of the first Tennessee district and to the satisfaction of the thousands of constituents who have availed themselves of his services.

There appears to be no other instance on record where both the Speaker and the majority leader of the House and the President of the United States have written letters in recognition of the service of a Representative and then were willing to back the constructive program of this Representative to the extent which was proposed in behalf of the Muscle Shoals program under REECE's leadership. He has pointed the way for future action on Muscle Shoals.

It has been through such cooperation and influence that Representative REECE has attained his remarkable record in matters like public buildings, good roads, patronage, service to ex-service men, national forests, the Great Smoky Mountain National Park, and other matters for his district and the country.

PUBLIC BUILDINGS

During this Congress Representative REECE has accomplished for his district one of the most remarkable building programs of any congressional district in the United States. The program which he has been successful in securing for the first Tennessee district, and which is either under construction or will be constructed from appropriations already made or authorized, is as follows:

Elizabethton	$125,000
Kingsport	215,000
Rogersville	75,000
Johnson City (addition)	115,000
Erwin	85,000
Soldiers' Home	650,000
Total for district (6 projects)	1,265,000

The large appropriation for expanding the Soldiers' Home at Johnson City was due to his high position on the Military Affairs Committee and the favor with which his suggestions, as the famous soldier Member of Congress, are looked upon by the leaders and the administration.

GOOD ROADS

Through the influence of Congressman REECE since he has been in office there has been expended or contracted to be expended by the Federal Government in Federal-aid highways in the first congressional district of Tennessee the sum of $2,200,000 and $75,000 for road building within the national forests. The completion of the Great Smoky Mountain National Park and of the roads leading to it will bring the expenditure of additional millions into Federal highways in the first district.

Early in his service he introduced a bill providing a road program and additional Federal-aid appropriations. The main provisions of his bill became a law and Federal aid greatly increased. The effectiveness of his efforts in this connection is shown by Mr. W. C. Markham, the legislative representative of American Association of State Highway Officials, when he wrote Mr. REECE, in part, as follows:

We feel sure you have enacted legislation of a constructive character. Your establishment of a 3-year road program will do much toward stabilizing the situation in the States and giving the State legislatures an opportunity to plan in an economic way.

Mr. REECE likewise introduced and sponsored the rural good roads bill, which holds such great benefits for the people living in the rural communities in his State.

PATRONAGE

It is a remarkable fact that the number of Federal officeholders and the annual total of their salaries in the first Tennessee district under the influence of Representative REECE are the largest of any congressional district in the South, and would seem to be among the very few largest in the United States. The figures on this service, according to a recent article in the Country Gentleman, are as follows:

Department	Number of employees	Annual salaries
Justice	9	$31,000
Treasury	7	24,500
Interior	7	15,500
Prohibition Service	9	22,500
Veterans' Administration	522	513,468
Post Office	509	839,000
Miscellaneous	13	42,500
Total	1,076	1,488,468

Securing so many appointments for his district speaks well for his diligence and effectiveness in this regard, usually looked upon with favor by one's constituents.

SERVICE TO EX-SERVICE MEN

Congressman REECE has given much time and attention to the interest of ex-service men of the first district and of the Nation and to their widows, orphans, and dependents. Being an outstanding hero of the World War, he has taken a particular delight in this type of service to his comrades. The records indicate, I am advised, that he has introduced and attained the enactment of more special legislation in behalf of the soldiers and their dependents than has any other Member of the Congress during the same period of time. He has handled before the departments for them more than 10,000 individual claims, many of which presented unusual difficulties. His success along this line attained such wide recognition that many ex-service men from other districts and other States of the Nation came to him for help on their claims. He has rendered these the same service that he has those of his own district.

He has actively supported all legislation bestowing benefits upon ex-service men and has helped to originate much of it.

He introduced the resolution which was adopted by the Republican caucus which resulted in the enactment of the adjusted-compensation measure, and afterwards he introduced a bill providing for cash payments.

In line with his views that the disabled ex-service men should not be compelled to prove service connection before being entitled to compensation, he introduced another bill to give compensation or disability allowance to all who are found disabled, and he has been actively working to have similar benefits given the widows and orphans.

He was also the author of the bill giving an honorable discharge to minor soldiers of the World War who were given bad discharges because of underage enlistment, for which he will have the everlasting gratitude of thousands of patriotic boys.

NATIONAL FORESTS

With Congressman REECE's cooperation the Government has purchased about 75,000 acres of mountain land in the first district as a national-forest reservation, for which has been paid more than a half million dollars. The upkeep and development of these national forests mean many millions of dollars to the first district and will be a monument to the district for all time to come.

GREAT SMOKY MOUNTAIN NATIONAL PARK

In connection with his work toward the development of east Tennessee and its resources, Congressman REECE was talking in Washington and working toward the Great Smoky Mountain National Park before the idea had been expressed by anyone else to the Government. He has been largely instrumental in initiating and getting through Congress the necessary bills for the establishment of this great national park in the Smoky Mountains.

In the early stages of the idea he promised his people that he would not cease his efforts until the park was a reality. He has kept his promise, and those of us in Washington know how well he has done so. Representative REECE believes that his people near this great national park have only begun to realize the great benefits which it holds for east Tennessee. He regards it one of the greatest natural resources of east Tennessee, and that there is much yet to be done in connection with the proper development of it by the United States Government.

A MAN OF THE PEOPLE

Like Abraham Lincoln, REECE was born in a log cabin far up in the mountains of east Tennessee by the banks of the Wautauga River. He was the eighth of what later became a family of 13 children with 10 boys.

While he worked his way through college and university and became a recognized scholar in the field of economics and finance, he still retains his feeling of kinship for and his devotion to his native people. No service is too humble for him to render and no honor too great for him to bestow upon the people who have placed their trust in him.

After being educated at Carson and Newman College, New York University, and the University of London, with the degrees of doctor of philosophy and doctor of laws, and after his service as a soldier overseas, he returned to his native home to study and familiarize himself with the great problems of government and of economics which he felt that the first district in east Tennessee needed to solve, in order to provide for its people a happy and prosperous future. In the Halls of Congress he often expressed the hope that through the proper solution of its economic problems and the proper development of its natural resources to the east Tennessee Valley is to become the greatest valley in the world, both as to the fine character of its inhabitants and as to its economic and financial accomplishments.

His heart throbs with the destinies of those people, and he has been instrumental in bringing the National Government to a sympathetic view toward cooperating in the development of the Tennessee Valley and the South as a section of the Nation worthy of recognition. It was through his suggestion that the President in the campaign of 1928 spoke to the people of the South through the first congressional district.

Representative REECE is not only like Abraham Lincoln in his rugged strength of character and his brilliant insight into problems of government and economics, as well as in his adherence to principle, but is like him in his devotion to duty and his love of the common people with whom he feels a native kinship.

REECE AS A SOLDIER

Perhaps Representative REECE's devotion to duty, as well as his feeling of patriotism to his people and country, spring in part from his trying experience as a soldier. One of the best descriptions which I have seen regarding his service "over there" is given in the Washington Daily News by Miss Martha Strayer, which I wish here to pass on to others who may be interested in Representative REECE as an outstanding hero of the World War:

Verdun has fallen. The Germans had withdrawn to their second line of defense. The Americans had advanced a few miles beyond Verdun. The Germans' key point in the sector which fell to the lot of the Twenty-sixth Division was the strongly fortified Hill 360.

At the top of Hill 360 was a wood. On its slope were the remains of another wood, the trees shot to pieces by artillery. The Germans were entrenched on the slope, at the crest of the hill, and beyond. They had cement "pill boxes," practically impregnable. Their front line was a series of short trenches. The road leading to this hill, over which the Americans' supplies and ammunition had to come from 3 miles to the rear, ran through a depression between hills which had earned itself the name Death Valley. On it the Germans concentrated a constant rain of heavy shells.

On October 23, when the Twenty-sixth began its advance from several miles to the rear, REECE was a first lieutenant in the One hundred and second Infantry. Before the 28th he had been made a captain and was commanding a battalion of 1,400 men. Meanwhile nearly all the line officers who had led the advance were casualties.

October 23 passed—and the 24th and 25th. The Americans had gained the slope of Hill 360. They were fighting their way up, almost inch by inch. The lines were so close that Germans and Americans could have called back and forth to each other. The Americans were fighting from shell holes.

"* * * In leading his company through four successful actions," says the citation which gave REECE his distinguished-service cross, "he was twice thrown violently to the ground and rendered unconscious by bursting shells, but upon recovering consciousness he immediately reorganized his scattered command and consolidated his position * * *."

"That wasn't anything so very unusual," says the Congressman from Tennessee. "You didn't see it happen every day, but you did see it once in a while. The concussion of a bursting shell would simply knock a man over—do something to the blood ves-

sels in his head so he didn't know anything for a while. Then he'd get up and start again."

Still the Twenty-sixth fought for possession of Hill 360, and still the Germans held on.

Each morning at dawn the Americans attacked. All day long the fighting raged, artillery pounding the slope of the hill, German machine guns constantly spraying the American shell holes. Each evening wounded Americans had to be brought back almost from within the enemy's lines. To make this more hazardous German flares would light up the ground while their machine guns swept the Americans who were trying to rescue their comrades.

"* * * On several occasions," says REECE's citation, "under heavy machine-gun fire, he crawled far in advance of his front line to rescue wounded men * * *."

"Oh, well," says REECE, "of course, that did happen. But * * *."

At the end of the fifth day the Twenty-sixth was ordered to retire and make a wide detour attack. It was Monday, October 28, just two weeks before the armistice. The Germans were so strongly entrenched beyond the crest of Hill 360 that it was thought useless to continue the battle there.

But the Twenty-sixth had fought its way to the crest of the hill.

Congressman REECE is also decorated with distinguished-service medal and the croix de guerre with palm, as well as with the distinguished-service cross, and is cited for bravery both by American generals and by Marshal Petain.

THE "FLUKE" OF NOVEMBER 4, 1930

The figures here given show very clearly that the general election of November 4, 1930, in which Representative REECE was defeated, was not representative of the sentiment in his district nor of the mind of the Republican Party of the first Tennessee district. These figures are obtained from the Secretary of State and verify the statement that the combined Republican and Democratic vote of Mr. REECE's opponent was about 5,000 less than the Republican vote which REECE received in the primary of August 7. It shows that less than half the total vote of the district came out in the November election, due to the fact that so large a percentage of the Republican voters were snow-bound in the mountain counties.

This situation only gave certain Democrats, who had been embittered by REECE's victory of August 7 in the Republican primary, an opportunity, in the absence of the Republican vote marooned by the snowstorm in the large mountain counties of the district, to combine with fewer than 4,000 Republican bolters and take revenge against the Republican Party in this rock-ribbed Republican district, where the Republicans are accustomed to think of nomination as equivalent to election.

The circumstances which brought about the result of the November election have evidently been misrepresented here in Washington in an effort to show that the Republican Party of the famous first Tennessee district, where the President made his only southern speech in 1928, had repudiated him and the administration leaders, when as a matter of fact the result was only a "fluke," arranged by avowed enemies in conjunction with the bolters of the Republican Party. The President was decisively sustained in the Republican primary and is held in highest confidence by the party, according to these figures:

Republican primary election, August 7, 1930, for Representative in Congress	
Sam W. Price	22,188
Carroll Reece (carrying 9 out of the 12 counties)	25,594
Total Republican vote in primary	47,782
Polled in State Democratic primary, Aug. 7	20,300
Total vote in district	68,082
General election November 4, 1930, for governor	
Arthur Bruce (Republican)	16,584
Henry H. Horton (Democrat)	19,315
Combined Republican and Democratic vote for governor	35,899
General election November 4, 1930, for Congress	
O. B. Lovette (run by Democrats)	20,893
Carroll Reece	18,239

FAME TO FIRST TENNESSEE DISTRICT

Smiling in the face of circumstances which brought about his defeat, with bitterness toward none, but with expressions of gratitude for the trust which his native people had reposed in him, this faithful Republican from Tennessee has continued to devote himself to his usual high type of patriotic service to the last day of his term. With just cause for pride in his career, he is bringing a distinguished record of public service to a brilliant termination.

Due to the natural modesty of this 40-year-old Tennesseean, the remarkable record by which his district has been given national distinction has not been heralded among his native people for the purpose of continuing himself in office. He has shrunk from using his record of devout patriotism to enhance his individual ends. Yet his distinguished record in the House of Congress has brought well-deserved recognition and fame throughout the Nation both to himself as a statesman of rare ability and to the district and State which he has so ably represented with unselfish devotion.

Long before he came to Congress, when at the front 210 days in the World War, with a record of distinguished service forever engraved upon the scrolls of the United States Army, he learned to fight with unflinching courage without thought of himself in behalf of principle and of the welfare of his country. He exemplifies the ideal, which he has often uttered, that it is as much the duty of a public official to render his country the highest service as it is a soldier on the field of battle to give his country the last full measure of devotion.

PAYMENT OF ADJUSTED-COMPENSATION CERTIFICATES

Mr. HUDSON. Mr. Speaker, under permission to extend my remarks, I desire to discuss briefly my position in reference to the so-called bonus legislation. During the late spring of 1930, before the close of the long session, and again during the early weeks of this session of Congress, I have been besieged by hundreds of veterans who said they were in dire need, through illness and lack of employment, and praying for the payment of their adjusted-compensation certificates in order that they might have the necessities of life, and in innumerable instances stated that a payment in cash on their certificates would enable them to save their homes, which they were buying on contract. Before the close of the session last year I introduced a bill providing for the reduction of interest charge on the loans to veterans to not exceed 4 per cent, and to make its provisions retroactive in the return of excess interest paid by those who had already made loans.

In replying to the pleas of these veterans I have stated I was not in favor of paying the certificates in full at this time, but that I would favor the payment of a part of such value to those who actually were in need at this time, because of conditions which were beyond their control. When the legislation came before us providing for the increased loan value, and allowing the veterans as a whole holding such certificates to make these loans at their increased value and at the low rate of interest, I stated the measure was too broad and ought not to provide for loans on these increased values except to those who, as I have said before, needed this increased accommodation at this time.

I voted for the measure, however, hoping that in some way it might be amended in order to meet the real need when it should reach the Senate, and not desiring to keep relief from those whom I felt should have some relief.

In the past few weeks I have received a great number of letters from all over the district written by ex-service men protesting against the passage of the legislation, and revealing a decided element among the veterans as opposed to the passage of such legislation. I want to insert here several of these letters which are typical of scores received.

DETROIT, *February 7, 1931.*

Representative GRANT L. HUDSON,
Washington, D. C.

DEAR SIR: This is to add one vote to those of your constituents opposed to cash conversion of veterans' insurance.

I served two years as captain, One hundred and thirtieth Field Artillery, 1917–1919. My insurance certificate calls for $1,578.

Proposed inflation would seriously disturb the economic welfare of the Nation far outweighing the possible benefit of a few veterans in distress.

Respectfully,

RICHARD B. PORTER,
17525 Maumee Avenue, Grosse Pointe Village, Mich.

BIRMINGHAM, MICH., *February 6, 1931.*

DEAR SIR: As one of your constituents, I want to enter an emphatic protest against the unpatriotic and impolitic demand of the World War veterans that their insurance policies be paid now instead of in 1945, when they are due. I sincerely hope that you will oppose this measure with all your might, and know that in doing so you will serve the best interests of the country.

Yours very respectfully,

HUGO ERICHSEN, M. D.

BIRMINGHAM, MICH., *February 5, 1931.*

Hon. GRANT M. HUDSON,
Representative, Washington D. C.

DEAR SIR: I wish to go on record as definitely opposed to the cash payment of the adjusted-compensation certificate at this particular time. My reason is that I believe the payment at this time would not be an adequate solution to our present problems.

As a property owner in Birmingham, Mich., and as an ex-service man, I feel that it is my right to give you my personal views in the matter.

Service: April 1, 1918, to December 20, 1918, in the United States Naval Reserve Force, section patrol, Detroit, Mich.

Very truly yours,

C. C. PATTERSON.

DETROIT, MICH., *February 6, 1931.*

Representative GRANT HUDSON,
House Office Building, Washington, D. C.

DEAR SIR: Regardless of the fact that I would benefit by the soldiers' bonus bill, I feel that I must put myself on record with you as definitely opposed to the present discussion, believing that it is very untimely and the effect would be too drastic upon general business, which is still staggering under a heavy load with daylight almost ahead.

I hope that you are in accord.

Yours very truly,

H. R. WILL.

FEBRUARY 4, 1931.

DEAR MR. HUDSON: I wish you to know I am one of a large number of ex-service men who are absolutely opposed to any cash bonus at the present time.

You will be doing our country a real service if you vote "No" on any bonus bill for cash settlement.

Yours very truly,

D. T. LESTER,
145 Puritan Avenue, Highland Park, Mich.

DETROIT, MICH., *February 4, 1931.*

Hon. GRANT M. HUDSON,
United States House of Representatives, Washington, D. C.

MY DEAR REPRESENTATIVE HUDSON: I wish to express myself as being definitely opposed to cash payment of adjusted-compensation certificates before the maturity originally contemplated.

Very truly yours,

GUYOR W. OSGOOD,
15890 Cheyenne Avenue.

Served in American Expeditionary Forces 21 months in combat zone, Sector 638, U. S. A. A. S.; attached Seventh French D. I.

DETROIT, MICH., *February 4, 1931.*

Hon. GRANT M. HUDSON,
House of Representatives, Washington, D. C.

DEAR SIR: As one who spent nearly two years in the Navy during the World War, a citizen and taxpayer, I wish to register my emphatic opposition to all of the soldiers' bonus legislation before Congress at this time. I believe that it would not be for the best interests of the ex-service men and that it will do irreparable harm to the efforts to restore prosperity.

I also believe its effect on the credit situation in the country would prevent legitimate borrowing necessary to help business and would depress the value of present securities to such an extent that the stability of a large number of banks and other financial institutions already faced with serious problems would be threatened.

Urging that you oppose all legislation of this kind, I am,

Very respectfully,

HENRY HART.

DETROIT, *February 5, 1931.*

Hon. GRANT M. HUDSON,
House of Representatives, Washington, D. C.

DEAR SIR: As an ex-service man in the United States Navy, I wish to register my objections to the proposed legislation of the cash conversion of the war veterans' insurance now pending before your honorable body. Although I could use this distribution to advantage, I do not feel that it would relieve a sufficient percentage of the unemployed to warrant the effects which it undoubtedly would have on ultimate recovery of the present business depression.

I do not feel that the war itself, after a period of 10 years, has any particular bearing on the present business depression and that such ex-service men have no more right to expect relief than other unemployed.

I feel that declines in investment holdings of small banking institutions would materially increase the closing of such institutions and would most certainly embarrass a rather large proportion of the agricultural population particularly.

I also feel that an increase in interest rates would preclude industrial financing which may be contemplated, and is necessary in a recovery of industrial activity.

An increase in loan value of such certificates may be advantageous, inasmuch as it will aid those individuals who are actually in need, whereas the large percentage of veterans who are employed at this time would not embarrass the Government's financial structure by making loans which are not actually needed.

Very truly yours,

CLOUD L. CRAY.

DETROIT, MICH., *Febrary 13, 1931.*

Representative GRANT M. HUDSON,
Representative in Congress, Washington, D. C.

DEAR REPRESENTATIVE HUDSON: I reside in Detroit, served in the World War, and wish to go on record as not favoring payment in full of the veterans' bonus certificates at this time. I am against the bonus because—

1. It is gross extravagance to pay out $3,500,000,000 at this time.
2. It is class legislation, benefiting a minority. The veterans are no more in need of help than the other people.
3. It will increase taxes, and everyone must know, or ought to know, that taxes, either direct or indirect, can not be increased. Congress should provide ways to decrease taxes rather than increase them.
4. It will prevent permanent business recovery rather than aid it. The increased taxes, deflation of securities market, and weakening of the banking structure will more than offset the benefit derived from placing the bonus money in circulation.
5. It should not be necessary to aid 10 veterans when it is estimated that not more than 1 out of 10 needs help.
6. The veterans are in the prime of life. If the Government must give a bonus, why not give it to old people, those who are sick and unable to get work. The veterans as a class are better able to take care of themselves than the people as a whole. They are in the favored age as to employment.
7. The chances are that the veterans will be pensioned when they are old. Why pay them twice?
8. If the bonus is paid to the veterans it will be the forerunner of other raids on the Treasury. There will be other classes of people who will think they are entitled to help just as much as the veterans. The payment of the bonus now would be a bad precedent.

For the reasons mentioned, I think payment of the bonus in full would be unwise, unjust, unsound, unnecessary, and untimely.

Yours truly,

HAROLD R. CHAPEL.

On the other hand, I am in receipt of telegrams from Legion posts from various cities of the district urging that I vote to override the President's veto. The President's message is so clear and plain, however, that I feel I must vote to sustain his veto, and therefore cast my vote in accordance with the President's message.

I have never felt the bonus was passed by Congress as a measure of cash for veterans, but rather as a reserve in favor of their wives and children, which should stand as a relief in their behalf in the case of some sudden emergency. Our soldiers can never be repaid by a money consideration. They were not Hessians; they were not followers of war; they served because of the ideals of American democracy, and every comfort that can be given them, because of any illness which their service for such ideals has caused, a grateful country will provide. Such provision is reaching to-day for the veterans of the World War to approximately a billion dollars a year, and I would vote at this session for a wise provision for the widows and children of such veterans of the World War as have passed on.

Mr. Speaker and my fellow colleagues, I cast my vote to sustain President Hoover, believing the coming months will vindicate the justness of my action.

FEDERAL CONTROL OF THE MOVIES

Mr. HUDSON. Mr. Speaker, under permission to extend my remarks, I wish to discuss proposed Federal legislation for the control of the moving-picture industry.

I introduced, at the beginning of the Seventy-first Congress, H. R. 9986, which provides for the creation of a Federal commission which would have control of the industry

by declaring it a public utility and providing that before a producer could create a film he would need to receive a license from the commission. The legislation proposed is not a Federal censorship, but rather Federal supervision, and based upon legislation which controls and regulates the same as interstate commerce, radio, and power commissions. There was incorporated in the provisions of the bill the so-called code of standards for films drawn up by Mr. Will Hays, the czar of the movies, but which he seems unable to have the producers follow.

I have received during the short session literally thousands of letters urging the passage of the legislation and commending its purposes. These letters have come from all parts of the Nation, as I shall show by incorporating in my remarks a diagram of the States from which various organizations have sent resolutions adopted in their respective bodies.

I desire, Mr. Speaker, and ladies and gentlemen of the House, to discuss for a little time my reasons for introducing this legislation and something of the situation that confronts the Nation in the matter of "the movies."

In view of statements of psychologists that impressions through the eye are much more powerful than those which come through the ear, it is quite evident that "the movies" are the greatest force to-day in molding character for good and evil. In fact, Roger Babson says, "I sent a questionnaire to the school principals of New England asking which of the following had the greatest influence in molding the character of our young people to-day—the school, the church, or the home—and 70 per cent scratched off all three and replied: 'The movies.'"

Since it is estimated that motion pictures are the daily recreation of 20,000,000 people, youth predominating in all performances, would it not be wise for the thinking people to examine more closely this influence, "the movie," which now takes precedence over those three so long a dominant force in American life—"the school," "the church," and the "home"? Shall we allow a handful of movie magnates for the sake of their own profits to defeat these three in the character building of our children? Or through their misrepresentation of American life, reach across the seas to tarnish our good name among our neighbors?

Eight years ago Mr. Will Hays, a Presbyterian elder, became "czar" of the movies with the understanding that he would clean them up, and the church people and the better element generally accepted his promise in good faith and gave thanks that at last they had a friend in the movie court. There had been mutterings of censorship and Federal regulation for years, but now they called off their dogs and appointed various committees to suggest better ways in which the movie industry might serve the public. They encouraged churches to install motion-picture machines in order to get ready for the "better movies," which were coming with this new order of things, they issued selected lists of approved pictures and urged pastors and educational groups to cooperate with their local theater in encouraging good pictures and discouraging the evil ones.

Eight years of the new order show clearly that they have improved in the technique of production—in photography, visibility, and smoothness, but as to the character of the pictures themselves—

> People are practically unanimous in their assertion that the movies are as bad or worse than they were then, and that they constitute nothing short of a menace to the mental and moral life of America.

This last quotation taken from Dr. Fred Eastman's article in the Christian Century, November, 1929, in which he asked his readers to answer regarding the movies in their local theaters.

Again, the people who write the movie ads seem to believe the American public want dirt. Sometimes the picture itself is not so bad, but the advertising tries to make us believe it is. Why does the movie magnate try to appeal to the worst in us rather than the best?

If you do not believe this is true, pick up your daily newspaper and read the ads for the movies in your own city, and follow this through for a reasonable time; then ask yourself if the movies have cleaned up. No; in some 20,000 motion-picture houses in America young people are seeking muck, crime, jazz, and sensuality presented as real life, and are being educated daily in false standards of taste and conduct, false conceptions of human relationship.

One of the movie actresses and her discharged hairdresser-secretary have had quite enough free publicity; yet we must use their example again to call attention to the fearful way that sensational trial was shot through with testimony of gambling, drinking, and other scandalous behavior. It is unthinkable that any school in America should employ such women as instructors. But men in control of the movie-picture business, though well aware that they are conducting an educational institution that modifies the tastes, standards, and ideals of millions of children daily, seem wholly indifferent as to whether their influence is helpful or the reverse. But still the unlovely and unworthy is glorified. Somehow this menace to the morality of the Nation must be met—the movies must be made safe for our children.

Dr. Frederick L. Hoffman, of the Babson Institute, generally recognized as the world's leading authority on homicides, makes a study of the murders committed in the United States during 1928. His figures for six of the largest cities are given below:

	Rate per 100,000
Detroit, 228	16.5
Chicago, 498	15.8
Cleveland, 134	13.3
Philadelphia, 182	8.8
New York, 401	6.7
Los Angeles, 70	4.7

Statistics clearly show that something is developing a disregard for law and order throughout the world to-day. This is especially true among the youth. Some lay it to prohibition, under which so many respectable people are defying the Constitution—the bulwark of American life and property. If the crime waves were confined to the United States, one might seriously consider this a plausible reason. But the disregard for law is world-wide, so that it can not logically be laid to prohibition. It would be more logical to consider it a natural aftermath of the Great War, which necessarily taught men to shoot, steal, and deceive.

Twenty years ago we might have laid it to immigration. But we had very little crime 20 years ago, when nearly a million immigrants entered the country annually. Now, with immigration reduced to less than 200,000 annually, crime has increased. Hence, immigration can not be blamed.

Such studies as I have made—

Says Babson—

> lead directly to the movies as the basic cause of the crime wave to-day. If you have any doubts as to the evil influences of the movie, go to a movie house in the poor quarters of your city and see what is being portrayed. Why we Americans will continue to spend thousands of millions on schools and teachers to train the children of our cities and then permit a bunch of irresponsible men to exhibit each night crime-breeding pictures within the shadow of the school just to make a few dollars is beyond my comprehension. Such pictures in one night uproot all the good seed which the schools can plant in a month. It is exactly like appropriating money to a fire department and then permitting anyone to set buildings afire just to collect insurance. The better type of motion picture is both educational and recreational, and I believe that the educational picture will play an important part in the future education of children.

This is not all. The American motion-picture industry now supplies the motion-picture markets of the world. Nearly 90 per cent of all the movies are American made, and the people who see these pictures abroad are forming their conception of American life. The extension of the movies in foreign trade have multiplied their harmful influence. In an article written by Catheryne Cooke Gilman for the Woman's Journal, February, 1930, she makes this statement:

> All civilized nations have passed laws to protect their citizens from the unwholesome pictures imported from America. Appeals for assistance in raising the standards of motion-picture production have come from the national councils of women of Australia,

Canada, China, France, Germany, Hawaii, India, Irish Free State, Japan, Yugoslavia, Palestine, Rumania, and Turkey. The women's organizations in this country have voiced their opposition consistently over a period of 20 years.

Sir Phillip Gibbs lays at the door of the American movie the cause of England's crisis. He says:

It is the picture palace where American-made films exhibit the indecent luxury of the idle rich and creates desires and envies among the working classes and makes them hate others. It is not slackness of the world trade but slackness of moral fiber.

Mr. S. K. Ratcliff, writing in the Yale Review, while recognizing that the American movie is made by a small group of men who are not representative of the best or even the average of American life, says that the English people do not know this. They see only the—

Crude imbecilities of Wild West drama, the rawness of industrial production and business adventure, cocktail parties, night clubs, the duel of sex, the degradation of marriage, of bootleggers, and hijackers, * * * mean and abominable people doing mean and abominable things, with a lawless waste of money, and all this against a background of luxury and indulgence such as the peoples of the Old World know about only through the revelations of the American movie.

Mr. Ratcliff recently had to read scores of manuscript submitted by English readers in response to a newspaper essay contest. The theme was "America and Americans." He states that in all these essays he found not one favorable to ourselves or our country, and he believes this is largely due to the impressions received by these people through our American films. Sir James Parr, of New Zealand, says that 95 per cent of the films shown in New Zealand are American pictures which are "cheap, trashy, and harmful." Sir Albion Banergi, of India, urges upon America the necessity of doing something to offset the impression that foreigners have gained through the preponderance of American films that the United States is "a land of bandits, bootleggers, and social highflyers." Turning to South America, Will Irwin reports Doctor Galieni, an eminent editor of Uruguay, as saying at a dinner during Mr. Herbert Hoover's good-will tour of South America that the motion pictures of our country constitute one of the main obstacles to a proper understanding between the United States and the South American countries. Our pictures, he says, are all "cabaret life, the sins of society, and crime." The United States has agitated against the trade of opium in the Far East. Would it not be well for her to act as vigorously against the corrupting influence which comes from her own shores?

What will we do about it? For after all it is a question which America and American people, even as you and I, must answer. Shall we allow our youth, the hope of America, to be further polluted by this small group of people in order that their pocketbooks may be well lined? Shall we allow our fair name as a country to be dragged through the dust in order to satisfy a small group of producers, who see only the well-filled movie house as their goal? How long will we, as Federal legislators, hesitate to bring under proper legal restraint the greatest political, educational, and moral agency in the world? Does not the solution lie in the so-called Hoover doctrine, namely, a government by commission?

The Federal trade, the pure foods, the radio, interstate commerce, and other commissions established by the Government provide adequate precedent for a Federal motion-picture commission. It seems clear that the pictures are unwholesome and unsatisfactory for interstate or foreign commerce. Cooperation with the industry has been unsuccessful after a continuous trial lasting over 20 years. Just as the peace movement needed the Kellogg-Briand peace pact, just as prohibition needed and demanded an amendment to the Constitution, so the motion-picture problem requires national legislation, possibly international treaties and articles of interpretation and enforcement.

The American public is long-suffering and kind, but there is a limit beyond which they will not go. Appended to this article is a list of organizations asking for Federal supervision, and this general grouping gives but little idea of the vast number of organizations taking part of this demonstration of public sentiment. Will the movie magnates read the hanwriting on the wall, and will Congress be governed by the will of the people rather than the small group of men at the head of this devastating industry? The demand is insistent, informed, and militant. Hearing of the legislation has not been secured this Congress, but the battle for this needed legislation will be renewed, with ultimate success. The interest is American childhood and the American home.

Resolutions for Federal supervision

STATES

Alabama	2
Arizona	6
Arkansas	
California	96
Colorado	92
Connecticut	21
Delaware	26
District of Columbia	17
Florida	17
Georgia	2
Idaho	13
Illinois	13
Indiana	15
Iowa	144
Kansas	466
Kentucky	48
Louisiana	7
Maine	14
Maryland	3
Massachusetts	3
Michigan	32
Minnesota	60
Mississippi	21
Missouri	3
Montana	
Nebraska	41
Nevada	
New Hampshire	2
New Jersey	13
New Mexico	
New York	415
North Carolina	2
North Dakota	
Ohio	24
Oklahoma	15
Oregon	155
Pennsylvania	77
Rhode Island	3
South Carolina	
South Dakota	27
Tennessee	3
Texas	2
Utah	
Virginia	1
Washington	25
West Virginia	13
Wisconsin	87
Wyoming	
	2,021

ORGANIZATIONS SENDING IN THESE RESOLUTIONS

Men's organizations:	
Lions International	3
Kiwanis	3
Rotary	1
Forums, brotherhoods, etc	5
Ministerial associations	12
City councils	1
American Legion auxiliaries	5
Council of Churches	2
Young Men's Christian Association	3
Past noble grands (42)	1
Orange Lodge	2
Other lodges	9
Men's and women's organizations:	
Granges, farm and dairy organizations	17
Colleges and schools	3
Christian Endeavor, Epworth Leagues, and young people's organizations	33
Theaters	2
Daughters of the American Revolution, Grand Army of the Republic, War Mothers, Daughters of the Confederacy, etc	10
Catholic Daughters of America	1
Women's Catholic Order of Foresters	4
Girl Scouts	1
Campfire Girls' Guardians	2
Women of the Ku-Klux Klan	2
Missionary societies	181
Ladies' Aid and other church societies	104
Sundry school organizations and classes	112
Clubs, several city and district federated, etc	165
Parent-Teachers Associations	77
Churches	135
Presbyteries	4

Men's and women's organizations—Continued.

Scout, Young, Auxiliary, Spanish War Veterans	1
Young Women's Christian Association	28
Woman's Christian Temperance Union	remainder.

This general grouping gives but little idea of the vast number of organizations taking part in this demonstration of public sentiment.

THE CONDITION OF AGRICULTURE, AND NEGLECT OF RUN-OFF OR FLOOD WATERS AS AFFECTING THE NATION'S WELFARE

Mr. SEARS. Mr. Speaker, I take advantage of the rule of the House, permitting me to say a word, I hope, for the general welfare.

I desire the attention of the financial men of our country, who dictate the conduct of it, no matter which party is in power, and who largely carry out, or see that they are carried out, the policies agreed on.

No country can thrive and be on the upgrade unless its energies are developed according to its best prospective. Each person and organization of it must be loyal to that development. To work against that development is the height of national or sectional treason. Home markets are better than foreign ones. It is folly to work for foreign markets, and then to impoverish great home sections, so as to destroy normal buying power.

The volume of currency should never be fixed by those who deal in money. Inflation of currency may be foolish, but material contraction of a nation's currency is the height of crime. Three rules as to currency may be stated, as follows: Inflation means easy credit. Invitation to use it. Higher prices and expanding indebtedness. Contraction of currency means credit harder to use and falling prices. It means the ruination of those in debt and who are invited to so go into debt. No one will question these two rules. The third follows the two first: If there is neither inflation nor deflation, the price of money remains the same. Under the last rule prices going up or down follow the supply and demand of products. In other words, the supply and demand of products fix the price of money. But in the abnormal market, where there are rapid changes in money volume owing to great expansion and contraction of money quantity, then the money is the yardstick and forces the price of products and of property up or down, largely regardless of the property supply. And then the middle and debtor class are ground between millstones of the financial miller. And the great crimes follow, as in 1920 and 1930.

The United States can not thrive without successful agriculture. Agriculture in the United States is at its lowest ebb. Here great questions arise. Why is agriculture at its lowest ebb? What can be done to give it its upgrade status? What would result to the rest of the Nation with agriculture normal again?

Surely a few words on these questions may be of proper relation.

In the spring of 1920 agriculture was at its best. Its rewards were at their best. And all parts of the United States felt the great value of farmers buying normally and furnishing the best market of the world for shops and factories. Then with a wave of the wand of villiany the picture was changed. The word of law of those in charge of currency volume went forth that currency and credits were to be reduced in our agricultural section 30 per cent and in 30 days. No village or city or community of the Nation could stand up under such an order without first staggering and then falling. General bankruptcy and financial ruin followed. Almost all men with property had followed the invitation to go into debt still further, and their debts were then at their height. In a few months' time their property of all kinds had dropped in value more than a half, and they were ruined by the million. Ruined by those who were dealing in money and who had been given the franchise of fixing the price of money, and who daily were dealing in stocks and bonds. More was lost to those of agriculture and its dependent occupations in a year than all the cost of the World War. And of all of those who took part in that the greatest of all of our Nation's crimes no one has been punished.

Again agriculture is hurt because of exorbitant transportation rates and because of floods and droughts, and because the Nation has turned a deaf ear to the pleas of agriculture on those lines.

The bread and meat basket and pan of the Nation is the Northwest section of our country. Being the section of the great product, and the long haul, that portion of agriculture is entitled to the low rate as to transportation. Who says not, and why? But the Interstate Commerce Commission lays down the rule that the rate there can not be lowered until river navigation has been perfected, knowing full well that the western railroads have prevented the rivers' practicability for navigation for the past 50 years, and will continue their efforts for many years in the future, probably successfully so. So the western section has been bled at least $200,000,000 each year by exorbitant rates and out of the pockets of agriculture mostly. Those who declared deflation of currency and credits fixed the rule of the high rate for the heavy product and long haul. How long will agriculture stand for it?

Again, after the deflation of 1920 another crime was done against the Nation that hurt agriculture. The same great men of finance directed the black-tulip craze of stocks and bonds in Wall Street in 1929 and 1930 that wrung probably more than $40,000,000,000 more out of the people. Money left the agricultural section for speculation in New York. So money that was needed for legitimate loans was not available and prices went down again at the expense of agriculture. And agriculture was not rewarded, and the farmers could not buy anew, and the factories of the East were not on full time or were closed.

And then agriculture is distressed by floods and droughts because of the short-sightedness of the great ones of the Nation in wasting our greatest national resources, our run-off waters. We are losing billions of national wealth each year through the erosion of our soils, because of losses through floods, and because of the losses through drought. We are expending millions of dollars in looking up foreign markets and neglecting the saving grace of our own natural resources. We are now in the act of fixing a perpetual flood system on the country with the expenditure of billions of dollars in doing it and throwing the valuable waters into the Gulf of Mexico as worthless, when every drop is needed for agriculture and those dependent upon it.

There are men and combinations of men in this country that seem all powerful, who are determined that water-river transportation shall not be perfected, because they think it will hurt the income of railroads, so for years they have prevented the general improvement of our rivers. The power companies are determined that there shall not be the reservoiring of the minor flood areas, for they think that some of them may develop into cheap power for the people. They know that all of the water that is known to the great floods can be saved as our Nation's greatest asset. They seem to dominate the Army engineers who for many years have been charged with this work, but who never have made a study of the sources of floods and of droughts, and why we do not have long-time navigation as to our rivers. Not one of the Army engineers that I refer to would dare to ask me for a more definite statement. If they have that courage, I invite the question.

In the meantime we have drained and straightened marshes and creeks, have deforested our lands, have graded roads and paved them, have built sewers in our cities and towns; have done everything to hasten the sudden draining of the flood waters and to make greater the floods. In the wake of this draining has come a drying up of the soil, so that while we have had the greatest floods of our history in the last few years, we have also had the greatest of our droughts. And the tendency as to both is on the increase. Is that a way to conserve our national wealth?

With 20,000,000 acre-feet of water taken possession of and put to use in each the Ohio, Missouri, and Arkansas areas the question is solved for all time of no great floods in the valley of the Mississippi; no great droughts; ample

navigation as to the rivers of that valley. And many other ancillary benefits.

And otherwise you must all know: That we have embarked on the wickedest water journey ever undertaken by man. First, to consider those waters as worthless and to throw them into the Gulf at an expense of billions of dollars; second, to perpetuate great floods and droughts as a condition on the country; third, to do away with our rivers as things of value and for navigation; fourth, to disregard those rivers as potentialities for power, reforestation, for the increasing of fish, game, and wild life, and for municipal uses. Does this Nation want to pay the price of such a surrender, by the Nation and its Congress, or will it arouse itself and make the most of its greatest remaining asset and help to put agriculture on its feet.

For six years, about, I have been a member of the Flood Control Committee of the House. That time has been devoted to the study of the economics of water and its relation to the welfare of the people of this country. As I look back I realize that each moment of that time has been opposed by the Army engineers, who have been educated by the Treasury of the United States, and by that Treasury given employment and a livelihood. They have been in charge of so-called flood control. Yet the first principles of it they have never studied. Never till within a year did they even give a promise of study as to the source of floods nor of the values of water. They have accepted as true that floods must continue; that the waters of floods were without value. They tried to mislead the Flood Control Committee and therefore the House itself as to the causes of the great floods. Apparently did not know and did not want to know that flood waters below Cairo, Ill., that caused flood trouble were from the tributaries, and that to reservoir the tributary water was to do away with the floods below. Apparently they knew nothing of that same water for long-time navigation in the rivers and to help agriculture. The immense cost to the Federal Treasury of their plans never gave them a serious thought. The impoverishment of soils and the loss of navigable water were of no concern to them. Apparently their policy was dictated by those who cared nothing for the country or its future. They seemed to care nothing for the thousands of people they were trying to ruinously affect, nor the millions of acres of valuable land they were going to destroy by their policy of throwing the waters into the valley. And their intention was to destroy property and not pay for it.

My own belief is that all questions of flood control, drought control, waters for navigation, and kindred questions that relate to the economics of our run-off waters must be taken from the jurisdiction of the Army engineers and placed in the hands of engineers who are open-minded, competent, and free from entangling alliances, or hopes in that direction.

I hope that the American people will hold to a strict accountability any administration tainted with laxity in not conserving our run-off water resources, in not giving us real flood control and real drought control and river navigation control and the benefits of those waters controlled. The water line in the soil has gone down as far as 60 feet in the soil in the Northwest country. It is going farther. Every part of the country suffers through floods, and then suffers through droughts. By reservoiring the minor flood areas these evils will be corrected in just the extent we take possession of the waters and use them.

Personally, I have no use for a political organization that will not look after the interests of my section of the country. And yet I love the Republican Party. I demand that it look after the interests of all sections of our land. If it is a party of great promise and small performance, and nominates candidates of large promise but small performance, I hope it will be of few days, as it will cause the country of our affections to be full of trouble.

THE AGRICULTURAL MARKETING ACT—FEDERAL FARM BOARD

Mr. HAUGEN. Mr. Speaker, under the leave to extend my remarks in the RECORD, I desire to avail myself of this opportunity to offer a few observations touching upon the agricultural marketing act and the operation of the Farm Board during the 19 months of its life.

Frequently it is stated in the press that the Farm Board, after a year and a half effort to solve the farm-relief problem, had concluded that farm relief rests with the farmers themselves and that one by one its members have indicated their intention to retire.

I quote from Hon. Calvin Coolidge's letter printed in the Washington Post of February 27, 1931:

> Members of the board have constantly made it plain that they do not propose to continue a policy which is dangerous and unsound, and in the end bound to fail. Beginning months ago, both the Secretary of Agriculture and the board gave constant warning that the sound solution of the surplus problem lay with the farmers themselves. Unless they solve it, no one can provide a permanent solution for them.

I take it that the statement of former President Coolidge, who undoubtedly has inside information, can be accepted; and if so, an open confession is good for the soul.

Unfortunately the board, in its efforts to carry out the declared policy of the act "to maintain advantageous domestic markets and prevent such surpluses from causing undue and excessive fluctuations or depressions in prices for the commodity," adopted the plan of curtailment of production, a plan frequently tried out not only in many sections of our own country, but throughout the world, and which in every instance has proven a failure, a plan not suggested by the farmer, nor the legislative representatives of the farm groups, nor the friends of effective farm relief, but originating in some unknown source.

The plan adopted was suggested by its sponsors as an innocent child, and would do no harm, and was written into the compromise measure rather than to lose the whole bill in the hope that if it ever was tried out the board would acknowledge it as stated in Mr. Coolidge's letter to be "dangerous and unsound policy, which is bound to fail," and it would proceed to adopt a workable plan or come to Congress and ask for legislation to enable it to effectively carry out the declared policy "to maintain advantageous domestic markets and prevent such surpluses from causing undue and excessive fluctuations or depressions in prices for the commodity."

Instead of the board throwing up its hands or adopting and pursuing a workable plan, according to former President Coolidge's letter, the "board has given constant warning that the sound solution of the surplus problem lay with the farmers themselves, and unless they solve it no one can provide a permanent solution for them." Evidently they have given up in despair, as all others have who have tried out a plan to effect 100 per cent voluntary cooperation and control and a balanced production, and one by one the members announce their intention to retire. If so, we have an open confession, and as a result we find ourselves short on cash and long in experience.

Had the board continued its policy to buy at the pegged price of wheat and to take over the surplus wheat and to assume the loss, and had it immediately exported the wheat, losses would have been much less. Nevertheless, the board has been helpful to the wheat producers.

It will be noted from the price data furnished by the grain futures' division of the Department of Agriculture, which I append hereto, that from the latter part of November the Chicago price remained firm with slight rise during the period of operations by the stabilization corporation financed by the board, notwithstanding the Liverpool price rapidly declined to the last of December, since which time it has been fluctuating between 60½ to 67 cents.

As a result of the operations of the board, the producers have been benefited during the month of December from 5 to 20 cents, and from December up to the present time from 18 to 20½ cents a bushel, which seems to prove conclusively that by removing the surplus from the market to thus prevent the surplus from unduly depressing the price the tariff can be made effective by the subsidy plan, and by continuing the plan it would undoubtedly carry out the

declared policy of the act. The only objection to the plan is that the cost is borne by the stabilization fund—in other words, by the Federal Treasury—whereas under the equalization-fee plan each producer would share equally in the cost of equalizing the price and share alike in the profits, and receive the same benefit without cost to the Federal Treasury.

It will be noted that while the experiment incurred a considerable loss, that in the pegging of the price and with the tariff back of it, the board rendered material help to the producers of wheat.

Better still, had it succeeded in effecting 100 per cent cooperation and applied the equalization-fee plan, the producer of wheat, if operating under the equalization-fee plan, would have received the price of the competing market (Winnipeg), ranging from 56 to 66 cents, an average of about 60 cents, plus the tariff of 42 cents, freight, and other expenses incidental to importation of 8 cents, or a total of $1.10, a net gain over the price received of 34 cents a bushel, minus the equalization fee of 14 cents, or a net gain of 20 cents over the price received. This gain of 20 cents, if applied to the whole production of 860,000,000 bushels, would be $172,000,000, without cost to the Federal Treasury.

Under the plan pursued, the producers of wheat received on January 2, 1931, at Minneapolis 76 cents a bushel, at a considerable loss and expense to the Federal Treasury, whereas under the equalization-fee plan they would have received the Winnipeg price on that same date of 56 cents, plus 42 cents tariff, and cost of freight and other expenses incidental to importation of 8 cents, or a total of $1.06, minus the equalization fee of, say, 14 cents, or net 92 cents, instead of the 76 cents, a net gain of 16 cents a bushel over the price received without expense to the producer or the Federal Treasury.

A few days ago, February 26, the producers of wheat received 76 cents a bushel at Minneapolis, under the present Farm Board policy—loss, if any, at the expense of the revolving fund—whereas under the equalization-fee plan they would have received the Winnipeg price on that same date, February 26, of 60 cents, plus 42 cents tariff and freight and other expenses incidental to importation of the competing wheat amounting to 8 cents, or a total of $1.10, minus the equalization fee of 14 cents, or net 96 cents per bushel, instead of 76 cents, a net gain of 20 cents per bushel, all without expense to the producer or the Federal Treasury.

The subsidy plan, "the debenture plan," which seems to be much preferred by operators on the grain exchanges, although at the expense of Uncle Sam, would have given the producers the benefit of $180,600,000 if applied to the whole 1930 crop of 860,000,000 bushels, at a cost to the Federal Treasury of $54,600,000, if the 21-cent debenture had been paid on the estimated surplus of 260,000,000 bushels. If Uncle Sam insists upon paying the bill, it would afford some relief. Why apply the subsidy plan when greater relief can be afforded through the equalization-fee plan without expense to the farmers.

The question is, Why did not the board adopt one or the other of the two plans? The answer is the lack of power of the Farm Board to effect 100 per cent cooperation of the producers. Neither of the two plans, the allotment plan or the equalization-fee plan, can be accomplished in the absence of 100 per cent cooperation or control; otherwise the nonmembers would reap the whole benefit without contributing to the cost of equalizing the price, and the members cooperating would only receive the increased price minus the equalization fee; in other words, the members would carry the burden and the nonmembers would reap the benefit therefrom. As was contended by many of us, in view of the past experiences of many most excellent men in their efforts to effect 100 per cent voluntary cooperation and a balanced production, and, as the board now seems to be convinced, it simply can not be done, experience has demonstrated with absolute finality that 100 per cent voluntary cooperation of six and one-half million people can not be accomplished. Evidently it can only be accomplished through legislation making it mandatory. In my opinion, undoubtedly the most practicable and certainly the most equitable way is through the equalization-fee plan, adopted three times in the House, in the Senate two times, and vetoed by President Coolidge two times.

The question is, Why was the amendment to the McNary-Haugen bill finally agreed to? As is generally known, when the two major parties held their respective national conventions in 1928, neither party nor party candidates would commit themselves to the equalization-fee plan. A special session of Congress was called for the consideration of tariff revision and farm relief. The equalization-fee plan was again suggested. Many contended that farm relief might be made effective through some other plan. No agreement could be reached on any particular plan, hence it was suggested to leave it to the board to work out its own plan to redeem party platform pledges "to place agriculture on a parity with industry and others."

Many believed that as neither of the major parties were committed to any specific plan, and as both were committed to farm-relief legislation, and as it did not seem possible to pass a measure carrying the equalization fee plan, many of us, including the legislative representatives of the various farm organizations—the Farm Bureau, Farmers' Union, the National Grange and others—most reluctantly yielded to the suggestion to leave it to the board to adopt its own plan in order to "maintain advantageous domestic markets and prevent the surplus from unduly depressing the price." As a result, we have the agricultural marketing act. The act gives the board unlimited power, makes $500,000,000 available to carry out the declared policy and places the responsibility upon the board to adopt its own plan to maintain advantageous domestic markets and prevent the surplus from unduly depressing the price of the commodity.

The act, with the exception of a few changes in phraseology in its declared policy "to maintain advantageous domestic markets and prevent such surpluses from causing undue and excessive fluctuations or depressions in the price of the commodity," is identical with the declared policy of the McNary-Haugen bill, except that the McNary-Haugen bill provided for a specific plan, the equalization fee plan, to carry out the declared policy, the purpose of the equalization fee being to collect from each producer his ratable share of the cost of equalizing the price and to pay him his proportionate share of the profits therefrom, thus resulting in full control in the marketing of the whole production of agricultural commodities without a drain on the Federal Treasury, whereas under the act it is up to the board, in conjunction with the producers, to adopt its own plan to effect 100 per cent cooperation and control necessary to maintain advantageous domestic markets and to prevent the surplus from unduly depressing the price, as directed in the declaration of policy.

As indicated in President Coolidge's letter, the board has not succeeded in effecting 100 per cent cooperation or control. Undoubtedly, many friends of real farm relief are much disappointed. Evidently, it has not come up to the expectations of its sponsors.

I assume that the producers, Members of Congress, and all concerned are as much interested in farm relief as ever, and unless the board succeeds in adopting a workable plan, all will join hands in renewed efforts to the enactment of a law, specifically directing how and when to give the farmer advantageous domestic markets, to prevent the surplus from causing undue and excessive fluctuations and depressions in the price of commodities, thus placing the farmer on the promised parity with labor and other industry.

Will Congress come to the rescue of the farmers to relieve them of their continued economic depression? Will the Members of the two legislative bodies put their shoulders to the wheel in an honest effort to redeem their party platform pledges to place agriculture on equality with others? Though late, shall the farmers be given the benefit of our protective laws?

All that the farmers ask is that they be enabled to market their commodities as organized industry and labor are and have been doing, and that Congress make the 100 per cent cooperation possible, and that they be given the benefit of our protective laws—in other words, that they be given a fair and square deal. They are not now, nor have they been in the past, asking for a charity or a subsidy. They and millions of others believe and have most consistently asked for the equalization-fee plan, one tried out by organized industry and which has proven out entirely satisfactory.

Instead of further experimenting with plans known to be unsuccessful at a high cost, and thus subjecting the producers to a long, lingering financial extinction—in other words, a slow and certain economic death—why not try some known workable plan, never known to have failed, the equalization-fee plan or the allotment plan tried out by organized industry and which has worked out satisfactorily to organized industry; for example, the allotment plan, the millers' plan, which seems to have worked out favorably in "doing" the consumer and in enriching the millers' trust.

Prices of wheat at Chicago during January and February have ranged (eliminating the fractions) from 81 cents to 83 cents, with few exceptions, as on January 12, 13, and 15, when the price was 84 cents, and on the 14th of January, when it went to 85 cents. The average price at Minneapolis during the same period was 76 cents, except on the 10th, when it went to 77 cents, and on the 12th, 13th, and 15th, when it went to 78 cents, and on the 14th to 79 cents.

Four and six-tenths bushels of wheat are required to make a barrel of flour. One barrel of flour, with 38 per cent moisture added, makes 276 one-pound loaves of bread, and generally 14-ounce loaves are sold as pound loaves, which would increase the number to about 300 loaves. At 77 cents a bushel, the cost of the wheat (4.6 bushels) entering into the production of a barrel of flour would be $3.54. According to quotations, Minneapolis flour on February 17 was $5.20 to $5.40 a barrel, in addition to which there is about 70 pounds of shorts and bran, which generally sell at about a cent a pound, a total of from $5.90 to $6.10 a barrel. At Los Angeles, 3,000 miles away, where it is necessary to sell at a lower price to meet competition, with freight charges paid, the price was $4.90 to $5.13, plus the 70 cents for by-products, or $5.60 to $5.83. Under this plan the millers receive the meager profit of from $2.36 to $2.56, less the cost of processing, which I understand to be 52.6 cents a barrel, or a net profit of from approximately $1.83 to $2.03 per barrel at Minneapolis and from approximately $1.53 to $1.76 at Los Angeles, less freight charges.

It will be noted that the producers sell their wheat at 77 cents, minus on an average of approximately 17 cents freight and hauling, net about 60 cents a bushel, or $2.76 a barrel, while the millers receive for a barrel of flour and by-products from $5.90 to $6.10, and the consumers pay, when the flour is made into 276 one-pound loaves of bread, $27.60, or when made into 300 fourteen-ounce loaves of bread approximately $30. The millers under the allotment plan make a profit of $1.83 to $2.03 per barrel.

All will recall the report of the Federal Trade Commission of July 3, 1918, in response to the President's direction to the Federal Trade Commission to investigate and report facts relating to the production, ownership, manufacture, storage, and distribution of foodstuffs and the by-products to ascertain the facts bearing on the alleged violations of the anti-trust act, in which the commission reported, as printed on page 10995 of the CONGRESSIONAL RECORD of October 3, 1918, the following as relating to flour:

> That in place of the 25 cents per barrel maximum by regulation, the average profit per barrel on 4,000,000 barrels from September, 1917, to March, 1918, was about 45 cents, or over three times the normal profit per barrel for flour for the four years ending June 30, 1916, reported to be only 13½ cents on each barrel.

According to reports, one miller in Kansas made $282,000 profit in excess of the maximum profit fixed by the Government regulations, which claim was settled for $8,000 and costs; another miller made $19,000, which claim was settled for $402 and costs. Both claims were settled without reauditing the accounts. The profit then was only about 45 cents a barrel, only a trifle over three times the pre-war profit of 13½ cents a barrel.

Now, when producers and consumers are in need and entitled to bread at a reasonable and fair price, we find that under the millers' "allotment plan" to equalize the price, made possible because they are few in number, the producer of wheat receives net $2.76 for 4.6 bushels of wheat. If made into 1-pound loaves of bread selling at 10 cents, the consumer pays $27.60, and if made into 14-ounce loaves selling at 10 cents the consumer pays $30. Minneapolis millers receive from $5.90 to $6.10 for a barrel of flour and by-products and at Los Angeles, where they sell in competition, they receive from $5.60 to $5.83 less freight and walk away with a net profit—Minneapolis—from $1.83 to $2.03, and at Los Angeles from $1.53 to $1.76, for the flour and by-products. Their profit at Los Angeles is approximately twelve times the pre-war profits of 13½ cents, and if sold at Minneapolis the profit is approximately fourteen times the pre-war profit of 13½ cents.

The producer of wheat, if operating under the allotment plan or equalization plan, would have received the price of the competing market (Winnipeg) ranging from 56 to 66 cents, an average of about 60 cents, plus tariff of 42 cents, freight and other expenses incidental to importation of the competing product amounting to 8 cents, or a total of $1.10, a net gain over the price received of 34 cents per bushel, minus the equalization fee, or a net gain of 20 cents over the price received.

Wheat, of course, is not the only commodity entitled to consideration. It differs from others where the surplus for export is small, if any.

It is pleasing and gratifying to note, from price quotations which have been furnished by the Department of Agriculture and which I append hereto, that farmers have been receiving substantially higher prices because of the tariff; for example, corn, of which we have no surplus for export.

The May future price of corn at Chicago during January and February has ranged from 64⅛ up to 74⅝ cents; at Kansas City from 58¼ to 68⅝ cents, whereas the Buenos Aires price has ranged in the same time from 28⅜ to 32¾ cents, a spread of from 36 to 42 cents a bushel between the Buenos Aires and Chicago prices and from 30 to 36 cents a bushel between the Buenos Aires and Kansas City prices. Had it not been for the tariff, we would have been selling our corn in competition with Buenos Aires prices ranging from 28 to 32 cents, plus ocean freight and export tax of approximately 13 cents, making it about 42 cents f. o. b. New York, as compared with 64 to 74 cents in Chicago, a profit of approximately 22 to 32 cents a bushel.

The price of flaxseed at Minneapolis during January and February has ranged from $1.50 to $1.64, whereas the Winnipeg price has ranged from 95 cents up to $1.07 and the Buenos Aires price has ranged from 80¾ cents up to 96⅜ cents a bushel, being a difference of from 56 to 57 cents between Minneapolis and Winnipeg and from 67⅝ to 69¼ cents between the Minneapolis and Buenos Aires prices. Had it not been for the tariff on flax, we would have been selling our flax at about 50 cents below the Minneapolis price.

The average price of cattle per 100 pounds at Chicago, on good steers 1,100 to 1,300 pounds, according to the Bureau of Agricultural Economics of the Department of Agriculture, ranged from $9.93 to $11.26 during the last five months of 1930, as against prices on medium steers over 1,050 pounds at Winnipeg ranging from $4.58 to $6.31 per 100 pounds. Again owing to the tariff, cattlemen have been benefited to the full extent of the $3 tariff plus expenses incidental to importation.

In support of the price quotations, I insert below certain price data furnished by the Bureau of Agricultural Economics, Department of Agriculture, showing comparison of the American market average prices on various farm commodities as compared with competing markets.

Cattle—Average price per 100 pounds, Chicago and Winnipeg, by months, 1929–1931

Month	Calendar year, 1929		Calendar year, 1930		Calendar year, 1931	
	Chicago, good steers, 1,100–1,300 pounds	Winnipeg, good steers, 1,000–1,200 pounds	Chicago, good steers, 1,100–1,300 pounds	Winnipeg, good steers, 1,000–1,200 pounds	Chicago, good steers, 1,100–1,300 pounds	Winnipeg, good steers, 1,000–1,200 pounds
January	$14.11	$8.73	$13.77	$9.13	$11.31	
February	13.12	8.20	14.00	9.41		
March	13.22	8.62	13.54	9.42		
April	13.76	9.56	13.17	[1] 9.26		
May	13.84	10.50	12.58	9.56		
June	14.43	10.62	11.54	8.10		
July	14.80	10.17	9.95	6.31		
August	14.62	9.41	9.93	4.96		
September	14.29	8.26	10.67	4.58		
October	14.18	8.07	10.39	4.59		
November	13.52	7.97	10.97	4.77		
December	13.59	8.91	11.26			

[1] Quotations change to medium steers, over 1,050 pounds.

Division of Statistical and Historical Research. Chicago prices compiled from data of the reporting service of the Division of Livestock, Meats, and Wool, Bureau of Agricultural Economics. Winnipeg prices from the Livestock Market and Meat Trade Review, monthly.

Beef—Average price per 100 pounds, New York and London, by months, 1929–1931

Month	Calendar year 1929		Calendar year 1930		Calendar year 1931	
	New York, medium steer, 500 pounds up	London, Argentine, chilled hind quarters	New York, medium steer, 500 pounds up	London, Argentine chilled hind quarters	New York, medium steer, 500 pounds up	London, Argentine, chilled hind quarters
January	$18.70	$13.75	$19.86	$15.91	$12.59	
February	17.54	13.05	18.88	15.29		
March	18.46	14.19	18.41	15.82		
April	20.30	17.11	18.07	14.70		
May	20.67	15.71	17.36	14.64		
June	21.55	15.92	16.81	13.38		
July	21.22	15.90	13.24	17.17		
August	19.04	16.86	12.58	17.87		
September	18.72	17.18	13.83	15.46		
October	17.57	15.21	13.82	15.14		
November	17.16	16.29	12.55	14.87		
December	19.10	16.92	13.87	13.88		

Division of Statistical and Historical Research. New York prices compiled from data of the reporting service of the Division of Livestock, Meats, and Wool, Bureau of Agricultural Economics. London prices from Agricultural Market Report.

Lard—Average price per pound at New York and London, by months, 1929–1931

Month	Calendar year, 1929		Calendar year, 1930		Calendar year, 1931	
	New York prime contract	Liverpool, American prime western steam	New York, prime contract	Liverpool, American prime western steam	New York, prime contract	Liverpool, American prime western steam
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
January	12.10	13.40	10.90	11.92	11.00	
February	12.30	13.50	11.20	12.17		
March	12.50	13.90	10.70	11.79		
April	12.20	13.50	10.70	11.84		
May	12.00	13.40	10.70	11.80		
June	12.30	13.50	10.20	11.30		
July	12.50	13.90	10.00	11.15		
August	12.40	13.80	11.40	12.34		
September	12.20	13.50	11.90	13.23		
October	11.40	12.70	11.90	13.25		
November	10.90	12.10	11.20	12.46		
December	10.80	11.80	10.00	11.32		

Division of Statistical and Historical Research. Prices for New York compiled from Bureau of Labor Statistics Wholesale Price Bulletins. Liverpool prices from Manchester Guardian, average of Friday quotations, converted at par of exchange.

Butter—Average price per pound, New York, London, and Copenhagen, by months, 1929–1931

Month	Calendar year 1929			Calendar year 1930			Calendar year 1931		
	New York, 92 score	London, finest, New Zealand	Copenhagen, export price	New York, 92 score	London, finest, New Zealand	Copenhagen, export price	New York, 92 score	London, finest, New Zealand	Copenhagen, export price
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
January	47.94	40.11	39.10	36.63	33.84	31.95	28.50		
February	49.89	37.64	39.00	35.70	32.72	35.28			
March	48.45	36.30	35.50	37.27	29.98	31.70			
April	45.35	35.79	32.80	38.53	27.40	27.38			
May	43.54	36.06	33.40	34.85	28.05	26.33			
June	43.54	36.82	35.10	32.93	28.79	27.66			
July	42.42	37.20	35.30	35.24	29.57	30.29			
August	43.45	37.42	35.60	38.92	28.98	29.28			
September	46.22	38.61	39.70	39.77	27.59	29.86			
October	45.56	39.29	40.50	39.98	25.26	30.09			
November	42.70	37.48	38.70	36.09	22.38	27.23			
December	41.10	35.25	35.80	32.18	24.52	27.28			

Division of Statistical and Historical Research. Compiled as follows: New York, from reports of the Division of Dairy and Poultry Products, Bureau of Agricultural Economics; London, from the London Grocer, weekly; Copenhagen, from Smor Tidende (Danish Butter Journal), conversion at par of exchange.

Flaxseed—Average price per bushel, Minneapolis and Winnipeg, by months, 1928–29 to 1930–31

Month	Crop year 1928–29		Crop year 1929–30		Crop year 1930–31	
	Minneapolis No. 1	Winnipeg, No. 1 N. W. C.	Minneapolis No. 1	Winnipeg, No. 1 N. W. C.	Minneapolis No. 1	Winnipeg, No. 1 N. W. C.
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
September	209.2	186.2	323.1	283.7	190.3	143.4
October	228.4	192.8	331.5	291.5	179.7	129.4
November	234.7	195.8	324.0	271.9	165.2	104.7
December	238.8	190.7	321.6	264.1	160.9	97.8
January	245.1	190.9	308.0	251.8	157.4	
February	255.5	204.2	304.8	249.5		
March	248.7	207.5	292.4	244.3		
April	245.4	202.5	291.8	243.0		
May	245.4	205.4	268.2	219.2		
June	247.6	211.9	271.2	211.7		
July	276.1	252.7	232.1	178.8		
August	279.4	260.8	199.5	162.4		

Division of Statistical and Historical Research. Minneapolis prices compiled from Minneapolis Daily Market Record and are average of daily prices weighted by carlot sales. Winnipeg prices from Canadian Grain Statistics, weekly, basis, Fort William, and Port Arthur.

Oats—Average price per bushel, Chicago and Winnipeg, 1928–29 to 1930–31

Month	Crop year 1928–29		Crop year 1929–30		Crop year 1930–31	
	Chicago, No. 3 white	Winnipeg, No. 1 feed	Chicago, No. 3 white	Winnipeg, No. 1 feed	Chicago, No. 3 white	Winnipeg, No. 1 feed
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
August	38	47	43	63	39	36
September	41	50	48	63	38	28
October	42	51	47	61	36	28
November	44	48	45	56	33	
December	46	47	45	56	34	
January	50	51	45	51		
February	50	54	44	50		
March	48	48	43	45		
April	48	46	43	47		
May	45	42	41	45		
June	45	44	38	43		
July	47	58	35	39		

Division of Statistical and Historical Research. Chicago prices are compiled from the Chicago Daily Trade Bulletin, and are averages of daily prices weighted by carlot sales. Winnipeg prices, 1928–29 from reports on Grain Trade of Canada, 1929, p. 156. Beginning August, 1929, from Weekly Bulletins of Agricultural Statistics, Canada.

Barley—Average price per bushel, Minneapolis and Winnipeg, 1928–29 to 1930–31

Month	Crop year 1928–29		Crop year 1929–30		Crop year 1930–31	
	Minneapolis No. 2	Winnipeg No. 3 western	Minneapolis No 2	Winnipeg No. 3 western	Minneapolis No. 2	Winnipeg No. 3 western
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
August	65	69	[1] 62	79	53	39
September	63	66	63	75	54	32
October	63	70	59	71	52	28
November	62	68	60	66	48	23
December	62	66	60	62	47	
January	66	73	58	57		
February	70	78	57	51		
March	67	75	56	47		
April	65	72	57	49		
May	60	67	56	45		
June	60	70	50	39		
July	69	83	48	39		

[1] Classification changed to "special No. 2," August, 1929.

Division of Statistical and Historical Research. Minneapolis prices compiled from Minneapolis Daily Market Record, and are averages of daily prices weighted by car-lot sales. Winnipeg prices, 1928–29 are from Report on Grain Trade of Canada, 1929, p. 156; beginning August, 1929, from Weekly Bulletins of Agricultural Statistics, Canada.

Corn—Average price per bushel, Chicago and Buenos Aires, 1928–29 to 1930–31

Month	Crop year 1928–29		Crop year 1929–30		Crop year 1930–31	
	Chicago, No. 3 yellow	Buenos Aires, yellow, La Plata	Chicago, No. 3 yellow	Buenos Aires, yellow, La Plata	Chicago, No. 3 yellow	Buenos Aires, yellow, La Plata
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
November	84	97	88	82	71	34
December	83	93	88	79	69	
January	93	97	85	65		
February	94	99	82	62		
March	94	90	80	62		
April	90	91	82	62		
May	87	79	79	60		
June	91	87	79	56		
July	99	87	82	54		
August	101	87	99	56		
September	101	87	94	51		
October	95	84	82	43		

Division of Statistical and Historical Research. Chicago prices are compiled from the Chicago Daily Trade Bulletin and are average of daily prices weighted by car-lot sales. Buenos Aires prices are from Review of the River Plate, average of weekly quotations, converted at monthly average rate of exchange as given in Federal Reserve Bulletins.

Rye—average price per bushel, Minneapolis and Winnipeg, 1928–29 to 1930–31

Month	Crop year 1928–29		Crop year 1929–30		Crop year 1930–31	
	Minneapolis, No. 2	Winnipeg, No. 3 western	Minneapolis, No. 2	Winnipeg, No. 3 western	Minneapolis, No. 2	Winnipeg, No. 3 western
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
July	111		107	106	55	52
August	94	92	98	[1] 112	60	55
September	94	89	97	108	55	42
October	94	96	97	102	49	37
November	98	99	95	94	43	
December	97	96	98	94	44	
January	101	98	91	85		
February	105	107	78	73		
March	100	104	66	60		
April	89	95	68	66		
May	85	82	65	62		
June	84	83	57	54		

[1] Classification changed to No. 2 C. W., August, 1929.

Division of Statistical and Historical Research. Prices at Minneapolis are compiled from the Minneapolis Daily Market Record and are average of daily prices weighted by car-lot sales. Winnipeg prices July, 1928–July, 1929, Report on the Grain Trade of Canada, 1929, page 156; from August, 1929, from weekly Bulletins of Agricultural Statistics, Canada.

Wheat—Average price per bushel, Minneapolis and Winnipeg, 1928–29 to 1930–31

Month	Crop year 1928–29		Crop year 1929–30		Crop year 1930–31	
	Minneapolis No. 1 northern spring	Winnipeg No. 3 Manitoba northern	Minneapolis No. 1 northern spring	Winnipeg No. 3 Manitoba northern	Minneapolis No. 1 northern spring	Winnipeg No. 3 Manitoba northern
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
July	138	120	143	152	92	90
August	119	108	135	152	91	88
September	119	106	135	144	87	74
October	116	111	131	134	82	68
November	116	111	128	126	75	60
December	115	109	131	130	77	48
January	121	112	127	123		
February	128	120	125	110		
March	125	119	112	100		
April	120	115	111	103		
May	111	107	107	104		
June	115	112	100	98		

Division of Statistical and Historical Research. Compiled from Minneapolis Daily Market Record. Minneapolis prices are averages of daily prices weighted by car-lot sales. Canada prices are average of daily cash closing prices, basis in store at Fort William and Port Arthur.

I also insert table showing daily prices of futures since January 1, 1931, to date, on wheat, corn, and flaxseed, furnished by the Grain Futures Division, Department of Agriculture:

Wheat—Daily closing prices of futures since January 1, 1931

[Cents per bushel]

Date	Chicago May future	Liverpool May future	Winnipeg May future	Buenos Aires March future	Minneapolis May future	Kansas City May future
1931						
Jan. 2	L81⅝	61⅜	L56¼	49⅞	76½	L73
Jan. 3	81¾	62½	58¼	51⅝	76½	73⅛
Jan. 5	81⅞	63¾	56¾	H51⅞	76½	73⅜
Jan. 6	81⅞	62½	57⅝	51¼	76½	73⅜
Jan. 7	82¼	63⅞	58¼	51⅝	76½	73⅞
Jan. 8	82⅜	64	57⅜	50⅛	76⅝	73⅞
Jan. 9	82⅞	63¼	56½	50⅜	76⅝	74¼
Jan. 10	83⅝	62⅝	56⅜	49⅞	77	74⅛
Jan. 12	84⅛	63	57¼		78¾	74½
Jan. 13	84⅝	64⅜	57¾	51⅛	78⅝	75
Jan. 14	H85⅛	63⅛	57½	49¾	H79⅛	H76¼
Jan. 15	84⅞	62⅜	56½	48⅝	78¼	75¼
Jan. 16	83⅛	61⅞	57	47⅞	77⅜	73⅞
Jan. 17	83	62⅛	56½	47½	77	73⅞
Jan. 19	82⅞	61⅛	56⅞	47	77⅜	74⅛
Jan. 20	83	60⅝	56½	46⅜	77½	74⅛
Jan. 21	82⅞	61¼	56⅝	47⅛	77⅜	74¼
Jan. 22	83	61⅞	57	47⅞	77	74⅛
Jan. 23	82⅝	60⅝	56½	47¼	76¾	73½
Jan. 24	82⅝	60⅝	56⅞	47⅜	77	73⅜
Jan. 26	82⅜	61⅜	57⅛	47⅛	76¾	73⅜
Jan. 27	82⅝	61½	57½	47¼	76¾	73½
Jan. 28	82⅝	L60½	57	46⅞	76⅝	73⅜
Jan. 29	83¼	60⅞	58¼	47⅝	76¾	73¼
Jan. 30	82¾	61⅝	58½	46¾	76⅝	73¼
Jan. 31	82⅝	61	58	46⅜	76½	73
Feb. 2	82½	60⅞	58½	L46	76⅝	73
Feb. 3	82¾	61⅝	60½	47⅝	76⅝	73¼
Feb. 4	82⅞	62¾	60⅝	47⅝	76¾	73¼
Feb. 5	83¼	62⅝	60¼	46⅞	76⅝	73¼
Feb. 6	83¼	62⅞	60¾	47¼	76⅝	73¼
Feb. 7	83¼	63	62⅜	47⅝	76½	73¼
Feb. 9	83⅜	63⅝	54⅜	49⅛	76⅝	73⅝
Feb. 10	84	65⅛	H66⅝	49¾	77⅛	74
Feb. 11	84	64¾	64⅞	49¼	76⅞	73¾
Feb. 12		63⅝	62⅛	49⅛		
Feb. 13	83⅝	63½	62⅛	49⅛	76¾	73⅝
Feb. 14	83⅝	63½	63¼	49	76⅝	73⅝
Feb. 16	83¼	64⅛	62⅛		L76⅜	73¼
Feb. 17	83¼	65¼	63		76½	73¼
Feb. 18	83¼	65¼	63	49⅜	76½	73⅜
Feb. 19	83⅜	65	64¾	50	76½	73½
Feb. 20	83⅝	H67⅛	65⅛	H51⅞	76⅝	73⅞
Feb. 21	83½	66	63⅜	51	76½	73½
Feb. 24	83¼	66	61⅞	50⅜	76½	73¼
Feb. 25	83⅜	64⅜	62½	50½	76½	73¼
Feb. 26	83⅛	64½	60⅝		76½	73

Imports of wheat into United States

	July 1, 1930, to Feb. 14, 1931	July 1, 1929, to Feb. 15, 1930
	Bushels	*Bushels*
Bonded	13,306,000	6,010,000
Duty paid	2,000	13,000
Total	13,308,000	6,023,000

Corn—Daily closing prices of futures since January 1, 1931

[Cents per bushel]

Date	Chicago, May future	Kansas City, May future	Buenos Aires, February future
1931			
Jan. 2	72¼	65¾	31⅜
Jan. 3	72½	66¼	32
Jan. 5	71¼	65⅜	32⅛
Jan. 6	73½	67¾	
Jan. 7	H74⅝	H68⅝	31½
Jan. 8	73⅝	67¾	31⅞
Jan. 9	72⅝	66⅝	31⅛
Jan. 10	71⅝	65¾	31⅛
Jan. 12	72½	66¾	30¾
Jan. 13	72½	66½	30⅝
Jan. 14	72¼	66⅜	30⅜
			March future
Jan. 15	70¾	65¼	29⅝
Jan. 16	70½	65	30⅜
Jan. 17	69¾	64⅝	30
Jan. 19	70½	64⅞	29¼
Jan. 20	69½	64	28⅝
Jan. 21	69⅝	64¼	29⅛
Jan. 22	68½	62⅞	29½
Jan. 23	67¼	61½	29⅜
Jan. 24	66⅝	61¼	29½
Jan. 26	66	60½	29
Jan. 27	67⅛	61¼	28⅞
Jan. 28	64¾	59⅛	28⅝
Jan. 29	65⅝	60	29¼
Jan. 30	64½	59	28⅞
Jan. 31	L64⅛	L58¼	L28⅜
Feb. 2	64¾	58¼	28⅝
Feb. 3	66⅝	60¾	28⅞
Feb. 4	66¼	60½	29⅛
Feb. 5	65¾	60	29
Feb. 6	66	60½	29⅜
Feb. 7	67¼	61½	29¾
Feb. 9	69	63½	30¾
Feb. 10	69¾	64⅛	31⅛
Feb. 11	68⅛	62⅝	31¼
Feb. 12			31
Feb. 13	66½	60⅞	30⅝
Feb. 14	66⅛	60¾	30⅝
Feb. 16	64¾	59⅛	
Feb. 17	65¾	59¾	
Feb. 18	65¼	59¾	31⅜
Feb. 19	66¼	60½	31¾
Feb. 20	65¾	59⅞	H32¾
Feb. 21	65¼	59½	32½
Feb. 24	64⅝	58⅞	
Feb. 25	65½	59⅝	
Feb. 26	65⅛		

Flax seed—Daily closing prices of futures since January 1, 1931

[Cents per bushel]

Date	Minneapolis, May future	Winnipeg, May future	Buenos Aires, March future
1931			
Jan. 2	156	99	83⅛
Jan. 3	159	101⅞	85¼
Jan. 5	159¼	100	86⅞
Jan. 6	162½	103⅞	
Jan. 7	H164	104½	85
Jan. 8	163	103½	82⅞
Jan. 9	161½	102½	84⅝
Jan. 10	160	101	83⅛
Jan. 12	160	101¾	83⅝
Jan. 13	160½	103⅞	84¾
Jan. 14	160½	104½	84¼
Jan. 15	159⅝	102	82⅝
Jan. 16	159½	102	
Jan. 17	158	102¼	82⅜
Jan. 19	157½	101⅞	81⅜
Jan. 20	156	99¼	L80¾
Jan. 21	156½	99⅝	81½
Jan. 22	156½	99½	83¼
Jan. 23	156⅞	100	81⅞
Jan. 24	154¼	97	82⅝
Jan. 26	154	97¼	82⅝
Jan. 27	152	96	82¼

Flax seed—Daily closing prices of futures since January 1, 1931—Continued

Date	Minneapolis, May future	Winnipeg, May future	Buenos Aires, March future
1931			
Jan. 28	150½	95½	82¼
Jan. 29	150½	L95	83⅜
Jan. 30	L150	95⅜	83¼
Jan. 31	150½	95¼	82¼
Feb. 2	151½	95¾	82⅝
Feb. 3	153½	96⅞	83¼
Feb. 4	154¼	96¾	85⅜
Feb. 5	152¼	96	82⅝
Feb. 6	153	97⅜	84¼
Feb. 7	154	97¾	84¼
Feb. 9	155¼	97½	85½
Feb. 10	153¾	98½	85¼
Feb. 11	152¼	98¾	85¼
Feb. 12		96	85⅝
Feb. 13	151¾	95½	86⅞
Feb. 14	152	96⅞	
Feb. 16	152¾	98	
Feb. 17	155¼	100¾	
Feb. 18	160	H107¼	90⅝
Feb. 19	157½	105⅜	93¼
Feb. 20	157	105	H96⅜
Feb. 21	155½	104	94⅞
Feb. 24	155½	103⅜	95⅛
Feb. 25	156		96⅞
Feb. 26	156		

THE DIESEL ENGINE—HISTORY AND FACTS WARRANTING ITS USE BY OUR MERCHANT MARINE—THE NAVY AND THE AMERICAN DIESEL ENGINE INDUSTRY

Mr. COCHRAN of Missouri. Mr. Speaker, during the closing days of the Seventy-first Congress there was some discussion in the committees and upon the floor as to the advisability of Dieselizing one of the three battleships to be modernized, as well as our merchant ships and our submarines. Since I took part in that discussion Members of the House asked me numerous questions regarding the history and progress of the Diesel industry in this country. I have made some investigation regarding the question and will present the facts I have gathered for the benefit and consideration of the Congress, as well as the country.

HISTORY OF THE DIESEL ENGINE

After 17 years of study and experimentation Dr. Rudolph Diesel, of Munich, Germany, in 1897, completed a successful new type of power-producing engine with a higher thermal efficiency than any other type that has been produced before or since.

In collaboration with the engineers of Krupp, and Augsburg Machine Works, of Germany, Sulzer Bros., of Switzerland, and Mr. Adolphus Busch, of St. Louis, Doctor Diesel developed the commercial engine that bears his name. Although the outstanding advantages of this new type of power-producing engine were at once recognized, it took about 10 years to introduce the Diesel in small sizes and another 10 years for it to gain a position as a serious competitor of steam engines, which had become well established as the accepted type of power plant.

During the past 30 years the Diesel engine has been thoroughly tried out in both stationary and marine service, and has shown a thermal efficiency which has never been approached by any other type of heat engine. In the average steam plant less than 15 per cent of the heat energy contained in fuel is converted into mechanical energy; in the largest and most modern steam plants less than 25 per cent of the heat energy contained in fuel is converted into mechanical energy; while in the Diesel engine, with utilization of waste heat in cooling water and exhaust gases, over 40 per cent of the heat energy contained in the fuel is converted into mechanical energy.

In those countries in Europe where cheap fuel is not available stationary Diesel engine power plants have been widely installed. Chile has an interconnected Diesel power plant system of over 40,000 horsepower. In Shanghai, China, is a 37,000 horsepower stationary Diesel plant.

But the greatest adoption of the Diesel engine has been for the propulsion of ships, which must carry their own fuel.

As the Diesel burns less fuel than steam engines with the same amount of fuel bunker, the ship can carry more cargo; or can purchase fuel in the port of call where fuel is cheapest in price and bunker sufficient for the round voyage. Also, the Diesel propelling engine takes up less space than the steam plant. It requires no warming up, while a steam plant must be slowly fired several hours before being placed in operation. Again, the simple Diesel engine is self-contained, without such extensive auxiliary apparatus as steam boilers and condensers that are necessary for the steam engine, and therefore the Diesel propelling plant requires a smaller operating crew.

With the trend toward high-speed ocean transportation the cost of fuel has become an ever-increasing part of the cost of ship operation, and because of its greater efficiency and lower consumption of fuel the Diesel has to a great degree superseded steam for the propulsion of medium-size ocean-going passenger and cargo ships requiring propelling plants up to 25,000 horsepower.

The unit size of Diesel engines has been rapidly increased. until now merchant ships of 25,000 shaft horsepower have been built, and the latest type of German cruiser will be fitted with a 50,000-horsepower Diesel plant. Superliners like the *Leviathan* and *Bremen*, requiring from 100,000 to 150,000 horsepower, are fitted with steam turbines, although it appears possible that at no distant date Diesels will be developed for even such size plants.

BRIEF HISTORY OF THE AMERICAN DIESEL ENGINE

It was a St. Louisan, Mr. Adolphus Busch, who was directly responsible for the advent of the American Diesel engine industry.

It was Mr. Busch who purchased from Doctor Diesel in 1897 exclusive rights to the Diesel engine for the United States and Canada. He built at St. Louis in 1898 the first Diesel in the world to be placed in commercial service. From 1898 until the expiration of his basic Diesel patents in 1911 Mr. Busch pioneered alone in Diesel building in America, building several hundred stationary engines for installation in public utility and industrial plants.

Doctor Diesel, from 1898 until his death in 1913, continued—as advisory engineer, director and stockholder—his close association with the Busch enterprise, the only American industry in which Doctor Diesel ever participated, or with which he ever cooperated.

After the expiration of the basic Diesel patents other American manufuacturers began building Diesel engines, until to-day there are some 50 American Diesel builders. The leading American firms have made arrangements for collaboration with leading European firms, especially in late years, when the more general adoption of the Diesel abroad has resulted in revolutionary development of new types of improved design and higher efficiency.

Mainly due to the abundance of cheap coal in this country, the Diesel was not as rapidly adopted for stationary power plants as it was in other countries.

In the United States there are now over 1,000 public-utility Diesel power plants, ranging in size up to 15,000 horsepower. The largest-size American engine unit is of 4,000 horsepower, contrasted with European public-utility Diesel engine units of 15,000 horsepower at present in use and units of 18,000 and 25,000 now being built.

To-day, however, oil fuel has taken the place of coal in many sections of the world, and almost entirely so for ocean-going ships. In 1927 the tonnage of world's ships fitted with Diesel engines was 62.8 per cent of the tonnage fitted with steam engines; in 1928 the Diesel tonnage was 80.1 per cent of the steam tonnage; in 1929 the Diesel tonnage was 84.4 per cent of the steam tonnage; and in 1930 the Diesel tonnage exceed by over 330,000 tons the world's output of steam tonnage.

In contrast with this wide adoption abroad of Diesel engines for merchant ships, in the United States all of the ocean-going passenger and cargo ships built and building under Government aid are, with one exception, fitted with steam equipment.

WHAT IS A DIESEL ENGINE?

The Diesel converts the heat in oil fuel to mechanical power by combustion within the engine cylinder, the gases driving the piston downward. The piston on its return stroke compresses pure air in the cylinder sufficiently to produce heat, which ignites the fuel injected at the end of the stroke. There is no explosion, the fuel being introduced gradually and therefore burned gradually, without sudden rise of pressure of an explosive character. It is therefore more simple than the automobile gasoline engine, that requires electric-spark ignition, and far more simple than the steam plant in which fuel is burned under a boiler, generating steam under pressure, the expansive force of the steam then being used in the power-producing engine.

By its direct combustion of the fuel within the engine cylinder, the Diesel gain in thermal efficiency is approximately 100 per cent over steam, taking into account the usual utilization of Diesel waste heat in modern marine installations.

DIESEL ADVANTAGES OVER STEAM PLANTS

In addition to requiring approximately only one-half as much fuel as the steam plant, the Diesel propelling engine consumes fuel only when the ship is underway. It is instantly ready to deliver full power. Fuel must be burned to heat up the steam plant several hours before the ship sails and during short periods while the steamship is in port.

The Diesel ship, requiring less machinery space and approximately half the bunker capacity, may be built smaller than the steamship for the same carrying capacity. As the weight of the Diesel engine and its fuel is less than the steam plant and its fuel, the Diesel ship has less dead load to carry. It also requires less operating crew. In the Diesel engine fuel consumption is independent of the operator, while in the steam plant fuel consumption will be substantially increased by the negligence of attendants.

The relative difference in fuel consumption of large and small Diesels is comparatively slight, while in contrast large steam plants are substantially more efficient than small steam plants. The relative fuel consumption of Diesel engines varies only slightly within a wide range of loads; at three-quarter load it is only about 3 per cent more than at full load and at one-half load only about 10 per cent to 12 per cent more. On the other hand, fuel consumption of steam plants is much greater at three-quarter and at one-half load.

The Diesel plant eliminates smoke and ashes and requires only a small water supply.

In an effort to stimulate our American merchant marine we are giving large subsidies in the form of mail contracts and loans at low interest rates to shipowners and shipbuilders. These ships must compete on the seas with the ships of the maritime nations of the world. The more economical the operation of the ships of our competitors the larger our subsidies and Government aid must be. Why should our Government officials not require those who benefit by our subsidies to build ships as economical to operate as the ships of our competitors?

The merchant marine act of 1928 clearly intended that Government subsidies should only be used to encourage the development of the most modern and economical merchant ships, ships which eventually will be able to meet our competitors successfully.

The deficiency act signed by the President just before adjournment carried a provision authorizing and directing the members of the Appropriations Committee of the House to make a thorough investigation regarding contracts made by the Post Office Department for the carrying of the mail by air and for the carrying of mail by subsidized steamship lines. Let me express the hope that this committee in making its investigation will go into the question of the loaning of Government money for the construction of ships to carry the mails.

The committee should learn from the Government officials who administer this Government subsidy why they do not keep the following purposes in view:

First. To strengthen our American merchant marine by building only the most modern and most economical ships.

Second. To limit the mail subsidy aid to amounts of Government money that would no more than offset the actual difference between the cost of operating the most economical American ships and the cost of operating the most economical foreign ships.

Third. To prevent private parties investing the minimum amount of money in the least expensive type of ships in order to obtain lucrative mail subsidies. Taking into consideration that the private shipowner has to put up only 25 per cent of the cost of the ship to obtain the whole mail subsidy, and that he can borrow from the Government 75 per cent of the cost of the ship at an extremely low rate of interest, with payments of the loan spread over 20 years; the most important safeguard to the Government for its loan, if it is obliged, through failure of the private shipowner's venture, to recapture the ship, lies in the ship's being of the most modern, most economical type to meet foreign competition.

As proof of the fact that the Diesel-propelled ships are better and more economical than steam, I call attention to the fact that during this world depression when competition is keen the experienced maritime nations are Dieselizing their ships.

On page 5 of Lloyd's Register of Shipping, Annual Summary of the Mercantile Shipbuilding of the World for the Year 1930, it will be found that there were launched throughout the world last year in ships of from 6,000 to 15,000 gross tons—143 Diesel ships, as compared with only 38 steamships, and that of these Great Britain launched 81 motor ships, compared with only 11 steamships. For the United States of the 6 motor ships shown 5 were oil tankers and 11 out of the 12 passenger-cargo ships were steamers.

The following statements appear on page 2 of Lloyd's Summary:

> The tonnage of vessels launched during 1930, which are being fitted with internal-combustion engines, amounts to 1,582,994 tons, which compares with 1,270,000 tons launched in 1929. The total tonnage for 1930 exceeds by over 330,000 tons the world's output of steam tonnage. In 1929 the motor tonnage launched equaled 84.4 per cent of the steam tonnage, in 1928 it was 80.1 per cent, and in 1927, 62.8 per cent.
>
> It should further be stated that the tonnage of motor ships building in the world at the end of 1930 is actually 349,000 tons in excess of the steam tonnage under construction, thus showing the progress which is being maintained in the employment of the internal-combustion engine as a means of marine propulsion.

It may be stated without question that Lloyd's report that the tonnage of motor ships building exceeds the steam tonnage under construction, establishes the Diesel ship as the modern ship and the Diesel engine as the most modern propelling engine.

It would appear then that the time has come for Congress to institute inquiry as to why the intent of its marine legislation is not being carried out; as to why ships being built under the construction loan provision of the merchant marine act of 1928 are not being fitted with the most modern and most economical propelling engines; and as to why the Post Office Department is granting subsidies to offset the less economical operation of American steamships as against the more economical foreign operated Diesel ships.

It is especially timely to raise this question now inasmuch as additional legislation is already being prepared looking toward extending some form of governmental aid to equalize the difference in construction and operating cost of cargo ships not benefiting by mail contracts. This recommended legislation will provide for cargo ships so benefiting to serve as naval or military auxiliaries in time of war or national emergency.

There are in our present merchant cargo fleet, carrying our exports to the markets of the world, over 600 slow-speed obsolete steamships, averaging over 12 years of age, that are economically unable to compete with the large fleets of modern fast foreign motor ships. It is essential to the success of our new merchant marine that these 600 or more ships be replaced within the next 8 or 10 years. They should by all means be replaced with the most modern type of economical Diesel ship. As the language of the merchant marine act of 1928 has not accomplished such desirable purpose, such new legislation should accordingly specify more specifically that replace tonnage benefited by governmental marine aid must be fitted with Diesel engines.

During the next world war, whether we enter such a war or not, our trade routes to foreign countries must be maintained with American merchant ships to bring us raw materials and other foreign products necessary to our existence and prosperity. Many peace-time foreign fueling stations will be closed to our ships. The advantage of the Diesel ship, with its low fuel consumption permitting bunkering sufficient fuel in United States ports to go around the world and back without refueling, is so great that it is hardly too much to say that at such a time steamships with short sailing radius could not be used on many long trade routes.

Likewise such short radius steamships would be of little or no value as auxiliaries to the Navy or the Army.

Foreign governments may be considered as being more war-minded than the United States. Possibly this is why European and oriental nations are building vast fleets of low fuel consumption Diesel ships, the dummy stacks of which can be quickly removed and flush airplane decks provided, converting these speedy passenger liners into formidable airplane carriers. Such converted warships could operate across the Pacific or across the Atlantic from distant fuel stations and menace our coasts and the Panama Canal from a safe distance of several hundred miles with fleets of airplanes; and underlying their successful operation would be the low fuel consumption of their Diesel engines, which would give such ships a sailing radius to permit extended operations in foreign waters and return to their home bases without refueling.

Rear Admiral Moffett in a recent speech said a merchant marine is a large part of sea power, a navy being only part of it.

He maintained as long as we have a merchant marine inferior to any other nation we will not have parity in sea power. That we can gain it by building merchant ships just as we build cruisers. He insisted each merchant ship can be changed into an aircraft carrier, and that aviation will make merchant ships potential men of war. He asserted that merchant ships when converted into aircraft carriers can carry bombing planes having a range of 600 miles, while before the advent of aviation merchant ships could only carry small guns having only a few miles radius.

The admiral points out aviation has enormously increased the relative value of a merchant marine, and in getting parity in navies we must realize that we have still a long way to go to have parity in sea power. He asked that this be given serious thought, expressing the hope that we get a merchant marine inferior to none.

If we are to have a merchant fleet equal to those of great maritime nations, as Admiral Moffitt suggests we should have, we must Dieselize our merchant ships, thus giving them fuel economy and long sailing radius such as other great maritime nations are doing.

While the superpassenger liners now building under the loan provision of the merchant marine act of 1928 and successfully operating through aid of mail contracts are more spectacular than the cargo ship, the cargo ship is nevertheless the backbone of our merchant marine, both in number of ships and in importance in carrying our surplus farm products and manufactured goods to the markets of the world. A great portion of these farm products and manufactured goods are produced in the interior of our country and are handicapped by a long haul to the seaboard. It is all the more important that the most economical type of ships be provided to transport our exports across the seas. Otherwise we shall be unable to compete in foreign markets.

Already, in this time of depression, millions of tons of obsolete foreign steamers are being laid up and new, fast, modern, economical motor ships are being rushed into serv-

ice to harass our shipowners, who are trying to compete with war-built, obsolete, slow, steam tonnage. Freight rates of the future will be governed by the lowest cost of operating the most economical ship, the Diesel ship, and the sooner we realize this and start building Diesel ships the sooner will the successful future of our American merchant marine be assured.

The March, 1931, issue of the British Motorship contains the following:

In the United States, where the turboelectric drive has lately been adopted for passenger liners, there may be a revulsion of feeling in the near future. There is no question that the provision of subsidies on the part of the Government, which insure a profit in any case to American owners, has dulled the spirit of enterprise and reacted against the adoption of the most efficient form of ship and machinery, a spirit which is so evident among European owners faced with the severest competition and devoid of any artificial assistance.

In order to substantiate the necessity for any future Government-aid marine legislation specifying more forcibly that only the most economical Diesel ships shall receive such Government aid, examine the list showing the number of fast-growing fleets of Diesel ships, many of which are operated by foreign shipowners in direct competition with our obsolete, uneconomical American steamships. The argument is advanced by many that the number and astounding increase during recent years in these fleets of foreign Diesel ships shows that no time should be lost in passing additional legislation which will provide Government aid to American cargo ships not benefiting by mail contracts; otherwise, they claim, the Nation will soon find itself unable to operate its merchant ships in essential trade routes during times of peace and lacking in adequate and suitable types of vessels to serve the requirements of our Naval and Military Establishments in time of war or national emergency.

High officials of the Navy Department, testifying before House committees considering the Navy Department appropriation bill 1932, have stated that the Bureau of Engineering has felt the necessity for some time of doing more in the way of developing a Diesel engine suitable for Navy purposes than has been done in the past. In explanation of the request of the Secretary of the Navy for an appropriation of $3,000,000 for the purpose of developing Diesel-engine power plants for naval vessels, the supporting statement was made during the hearing on the authorization bill:

The great advantage of the Diesel over the steam plant is the economy in fuel and the increased steaming radius.

If this economy in fuel and increased radius of operations is so important for naval vessels, why is it not equally important for merchant ships that become converted cruisers, armed transports, and supply ships for the Navy in time of war.

Naval treaties have limited our warships, built as such, to a parity with other nations; but these naval treaties do not limit the merchant marines of these nations. The strength of these merchant ships used as naval auxiliaries has been estimated by naval authorities as equal to from 30 to 40 per cent of the fighting strength of our Battle Fleet. As an important purpose in Government aid to the merchant marine lies in the use of merchant ships as auxiliaries to the Navy in time of war, it is a matter of great concern that the merchant marine of foreign nations is being fitted with Diesel engines having the great advantage over the steam plant of economy in fuel and increased steaming radius.

If our Navy Department has felt the necessity for some time of doing more in the way of developing a Diesel engine suitable for Navy ships, why are we not keeping pace with these naval treaty nations in fitting Diesel engines to our new merchant ships that will be used by the Navy in time of war?

Naval officials before the Naval Affairs Committee as well as before the subcommittee of the Appropriations Committee handling the Navy appropriation bill urged that it was necessary to go to Europe to get the latest model in Diesel engines. They concede that in the event of war our Government would have to depend upon our private Diesel industry to supply engines for our ships. European governments have developed modern Diesel engines by taking the private Diesel industry into official confidence and cooperating with them. They have mobilized the private Diesel industry as a matter of national defense. Why should we not profit by their example? Our industry would then keep pace with the most modern Diesel engine countries in the world.

The advance bulletin of the Marine Engineering and Shipping Age, February 28, carried the following item:

FLEET SUBMARINE CONSTRUCTION BIDS ASKED

Bids for the construction of the U. S. S. *V-9*, the last of nine fleet submarines authorized by the act of Congress of August 29, 1916, will be received by the Navy Department, Washington, D. C., on April 16. The vessel will have a displacement of 1,100 tons, although the original designs provided for a surface displacement of 1,550 tons.

Contract for the construction of the *V-8* recently was placed with the Portsmouth (N. H.) Navy Yard.

As a result of that article I sent the Acting Secretary of the Navy, Hon. Ernest Lee Jahncke, the following letter:

MARCH 7, 1931.

Hon. ERNEST LEE JAHNCKE,
Assistant Secretary of the Navy.

MY DEAR MR. SECRETARY: As you know I am interested in seeing the American Diesel engine industry recognized by the Navy Department.

After the naval construction bill had been reported by the House committee I had something to say in reference to the request of the department to use $500,000 for the purchase of a Diesel engine abroad. As a result of my remarks I received a letter from Secretary Adams, and following my reply, with my colleague, Hon. HENRY NIEDRINGHAUS, we had a conference. At this conference the Secretary expressed the opinion that we should cooperate with the American Diesel engine industry, and in plain language he let me know that he was in accord with my views in this respect.

When the bill to modernize three battleships was before the House I brought to the attention of Mr. BRITTEN, chairman of the House committee, his remarks in reference to the American Diesel engine industry when Admiral Yarnell was before his committee on the authorization bill. In the end I asked him the following question:

"Mr. COCHRAN of Missouri. Let me ask the gentleman one more question. Is there any reason in the gentleman's mind why the Navy officials should not take the American Diesel industry into their confidence and cooperate with them in an effort to get a better Diesel engine manufactured by the American industry?"

"Mr. BRITTEN. That is exactly what the Navy Department and the Committee on Naval Affairs desire to have done."

Now, in contrast to the statement of Secretary Adams, as well as Mr. BRITTEN, I note in the advance bulletin of the Marine Engineering and Shipping Age of February 28, 1931, the following announcement:

FLEET SUBMARINE CONSTRUCTION BIDS ASKED

"Bids for the construction of the U. S. S. *V-9*, the last of nine fleet submarines authorized by the act of August 29, 1916, will be received by the Navy Department, Washington, D. C., on April 16. The vessel will have a displacement of 1,100 tons, although the original designs provided for a surface displacement of 1,550 tons.

"Contract for the construction of the *V-8* recently was placed with the Portsmouth (N. H.) Navy Yard."

I am informed by Diesel engine manufacturers that this is the first information that has come to their attention that contract for the construction of the *V-8* was recently authorized, nor have they received any notice or invitation to bid on Diesel engines for the new submarines, the *V-8* or *V-9*.

I will appreciate it if you will advise me at your very earliest convenience what Diesel engines are to be fitted in these two submarines, and why American builders have not been invited to submit offers.

I address you, as I read in the papers where the Secretary will be out of the city for 10 days or 2 weeks.

With kind regards, sincerely yours,

JOHN J. COCHRAN.

My letter was answered by Acting Secretary of the Navy Hon. David S. Ingalls, and his reply follows:

THE ASSISTANT SECRETARY OF THE NAVY,
Washington, March 11, 1931.

The Hon. JOHN J. COCHRAN,
House of Representatives, Washington, D. C.

SIR: As you state in your letter of March 7, 1931, that you were only aware of the fact that two new submarines were to be constructed, after reading Marine Engineering and Shipping Age, it is only proper to state that your conversation with Secretary Adams was relative to a $3,000,000 appropriation for experimental work with Diesel engines. The Bureau of Engineering, which has cognizance of the Navy's engineering materials, desired to utilize

this money to advance the Diesel engine art in the United States. Unfortunately, however, this money was not appropriated.

The engine installation of any new construction is a matter of considerable preliminary discussion. The size and power of the engines to be installed in the U. S. S. *V-8* and U. S. S. *V-9* were decided prior to the meeting of the last session of the Congress. Public No. 745, Seventy-first Congress, specifically states that all materials which can be fabricated without involving an appreciable increase in cost to the United States Government shall be manufactured at a navy yard or arsenal of the United States Government.

Prior to letting the contract for the U. S. S. *V-8* there were building ways in the navy yard, Mare Island, Calif., and the navy yard, Portsmouth, N. H., that were empty. The navy yard, New York, had no orders for new engines. The Portsmouth yard was awarded a contract for one submarine, the U. S. S. *V-8*, the engines of which are to be built at the New York yard. The Mare Island yard was awarded a contract for a cruiser.

However, in order that the Navy might be able to cooperate with the commercial companies, it asked for bids for one submarine from commercial companies. This was done to help relieve unemployment and to increase the interest of commercial firms in submarine construction.

Attention is invited to the fact that when bids are asked, these bids are only asked from shipbuilding corporations. In the case of the U. S. S. *V-9* bids were asked from—

Bethlehem Shipbuilding Corporation.
New York Shipbuilding Corporation.
Electric Boat Co., New London Ship & Engine Works.

These corporations bid on the ship complete, and where they do not manufacture engines they make a subcontract with the engine builders. Obviously all engine builders have a chance to bid for the engine subcontract, and several engine companies have so expressed their intention to bid. Engine builders are thoroughly familiar with this procedure, as it is fair to all and not restrictive so that only one company can profit from the contract.

The engines to be fitted into these two vessels are described as to power, type, and size in the specifications. No particular engine is specified, and any engine builder capable of producing an engine meeting the specifications can bid on the subcontract for the engines.

I sincerely trust that the above has clearly answered the points in question.

Very respectfully,

DAVID S. INGALLS,
Acting Secretary of the Navy.

The foregoing reply from the Acting Secretary of the Navy discloses a failure of the Navy Department to cooperate with Diesel engine builders, inasmuch as this letter states that the size and power of the engines to be installed in the submarine *V-9* were decided prior to the meeting of the Congress which convened December 1 last.

I am advised that Diesel engine builders were not informed of the Navy Diesel requirements until the notice quoted above appeared in the Marine Engineering and Shipbuilding Age, February 28, 1931.

If the Navy Department is to get the benefit of the engineering skill of Diesel engine builders in this country, and if it is their purpose to encourage and aid private Diesel engine builders to become able to meet the needs of the Navy and construct the most modern and efficient naval engines, then naval officials should have taken these private builders into their confidence months ago and have given them and their engineers an opportunity to study and develop the highest type of naval engines to meet the requirements of our Navy.

In conclusion let me invite your attention to section 11 of Title III of the merchant marine act, which is as follows:

SEC. 11. (a) That the board may set aside, out of the revenues from sales, including proceeds of securities consisting of notes, letters of credit, or other evidences of debt, taken by it for deferred payments on purchase money from sales by the board, whether such securities are to the order of the United States, the United States Shipping Board, the United States Shipping Board Emergency Fleet Corporation, or the United States Shipping Board Merchant Fleet Corporation, either directly or by indorsement, until the amounts thus set aside from time to time aggregate $125,000,000. The amount thus set aside shall be known as the construction loan fund. The board may use such fund to the extent it thinks proper, upon such terms as the board may prescribe, in making loans to aid persons citizens of the United States in the construction by them in private shipyards or navy yards in the United States of vessels of the best and most efficient type for the establishment or maintenance of service on lines deemed desirable or necessary by the board, provided such vessels shall be fitted and equipped with the most modern, the most efficient, and the most economical engines, machinery, and commercial appliances; or in the outfitting and equipment by them in private shipyards or navy yards in the United States of vessels already built, with engines, machinery, and commercial appliances of the type and kind mentioned; or in the reconditioning, remodeling, or improvement by them in private shipyards or navy yards in the United States of vessels already built.

Under that section the board is authorized to make loans. For what? For the construction of vessels of the best and most efficient type, and it is provided that before the loan can be advanced such vessels shall be fitted and equipped with the most modern, the most efficient, and the most economical engines, machinery, and commercial appliances.

What I want the Committee on Appropriations—authorized by the deficiency act to make the investigation concerning the subsidies paid to steamship companies for carrying the mail—to do is to learn why those administering the law have not lived up to the wording of the law and required the installation of the most modern, the most efficient, and the most economical engines.

The cost of construction and economical operation of the ships are related in no small degree to the contracts made by the Post Office Department, and therefore the committee will be clearly within the provisions of the wording of the act in directing them to make this investigation in inquiring into this phase of the matter.

The Congress and the country are entitled to know why the merchant marine act has not been carried out to the letter, especially in so far as this loan fund is concerned. I sincerely hope the committee will see the wisdom of accepting my suggestion and require those responsible for administering the law to explain their actions.

ALEXANDER HAMILTON HAD ONLY A NEGLIGIBLE PART IN DRAFTING OUR FEDERAL CONSTITUTION, BUT HE PROBABLY DID MORE THAN ANY OTHER MAN TO SECURE THE RATIFICATION OF THAT IMMORTAL DOCUMENT

Mr. LOZIER. Mr. Speaker, on February 24, 1931, the House had under consideration House Joint Resolution 292 and Senate Joint Resolution 3, otherwise known as the Norris-Gifford resolution, proposing a constitutional amendment to abolish the so-called "lame duck" session of Congress and to provide for presidential succession in certain eventualities for which no provision is made in our present Constitution. In the course of the debate one of my colleagues from Massachusetts, who opposed the resolution, in his misdirected zeal referred to the active part taken by Alexander Hamilton and Patrick Henry in drafting our Federal Constitution. In my remarks on that day I challenged the historical accuracy of the statements made by my friend from Massachusetts. I called attention to the fact that Patrick Henry was not a member of the Constitutional Convention and that Alexander Hamilton had only a negligible part in framing this immortal document. I called attention to the fact that after the Constitutional Convention had submitted the Constitution to the States for ratification Patrick Henry, in the Virginia convention, led the opposition to the approval of the Constitution, but after it had been ratified by the States Patrick Henry used his great influence to secure the adoption of the first 10 amendments to that historic document.

I further stated that while Alexander Hamilton had but little to do with drafting the Federal Constitution, no man did more than Alexander Hamilton to secure its adoption. In the course of my remarks I mentioned the historic fact that the plan proposed by Alexander Hamilton for a new Federal Government was not accepted by the Constitutional Convention, and inasmuch as his views and theories were so much out of harmony with the views of other members of the Constitutional Convention, he practically withdrew from the deliberations and made no worth-while effort to impress his theories on the convention or have a major part in framing the provisions of the Federal Constitution.

I further stated that after the Constitution had been formulated largely by James Madison and other members of the convention in harmony with his views, Mr. Hamilton again became active, participated in the final debates and voted for and signed the document on which our free institutions were reared. My observations were not made to discredit Mr. Hamilton, for whose patriotism and genius

I entertain a profound respect and admiration, but I could not allow to go unchallenged the statement that Alexander Hamilton and Patrick Henry had a major part in writing our Federal Constitution.

Later on my friend and colleague the gentleman from Kansas [Mr. GUYER] in a fervid address challenged the accuracy of my statement that Hamilton had only a negligible part in writing our Federal Constitution. My friend from Kansas declared, in substance, that Mr. Hamilton dominated the Constitutional Convention and impressed his views, theories, plans, and formulas on the convention and on the document it formulated. My Kansas colleague handles history "without gloves" when he declares that the Constitution "when adopted was a Hamiltonian Constitution."

While I admire the splendid qualities of heart and mind of my good friend from Kansas, I can not escape the conviction that he had forgotten some of the important historic facts that he learned in his school days. Undeniably he is badly mistaken when he asserts that Alexander Hamilton had a big part in framing our Federal Constitution, and for his ipse dixit there is no historic foundation.

In order that his erroneous statements may not go unchallenged I am calling your attention to the facts that are conclusively established by history. In what I have said and will say I am not prompted by any desire to discredit Mr. Hamilton, belittle his ability, or to deny to him the fame which he justly earned by reason of his outstanding genius and priceless contributions to our national life.

Alexander Hamilton, by his lofty patriotism, transcendent genius, and disinterested services, won an enduring place in history. But his fame does not rest on his part in writing our Federal Constitution. Rather would I say that his record in the Constitutional Convention, instead of adding luster to his accomplishments, tended to dim the imperishable glory won by him in other fields of activity.

Hamilton was a Revolutionary soldier of undoubted courage and unimpeachable patriotism. He was an able army officer, and although but a youth and untrained in the science of war, he displayed outstanding military genius. As a member of General Washington's staff, he was wise in counsel, resourceful, prudent, and energetic. Wise beyond his years, on his judgment General Washington relied as probably he did not rely on any other man in the Army.

After the Revolution he sheathed the sword, and in civic life served his country with fidelity and distinction, exemplifying the adage that "peace hath her victories no less renowned than war." He was one of the first to realize that the Articles of Confederation were as weak as a rope of sand, and that under their loose provisions our people could not develop into a strong, cohesive nation.

While I am not a Hamiltonian bigot I am not blind to or unappreciative of his genius and the value of his services to mankind. He probably did more than any other one man to convince the people of the several States that the Articles of Confederation were incomparably weak, and that our independence could be safeguarded and our welfare promoted only by the adoption of a new constitution and a stronger form of government.

In January, 1786, Virginia proposed a convention of States, to be held at Annapolis, to consider the making of some common commercial regulations to remove restrictions and facilitate commerce between the several States. In this meeting Hamilton saw an opportunity to create sentiment in favor of a convention to strengthen the Articles of Confederation or adopt a new constitution that would provide for a stronger and more efficient form of government.

On Hamilton's initiative, he and Egbert Benson were appointed to represent the State of New York at the Annapolis convention. Only five States sent delegates to this meeting, which met in September, 1786, but there sentiment in favor of a stronger system of government was crystallized. The convention agreed upon an address, which was drawn by Hamilton and "toned down to suit the susceptibilities of Edmund Randolph." The document set forth the evil conditions of public affairs under the Articles of Confederation and proposed that a convention with enlarged powers be called to meet at Philadelphia the second Monday in May, 1787.

Returning to New York, Hamilton began a vigorous campaign to induce his State to send delegates to the Constitutional Convention, which was aggressively opposed by Gov. George Clinton. Notwithstanding the great odds against him, Hamilton won the fight, and Hamilton, Robert Yates, and John Lansing, jr., were appointed to represent New York in the Constitutional Convention.

In response to the Annapolis resolutions, the Congress, on February 21, 1787, passed a resolution authorizing a Constitutional Convention to be held at Philadelphia on the second Monday in May, for the sole and express purpose of revising the Articles of Confederation, and to which convention the several States were requested to send delegates.

Hamilton's colleagues from New York were partisans of Governor Clinton and opposed to the proposed union, and in the convention, on practically every question, the vote of Hamilton's own State was, by his colleagues, cast against him. His son, John C. Hamilton, an able historian, in his Memoirs of the Life of Alexander Hamilton and in his History of the Republic of the United States, as Traced in the Writings of Alexander Hamilton and His Contemporaries, does not claim that Mr. Hamilton had a major part in formulating the Constitution of the United States, but said, "The policy of Clinton had placed him there to become a cipher and a sacrifice." I do not agree with Hamilton's son that Alexander Hamilton was "a cipher and a sacrifice" in the Constitutional Convention, but I do assert that he did not exert a controlling influence or have a major part in framing our Constitution, and this is the verdict of history.

Hamilton did not formulate the plan on which our Federal Union was reared. His formulas were rejected by our constitutional fathers. His arguments in favor of an aristocratic Republic fell on dull ears. His propositions were rejected on practically every point where his views were not in harmony with the political philosophy of Randolph, Madison, Pinckney, Gerry, Dickinson, Franklin, King, Sherman, Luther Martin, George Mason, and Gouverneur Morris.

It is significant that of the three New York delegates, Mr. Hamilton was the only Federalist, Mr. Yates and Mr. Lansing being rabid anti-Federalists.

The sessions of the Constitutional Convention did not actually begin until May 25, 1787, when 29 delegates appeared, among whom were Mr. Hamilton and Mr. Yates, of New York. On that date General Washington was chosen president of the convention on the nomination of Robert Morris, of Pennsylvania, which nomination was seconded by John Rutledge, of South Carolina. Hamilton was one of the committee of three to formulate a set of rules to govern the deliberations of the convention. At this time Mr. Hamilton was only 30 years old.

On May 29, 1787, Edmund Randolph, of Virginia, proposed a set of 15 resolutions, which he contended would accomplish the objects proposed by their institution, namely, "common defense, security of liberty, and general welfare." It may be of interest to state that these 15 resolutions, though presented by Randolph, were in the handwriting of James Madison and constituted "the Virginia plan." On the same day Charles Pinckney laid before the House a draft for a constitution which he had prepared. On the following day debate began on the Randolph resolutions. The first vote was taken on a resolution that a national government ought to be established, consisting of supreme legislative, executive, and judiciary departments. Mr. Hamilton did not participate in the debate on this resolution, and while he voted for it, his vote was neutralized by that of Mr. Yates, from New York, who voted "no."

On May 31, 1787, the third resolution proposed by Mr. Randolph, "that the national legislature ought to consist of two branches," was agreed to without debate or dissent, although Benjamin Franklin was partial to a single house.

The fourth resolution proposed by Randolph, "that the Members of the first branch of the National Legislature

ought to be elected by the people of the several States," was debated by Roger Sherman, Elbridge Gerry, George Mason, James Wilson, James Madison, and Pierce Butler, and was adopted by the votes of Massachusetts, New York, Pennsylvania, Virginia, North Carolina, and Georgia. There is no record of Alexander Hamilton having participated in the debate on this proposal, and certainly it was not in harmony with his views, but was part of the plan championed by the Virginia group.

The details of the Randolph plan were debated at great length, but Mr. Hamilton had only a slight participation therein. On June 13 the Committee of the Whole reported the Randolph resolutions with such amendments as had been agreed upon during the course of the debate. On June 14 Mr. Patterson, of New Jersey, submitted what is known as "the New Jersey plan," which, in substance, proposed only a slight modification of the Articles of Confederation. The Virginia and New Jersey plans were again debated in the Committee of the Whole on June 16 and the provisions of the two propositions compared.

On June 18 Mr. Hamilton, who, according to Madison's Journal, "had been hitherto silent on the business before the convention," in a 5-hour speech reviewed the whole science and theory of government. It is regrettable that we have no stenographic report of his address, but it was pronounced by Gouverneur Morris to be "the most able and impressive he had ever heard." But Mr. Hamilton's views as to the system of government we should establish made no lasting impression on the membership as a whole, and his plan for a federal union or new nation was ignored.

In his opening remarks he said he was obliged to declare himself unfriendly to both the Virginia and and New Jersey plans, and was particularly opposed to the New Jersey plan, because he was convinced that no amendment of the Articles of Confederation leaving the States in possession of their sovereignty could possibly answer the purpose. He vigorously opposed allowing the States to retain their sovereignty. He argued that great economy might be obtained by extinguishing the States, claiming that the States were not necessary for any of the great purposes of commerce, revenue, or agriculture.

While he recognized the necessity for district tribunals and corporations for local purposes, he declaimed against the vast and expensive apparatus appertaining to the States. He suggested that the moderate wages of Congressmen, which he said would probably not exceed $3 per day, would be a bait to little demagogues; and that the Senate would be filled with undertakers who wished for particular offices under the Executive.

Mr. Hamilton further stated that he was led to despair that a republican government could be established, though he realized a proposal to establish any other kind of government would be rejected. In his private opinion he had no scruple in declaring, supported as he was by the opinions of so many of the wise and good, that the British Government was the best in the world, and that he doubted much whether anything short of it would do in America. He contended that a change had taken place in the opinion of the people, and that the masses were less and less inclined to establish a republican form of government, asserting that members who had been most tenacious in support of republican institutions were now loudly declaiming against the vices of democracy; and that this progress in public opinion led him to contemplate the time when others as well as himself would join in the praise bestowed by the great French statesman, Mr. Necker, on the British constitution, that it was the only government in the world "which unites public strength with individual security."

Continuing, Mr. Hamilton prophesied many evils that would come as a result of popular government. He said the English House of Lords is a most noble institution, and that no Senate would have the firmness to protect the national interests and form a permanent barrier against pernicious innovations, whether attempted on the part of the Executive or the House of Representatives. He animadverted on the amazing violence and turbulence of the democratic spirit, which, seizing the popular passions, spread like wildfire and became irresistible.

Mr. Hamilton stated that, as to the executive, it seemed to be admitted that no good one could be established on republican principles, and that the English model was the only good one on this subject. He said the hereditary interest of the king was so interwoven with that of the nation, and his personal emolument so great that he was placed above the danger of being corrupted from abroad. He asserted that one of the weak sides of republics was their being liable to foreign influence and corruption, and that men of little character, acquiring great power, became easily the tools of intermeddling neighbors.

Mr. Hamilton vigorously insisted that members of one branch of the legislature should hold their places for life, or at least during good behavior, and that the tenure of the executive should also be for life, claiming that an executive for life would have no motive for forgetting his fidelity, and would therefore be a safer depository of power than a president selected for a term of seven years. He admitted that under his plan the president would be an elective monarch. He had but little faith in republican institutions. He saw the Union dissolving, or already dissolved; he saw evils operating in the States which must soon cure the people of their fondness for democracies. He then presented his scheme for a new national government. Some of its provisions were similar to the Randolph plan, but as a whole it was entirely dissimilar and embodied a radically different political philosophy.

The outstanding provisions of the Hamilton plan were:

(a) Life tenure for the President, removable only by impeachment.

(b) Life tenure for Senators, who were to be chosen by electors selected by the people; Senators removable only by impeachment.

(c) President to appoint his Cabinet officers without submitting the appointment to the Senate for approval. President to have the appointment of all other officers subject to the approbation or rejection of the Senate.

(d) Appointment of all State governors by the President; the governor to have an absolute right to veto all laws about to be passed by the State legislature.

(e) Absolute veto power vested in the President, under which he could nullify all acts of Congress, with no power in Congress to pass an act over the presidential veto.

(f) Destruction of the States as governmental entities. Under this plan the States would be shorn of practically all their powers and become mere provinces or administrative districts.

In short, Hamilton favored an aristocratic republic rather than a democracy. He said the States, as States, should be abolished or deprived of practically all their powers, and in all respects made subordinate to the Federal Government. He boldly proclaimed his desire for a government patterned after that of Great Britain, with the equivalent of a House of Lords, and an elective monarchy, which would have soon degenerated into an hereditary monarchy. Hamilton frankly stated that he did not think favorably of republican governments.

Because Hamilton stood for these things that I have mentioned, he had but little to do with drafting our Federal Constitution, and the document prepared by our constitutional fathers did not reflect his views or embody his governmental formulas.

Mr. Hamilton's monarchial tendencies were well known to the members of the convention long before he made his memorable speech in which he presented his plan for a constitution on which to build a new nation. On June 4 James Wilson and Alexander Hamilton offered an amendment to give the Executive an absolute negative of all laws. This proposal was vigorously opposed by Benjamin Franklin, Elbridge Gerry, James Madison, Roger Sherman, Pierce Butler, Gunning Bedford, and George Mason.

If this proposal had been written in the Constitution, it would have given one man—the President—the power to

defeat the will of the entire Nation. It would have made the President an absolute monarch, because it vested him with power to veto any and all legislation enacted by the Congress to carry out the will of the people. The Hamilton proposal was rejected by the vote of every one of the States represented in the convention, and in the debate it was denounced as a long step toward a monarchy, and was so repugnant to the prevailing sentiment that it was not seriously considered. If this proposal had been written into our Constitution, it undoubtedly would have destroyed our Federal Union and changed not only the map of the United States but the whole course of human history.

Franklin denounced the Hamilton amendment and said it would mean a complete subjugation of the Congress to the will of the Executive. Sherman said no one man could be found so far above all the rest in wisdom as to be clothed with the power to stop the will of the whole people. Madison stigmatized the proposal as obnoxious to the temper of the country, and suggested a limited veto power, under which the Congress by a two-thirds vote could override the presidential veto. Butler argued that the absolute power of veto would be abused and exclaimed:

> Why might not a Cataline or a Cromwell arise in this country as well as in others?

Bedford looked with disfavor on all checks on legislation, arguing that the representatives coming fresh from the people were better judges than the Executive as to what legislation was for their interests. Mason construed the Hamilton amendment as proposing an elective monarchy, which he said was more dangerous than the British system, and that the adoption of the Hamiltonian formula for an elective monarchy would pave the way to a hereditary monarchy.

After defeating the Wilson-Hamilton amendment the convention adopted, sub silentio, a provision giving the Congress power to override the presidential veto by a two-thirds vote of each House. Hamilton frankly admitted that his plan went far beyond the ideas of the members of the convention, and for this reason he did not so much as offer the paper he had sketched as a proposition to be considered by the convention, but stated that he had offered the plan merely to give a more correct view of his ideas, which he knew were not in harmony with the views of the great majority of the members of the convention.

No one can read the debates in the Constitutional Convention and escape the conviction that the men who had most to do with framing the Constitution were Madison, Mason, and Randolph, of Virginia; Franklin, Wilson, and Gouverneur Morris, of Pennsylvania; Pinckney, Butler, and Rutledge, of South Carolina; Dickinson, of Delaware; Ellsworth and Sherman, of Connecticut; Martin, of Maryland; Gerry, King, and Gorhan, of Massachusetts; Williamson, of North Carolina; and Patterson, of New Jersey. These were the giants who set themselves to the task of formulating a Constitution on which our beloved Republic was to be reared.

I do not want to be understood as claiming that the other members did not make valuable contributions to the work of the convention, but their services were less conspicuous than those whose names I have enumerated. Mr. Hamilton was probably the intellectual superior of any man in the convention, and the reason he did not have a larger part and exert a greater influence was because his views were out of harmony with the opinions of a large majority of the members of the convention. In this congress of giants he held aloof and occupied a place of "splendid isolation."

On June 29, 11 days after he had make his great speech and presented his plan, Mr. Hamilton retired from the convention and did not return until August 13. In the meantime the other members had diligently and wisely considered every proposition presented, and had agreed upon the Randolph or the Virginia plan, amended in many important particulars during the deliberations of the convention. Hamilton had only a minor part in the final debates.

It is a noteworthy fact that our constitutional fathers proceeded with extraordinary caution and subjected every proposal to the strictest scrutiny and to the acid test of logic, reason, and human experience. Every sentence or paragraph was repeatedly rewritten and revised so as to unmistakably express the final conclusions of the convention.

On July 24, after an agreement had been reached on practically all of the provisions of the Constitution, a committee of detail was appointed to report a Constitution conformable to the resolutions adopted by the convention, which committee consisted of Rutledge, Randolph, Ghorum, Ellsworth, and Wilson. This committee whipped the various resolutions in shape, and on August 6 reported a complete draft of the Constitution. But in order to render the document as free as possible from defects, the convention continued to study and debate its provisions until September 8, when a new committee on style was appointed to make a final revision of the text and arrange the articles which had been agreed upon by the convention. This committee consisted of Madison, King, Doctor Johnson, Hamilton, and Gouverneur Morris. On September 12 the committee on style reported a final draft of the Constitution. After further debate and amendment, the immortal document was engrossed, read, and adopted on September 17, 1787.

Although the document did not reflect his views, and while he had but little to do with drafting it, on the last day of the convention, when it was proposed that all the members certify their approval by their signatures, Mr. Hamilton urged every member to sign the document, though he said no man's ideas were more remote from the plan than his were known to be; but he said he could not deliberate long between anarchy and convulsion on the one side and the chance of good to be expected from the plan on the other, and although the Constitution did not embody his views he, nevertheless, signed the document, and with the spirit of a crusader went forth from the convention to advocate its adoption.

In order to create sentiment in favor of a ratification of the Federal Constitution by the States, Hamilton, Madison, and Jay, under the name of "Publius," published 85 articles, essays, or letters addressed to the American people explaining the provisions of the Constitution, emphasizing its advantages, and answering the objections urged against its adoption. These were published between October 27, 1787, and April 2, 1888. Of these profound and luminous political treatises Hamilton wrote 51, Madison 14, Jay 5, Madison and Hamilton jointly 3, while the authorship of the remaining 12 has been assigned to both Hamilton and Madison.

Hamilton's greatest triumph was at the Poughkeepsie convention. Two-thirds of the delegates bitterly opposed the ratification of the Constitution, but by arguments profound and convincing, rarely, if ever, equaled in the history of debate, by skillful management, by legislative strategy, by eloquence seldom, if ever, surpassed, and by the zeal of a crusader he overcame a militant, hostile, and well-organized opposition majority and secured the ratification of the Constitution by the great State of New York.

I therefore, Mr. Speaker, renew my statement to the effect that Alexander Hamilton had only a negligible part in drafting our Federal Constitution, but he probably did more than any other one man to secure the ratification of that immortal document. I am not a blind worshiper of the brilliant "Young West Indian," the "Colossus of the Federalists"; nor am I a reckless critic of this great man, who made a tremendous contribution to our national life. I recognize and cheerfully proclaim his genius and superior accomplishments, but I am nevertheless conscious of his weaknesses and the fundamental error that underlies and permeates his political philosophy.

THE NEW ERA IN MERCHANDISING

Mr. COCHRAN of Missouri. Mr. Speaker, everyone today is familiar with the gigantic strides in production made by American industry in the period during and since the World War. It is one of the marvels of the ages. Only comparatively recently, on the other hand, has the Nation become aware of another and less satisfactory development. This is the huge disproportion between productive efficiency

and efficiency of distribution which has grown up in nearly all business lines.

The tremendous industrial expansion was made possible only by sustained scientific research, in which the Government worked hand in hand with industrial scientists and the universities to perfect even the smallest details of production. As a result the majority of our products now are produced as perfectly and as cheaply as modern science coupled with native ingenuity can achieve. At the same time the "tools" of distribution, transportation, and advertising media have reached a stage of efficiency high enough to arouse the consumer's interest and to get the goods to him from the point of production.

In the field of transportation have appeared highly specialized railroad facilities, such as express refrigerator service, tank cars, self-dumping car bodies, and electrically operated unloading cranes, development of the rural motor express for short hauls, and more effective linking of interior points with the railroads, and an astounding improvement of high-speed air transport for passengers and express freight.

No whit less impressive has been the development of great communication systems, including the telephone, the telegraph, the radio, the air mail service, and the great growth both in circulation and in specialization of newspapers, magazines, trade journals, and the like. Happily, too, these have been coincident with a constant raising of the people's educational level, which has made them constantly more accessible to merchandising advertising appeal.

Thus the application of modern science has given American industry both "tools" of production and detailed "methods" for employing them skillfully, which are the finest the world has ever seen. There have also been made available in a high state of perfection the "tools" of distribution—transportation facilities to move the goods to the ultimate consumer and the advertising media to inform him of both their desirability and availability. Both the numbers and wants of consumers are constantly increasing.

And yet there is something wrong. There is undeniably a false beat in the rhythm of national prosperity and employment. What is the difficulty?

Thoughtful industrial leaders and observers have finally arrived at one more or less unanimous diagnosis, namely, that scientific study of distribution methods has lagged far behind the urgent needs of the day.

Business has scientific production tools and an equally extensive body of scientific research into production methods which enables it to use those tools with unrivaled skill. It has highly developed distribution tools but not the necessary knowledge of how to use them to best effect.

In these circumstances it need occasion no surprise to find that many of our industries are hitting at their supposed markets blindly and extravagantly. Theories and methods of distribution are seen to be in constant flux. On all sides new developments are springing up—expansion of chain systems, mail-order houses opening retail stores, manufacturers experimenting with direct-to-retailer sales, specialty salesmen, consumer solicitation, and the like. Too often the individual merchant finds himself very much at sea as to his proper place in the distribution scheme.

The Government, by its cooperation with scientific research into production methods through the Bureau of Standards, the Bureau of Mines, the Geological Survey, and other agencies, has made substantial contributions to the growth of productive efficiency. On the other hand, the domestic business services of the Commerce Department represent practically the only provision yet made by Congress for assisting industry in developing the badly needed scientific research into the proper "methods" for using the complicated and only imperfectly understood "tools" of distribution.

There is a reason for this. The fact is that the need for distribution research developed very suddenly because of the abnormal war-time increase in the country's production capacity. It did not come as a slow, gradually increased, and recognized necessity. It sprang into existence practically full grown. Scientific processes, however, are always slow. Tested results must be preceded by tedious experiments. So that the work has really gone forward as rapidly as is consistent with prudence and accuracy. Only after seven years of trial-and-error-tested experiments, in every branch of distributive industry in which Congress has authorized and the Department of Commerce conducted fundamental research investigations, has it become possible to outline a definite plan for attacking the enormous wastes in distribution caused by faulty merchandising methods.

The trouble is diagnosed basically as faulty knowledge of markets and faulty knowledge of costs.

The Bureau of Foreign and Domestic Commerce is now spending nearly $5,000,000 annually helping American business to measure its foreign markets for approximately $5,000,000,000 worth of export trade. It is spending about $500,000 yearly on domestic trade services, which is required to stretch over a volume of domestic trade estimated at more than forty billions. Splendid detailed statistics have been built up concerning the flow of American merchandise to foreign countries; there are as yet no satisfactory data to show the flow of goods within the Nation's own borders. The national census of distribution will be of vast importance in this connection. So also is the Market Data Handbook work of the Bureau of Foreign and Domestic Commerce. Such data will throw badly needed light on the at present obscure background picture of the national market for different types of merchandise. The information which is being developed is tracing out more accurately than ever before the fundamentals of distribution in terms of competitive goods, sales channels, consumer preferences, natural distributing routes, and warehousing centers. These services are of immediate practical value to every merchant in the country who uses them to establish profitable sales quotas, map sales territories, and guide advertising policy.

So much for the work necessary to improve the present faulty knowledge of markets.

Turning to the even more pressing problem of costs, every industrial observer knows to what extent the growth of the Nation's industrial efficiency has been gaged on highly developed cost accounting. Before any innovation in production tools or methods has been adopted by industry the producer's cost records had to prove indisputably that the particular tool or method actually reduced cost of production without impairing the quality of the product, or that it improved the quality without increasing the cost. Always it has been the cost-accounting method which told the final story of profit or loss. Thus a marvelous efficiency in production has been maintained by perfected checks and balances between inventive genius and cost accounting. Wastes and inefficiencies in the individual plant were tracked down and rooted out by means of the cost records.

A long stride toward the solution of most individual distribution problems is to be found in an application of these same principles. But great handicaps are found in two facts:

First. The lack of sufficiently developed principles on which to base effective cost records of the detailed operations connected with advertising, selling, delivering, and financing.

Second. The lack of sufficiently widespread appreciation among manufacturers, and, to an even greater degree, among wholesalers and retailers, of the necessity for keeping more detailed records of distribution costs.

It is believed that the Commerce Department has reason to be congratulated by business men throughout the country on the fact that experiments to determine the relative merits of various distribution-cost methods have at last been made to yield up a clear and simple set of principles which can be regarded as dependable for widespread application.

The cost survey in 26 retail and 7 wholesale grocery establishments made by the Commerce Department, with the cooperation of the Allied Food Council, at Louisville, Ky., in 1929, illustrates the results which can be obtained by retailers and wholesalers generally. Almost everyone in-

terested is familiar with the plans and hoped-for results of the grocery survey. It is important that there should be an equally widespread understanding of its concrete results.

The Commerce Department recently investigated the actual benefits realized by establishments in Louisville which put these new cost principles to work as they were developed in the course of the survey. The whole story is available in the department's records. Here it is enough to say that the reports show every single establishment to have made a better profit showing in 1930 than it did before the survey. In general, inventories have been reduced; cleaner, fresher stock is available to the consumer; more attractive store arrangement and merchandise display are pulling more customers into the stores.

One retailer reports increased business from about $80,000 to $96,000 a year as a direct result of improved merchandising methods and since the survey, the increased sales being accomplished along with a reduction of average inventory investment to $2,000. All of the other stores report a variety of substantial merchandising improvements, most of them having been able to reduce their inventory investment anywhere from $200 to $1,000.

The wholesalers in Louisville have similarly placed in this record testimony to the profit-saving measures inaugurated by the survey. Small orders are being concentrated, credit laxities have been tightened up with the enthusiastic cooperation of the retailers themselves, inventories have been pruned by the elimination of dead stock, and the whole set-up has shown wholesome renewal of merchandising vigor and health.

To cap this picture of definite individual progress, Bradstreet reports that the percentage of grocery-store failures in Louisville during the recent business depression is lower than during normal times!

Here is indeed a beacon light of hope for struggling manufacturers, wholesalers, and retailers. What has been done at Louisville can be done anywhere else. The Louisville Board of Trade estimates the value of the survey to their community at not less than $500,000, a greater saving than the entire domestic appropriation for last year. The potential benefits to the whole country certainly must be ultimately as much greater than this $500,000 as the whole population is greater than that confined in the Louisville trading area.

Fully as favorable results as those obtained for the grocery industry of the country by the Louisville study are expected to accrue from the national drug-store survey which the department is planning to conduct in St. Louis, Mo., part of which I have the honor to represent, during the present year. This analysis of merchandising methods in the important drug industry is being undertaken at the request of 30 national organizations in the drug and allied trades, which are attesting their interest by contributing the cash expenses of the survey to match the expert research services provided by the Bureau of Foreign and Domestic Commerce.

Applying the cost methods developed and perfected in the grocery survey, the bureau's trade specialists will make an intensive study of the operations of the 10 representative drug stores in the city of St. Louis, and one in a near-by small town, to determine the most efficient methods of drug-store merchandising and furnish the basis for improved distribution of drug-store commodities throughout the country.

It is anticipated that the survey will provide a body of correlated information covering all principal phases of drug-store operations, which will aid the individual druggist to reduce costs, increase profits, and improve service through the elimination of merchandising wastes, with resultant benefit to manufacturer, merchant, and consumer alike.

The national total of losses from distribution waste has been estimated at nearly $10,000,000,000 annually. This is a tax on inefficiency amounting to about $85 every year for every man, woman, and child in the country, and it is actually being paid out every year by all consumers of goods in the prices they pay for the goods they must buy.

This staggering sum is nearly as much as the entire net income of all the taxpayers in this country who earn less than $10,000 per year; it is three hundred times greater than the total income taxes paid to the Government in 1927 by those same taxpayers.

American business is engaged in a struggle to cut down this mountain of waste. It can not be attacked in terms of billions. It can not be attacked as an entity. It is not an entity. This ogre of waste is a cumulative thing, built up of the millions of individual day by day wastes in individual businesses. In its entirety it is a fearsome thing. It is chargeable annually with hurling thousands of retailers out of the field of service to the consumer and into the limbo of bankruptcy and commercial oblivion, and carrying with them millions in liabilities—millions of dollars of waste ultimately paid by the man on the street.

It stands charged with wiping out millions of dollars of investments in manufacturing plants and distributing establishments annually carried down to failure by wasteful merchandising.

It stands charged with pasting the "closed" sign across locked factory gates and turning out thousands of workmen—broken human victims of wasteful merchandising—to join the army of the unemployed.

It is the thing which builds up annually a vast junk pile of material, equipment, and human waste, representing a staggering proportion of our national assets which, properly used, would make for plentiful prosperity.

This evil of waste must be attacked in detail. It is vulnerable only when reduced to its lowest form—the individual waste in the individual establishment. And that is where business is now attacking it and where they have asked the Department of Commerce to concentrate its cooperative efforts.

The point has been reached where attention can not continue to be devoted exclusively to fundamental distribution research, but greater efforts must be made to spread the research results far and wide. The quicker and the more extensively this is done the greater and more pronounced will be the impression made upon the mountain of waste.

Casual consideration might suggest that the extension of this vast store of digested marketing information would be amply taken care of by industry itself. But definite experience proves that individuals are slow to follow suggestions of this nature emanating from profit-making sources; that few trade associations have proper facilities for educating their membership in scientific adaptations of principles to their everyday affairs.

The Department of Commerce, under the leadership of Secretary Lamont and Dr. Julius Klein, is meeting these new needs for assistance in fitting the distribution research results to specific markets, trades, and establishments, having recently effected a fundamental reorganization of the department's domestic business services.

There is now set up a service unit called the marketing service division, which is to concentrate on developing systematic channels through which the proper information can be placed in the hands of the business man needing it, at the time he needs it, and in the form he needs it.

The marketing service division has been given control of the dissemination and practical application of the vast store of impartial and unbiased merchandising research data which must serve as the business man's "munitions dump" in his active war on distribution wastes. This reservoir of facts, tested by accurate research and practical application in many lines of business, is still far from completely adequate for all demands. But it is, indubitably, the most extensive which is in existence to-day. And it is being constantly added to as the research-producing divisions complete job after job in the schedule mapped out by the current needs of the industry.

The marketing service division has two clear missions, (1) to so widely advertise the existence of these data and the department's services in adapting them to special situations that every business man will be made aware of their existence and their nature; and (2) to assist industry in making the most practical use of these data and services.

To accomplish these purposes the marketing service division has been divided into three sections. The publications section has organized a definite campaign through all modern publicity media, which it will supply with suitable copy designed to acquaint the business world and the public generally with the uses to which the various domestic research discoveries and publications can be put.

The business research section will build up the files of the bureau's regional offices scattered throughout the country, one of which is in St. Louis, with usable breakdowns and correlations of basic merchandising data, so that the regional offices will be able to take care of local demands as quickly and to the most comprehensive degree possible.

The district offices will be expected to go as far as personnel limitations permit in actively organizing the manufacturers, wholesalers, and retailers in the effective use of the material among their own groups.

The business research section will also carry on the answering of special requests for help by individual business men which involve too complicated research for the district offices, in addition to constantly building up the latter's information files.

It is interesting to note that the bureau handled 441,719 of such individual requests in 1929–30, practically all of them for information on distribution. This is twenty-one times the number handled in 1924, whereas personnel and appropriations were only about six times greater, so that the business man received about three and one-half times as much service per dollar of tax money devoted to this work.

It should be noticed also that while the business depression created a sharp increase of nearly 70 per cent in inquiries during 1929–30, compared with 1928–29, the domestic commerce appropriations were increased very slightly. And during the first six months of 1930 the bureau was deluged with 210,820 such inquiries, compared with only 265,375 for the entire previous fiscal year, and with only 115,778—just about half as many—during the corresponding six months of last year.

The effectiveness of this cooperation with business in the war on distribution waste is dependent, of course, on having sufficient personnel in the divisions at Washington and in the district offices to handle the general and local situations. Just now they are, generally speaking, overworked and understaffed for the job ahead, particularly in the district offices. They are entitled to more money, in view of the service rendered.

There is another avenue for the attack on distribution wastes which must be exploited if tangible, orderly progress is to be made. This is systematic contact with trade associations and the proper set-ups in the associations themselves for efficient use of the department's services. This is being worked out with the advisory groups set up by most associations to cooperate with the bureau's commodity divisions in guiding their services along practical and nonpaternalistic lines.

The third and final section of the new marketing service division is the trade association section. Its chief mission will be to furnish these trade association groups, either directly or through the bureau's commodity divisions, with detailed research data as needed for the proper information and service of trade association members.

This section will encourage association secretaries to build up their own files of marketing data from the reservoir in Washington and to organize their own trades at their own expense, to make the widest possible use of the information.

Extending these interpretive services so as to reach directly with an official organization even a majority of the manufacturers, wholesalers, and retailers in this country could never be contemplated. Such expansion would be neither feasible nor desirable.

But the department can, and business men generally seem to feel that it is definitely obligated to, diffuse the helpful information which has been collected, first, to regional groups of manufacturers, wholesalers, and retailers through expanded district office services, backed up and fed by the business research section in Washington; and secondly, by more systematic organization of services to national trade association groups through increased activity by the commodity divisions, backed up by the trade association section. Many administrative advantages should result from systematization of the number and priority of association conventions for which the department is called upon to furnish speakers and exhibits, as well as providing more-connected and better-planned presentations of the department's appropriate services.

The foregoing has endeavored to draw a clear picture of the material, organization, and cooperative methods which the bureau has placed at the disposal of American business in fighting the vicious inroads of wasteful distribution methods into the Nation's commercial well-being.

The new organization clearly segregates the functions of producing new research data as needed by industry, which may take the form either of entirely new studies, such as analyses of consumers' buying habits, the marketing of industrial goods, or of adaptations of previously developed information to special situations prevailing in different trades in different regions of the country as they arise. Such production needs are being cared for by the merchandising research division, domestic regional division, and the bureau's 18 commodity divisions.

All of these past and current research results have been mobilized in the marketing service division, which may be said to maintain an ammunition depot wherefrom individuals, as well as organized trades, may draw the particular data needed by them to wage successfully their own battles against individual wastes.

So that the bureau's energies are now directed not alone to increasing its fund of factual ammunition but also to making that ammunition available promptly and effectively to the individual business man through appropriate regional or trade organizations.

Through publications and publicity he is being awakened to the needs of the situation and to the availability of relief. This may be called the frontal attack on the whole problem. And the problem is also being attacked from the flanks in two different directions: First, through the district offices, whereby the weapons of offense are made available to the individual merchant through the proper local groups which can also train him in their use; and, secondly, through the national trade association channel, which will insure the free flow of needed ammunition from the marketing service and commodity divisions here in Washington to individuals throughout the country through their larger trade organizations.

By these methods it is the purpose of the Department of Commerce to obtain a maximum coverage of manufacturers, wholesalers, and retailers, in need of these data and services, with a minimum of effort and expense to the Government and with a maximum of efficient cooperation on the part of the trades themselves.

THE MISSOURI OZARKS—THE PLEASURE LAND IN THE HEART OF AMERICA

Mr. COCHRAN of Missouri. Mr. Speaker, with seasonal regularity the alluring recreational advantages of the Missouri Ozarks increase in popularity with those persons seeking the restful atmosphere and natural beauties nature has so magnificently provided in this the most accessible and intriguing vacation land in America.

With good roads the beauties of the Ozarks, long known and recognized by hunters and fishermen and the more adventurous tourists, have become accessible to all. The result has been, according to the travel bureaus of the Automobile Club of Missouri, the Chicago Motor Club, and similar organization, a phenomenal increase in the number of inquiries concerning the Ozarks. Actual figures show an increase of more than 33 per cent in the tourist travel to that section each year, and the ratio is increasing.

One has but to glance at a map to realize the advantages of the Ozarks as a playground for the Middle West. While lacking the rugged grandeur of the Rockies and other high mountain ranges of the West, the Ozarks have a charm of

their own. Surrounded on all sides by a thickly populated prairie country, this Ozark uplift, rising to heights of 1,000 feet or more above sea level, seems to have been designed by nature as a sanctuary and refuge for those in search of health, recreation, and entertainment. Within a few hours' ride of Chicago, St. Louis, Kansas City, Indianapolis, Memphis, and Tulsa, the tired business men of those cities find a delightful retreat in the cool recesses of the Ozarks, where their clubhouses, lodges, and cabins are rising in constantly increasing numbers along the sparkling streams and spring-fed lakes of nature's wonderland.

Listen to an artist, George Leonard Shultz, as he gives his impression of the Ozarks:

AN ARTIST'S VIEW OF THE OZARKS

The Ozark Mountain country has a natural charm and beauty, individual and without rival. Deep valleys cut by clear streams, high hills well timbered and covered with wild flowers, many unusual caves, and other wonderments of nature that intrigue the most ardent lover of the outdoors. Marvelous shades and tints enhance the picturesque landscape and give it a beautiful coloring so appealing to artists.

In each valley will be found some unusual attraction, "shut-in" or small stream, deep cave, a lovely cool, thirst-quenching spring, or the usual picture of wild flowers and ferns, with some commanding pines in the middle distance.

I can think of nothing more pleasing and restful than lazily floating down one of those crystal-clear streams, which wind between alluring hills and beautiful valleys, and which at every turn present an ever-changing view of landscape so rugged and so unusual as to hold one spellbound. In places the shore line runs in graceful curves, forming beaches that seem to have been made to order. In still other places are gravel bars on which the brilliant sun strikes, throwing patches of gleaming color into the picture. Then to turn into some fast foaming water that the guide always gets you through without wetting the soles of your shoes, and casting into those blue, smooth spots of water which are stamping grounds of a grand-daddy black bass. We half hope he is not at home, because he'll be a wriggling terror to land in this water and it may cost a new lure that would be tough to lose.

Let us take one of the winding mountain trails in the cool of the early morning, and in a surprisingly short time find oneself sunk as deeply in primeval solitude and rugged beauty as one could wish. Here is complete isolation from the busy, workaday world, a change that we metropolitans need and appreciate so much. Climb up and up until there is spread before you a marvelous panorama—so still, so quiet it hardly seems real—rather like a colossal canvas done by a master in the richest, most delicate, and subtle hues. The reflected blue of the sky makes an azure ribbon of the river, which contrasts sharply with the soft, tender green of willows, blending to the deeper shades over the valley. On the tan bluffs and ledges are deep green cedar brakes with the purple hills back in the distance getting lighter and lighter as they go back until they seem to melt into the sky. Over the whole picture is that peculiar charm that we artists call "feeling"—that charm so typically the Ozarks, and which is so vital in a good picture, and so hard to get.

If Corot or Monet had had the Ozarks in which to roam and paint, instead of the less interesting terrain that they succeeded so nobly in making interesting on their canvases, I thrill to speculate on the results. It requires a master to portray the grandeur, the brilliant yet subtle colors, and the solemn silence that is the Ozarks.

MISSOURI'S BIG SPRINGS

Gushing forth more than 500,000,000 gallons of water daily, Big Spring, at Big Spring State Park, 5 miles south of Van Buren, in Carter County, now is indisputably the second largest spring in the United States, being exceeded in size only by Silver Springs at Ocala, Fla. The exact flow of the huge Missouri spring, according to figures prepared by Dr. H. A. Buehler, director of the Missouri Bureau of Geology and Mines, who made the tests in cooperation with the United States Geological Survey, is 543,000,000 gallons every 24 hours.

Greer Spring, located a mile north of the village of Greer, in Oregon County, is the second largest spring in the State, the October figures showing it has a daily maximum flow of 539,000,000 gallons. This spring has two outlets 300 feet apart, both of which are located in a deep narrow gorge. Its waters flow into Eleven Point River, more than a mile distant. The spring and the land surrounding it are owned by my friend, Louis E. Dennig, of St. Louis. He has placed millions of rainbow trout in its waters.

Other well-known springs in the State include Bennet Spring in Dallas and Laclede Counties, Montauk Spring in Dent County, Meramec Spring in Phelps County, Alley Spring in Shannon County, Round Spring in Shannon County, Roaring River Spring in Barry County, and Chesapeake Spring in Chesapeake State Fish Hatchery in Lawrence County.

Welch Spring in Shannon County is the third largest spring in Missouri, having a maximum daily flow of 214,000,000 gallons. Water from this spring issues from a cave and flows into the Current River, 100 feet distant.

I have visited these springs on numerous occasions and cast my fly in their waters, catching rainbow trout in large numbers. Trout weighing nearly 10 pounds have been caught at Greer. I have likewise fished the rivers of the Ozarks, having wonderful success for many years. The small-mouthed bass—no gamer fish ever lived—makes its home in the running waters of the Ozarks. A small-mouthed bass, regardless of size, on a light rod gives the fisherman a thrill never to be forgotten and is a lure for a return trip.

LAKE OF THE OZARKS

Near Bagnell, in the central Missouri Ozarks, has been created the largest artificial lake in the United States. Damming the Osage River, which is largely a spring-fed stream of typical Ozark characteristics, while for purposes of utility, will result in a body of water 130 miles long with a shore line of over 1,000 miles. Here has been reenacted on a larger scale the transformation which has already taken place at Lake Taneycomo on the White River, and within a few years we will see this new lake surrounded by clubhouses, tourist hotels, golf links, and outing camps. Other dams are projected on the Gasconade, Current, Black, and other rivers, and it is only a question of time until the entire Ozark region will be a series of beautiful lakes, enhancing its beauty and increasing its attractiveness to the tourist and pleasure seeker.

The St. Louis Globe-Democrat had the following to say of this project in a special article written by Hugh C. Sexton, published last week:

The Lake of the Ozarks, 129-mile reservoir, filling up the valleys of the Osage River and its tributaries behind the new power dam near Bagnell, Mo., is expected to become Missouri's largest summer-resort area within the next few years. The lake will have 1,300 miles of shore line and a total area of 95 square miles.

Already acreage contiguous to the lake area has increased in value, due to the anticipated demand for it for summer residences, and several large tracts have been acquired, one containing 1,700 acres, as well as numerous smaller tracts. However, the extent of the shore line in all probability will provide amply for the demand for several years.

The largest artificial body of water in the world, the Lake of the Ozarks, will afford Missourians excellent boating, fishing, and swimming facilities in a measure that has not been available in the past, according to Charles E. Michel, sales manager of the Union Electric Power Co., builders of the dam.

They believe the lake will remain clear and that because of the extensive shore line the fishing will be excellent. It is quite probable that the expanse of 95 square miles of water will materially change the climatic conditions of the country surrounding the lake, reducing the heat of Missouri summer considerably.

MISSOURI OZARKS CHAMBER OF COMMERCE

While these changes have been taking place there has arisen in the Ozarks a spirit of cooperation, responsive to the new conditions. The Missouri Ozarks Chamber of Commerce, organized six years ago to assist in the development of what is known as the Big Springs country, has extended its boundaries so that it now embraces 25 counties lying south and west of St. Louis and extending to the Arkansas line. This organization has taken a decided stand for the preservation of the natural beauties of the region and for the protection of its streams from pollution and exploitation. It is a leader in the movement for improvement of the State parks and for the location of a national park and national forest reserve in the Missouri Ozarks. It has been active in stimulating tourist travel to the Ozarks and in providing suitable accommodations for tourists. It maintains a permanent headquarters at 415 Pine Street, St. Louis, where information is furnished free to tourists and prospective investors and those seeking a location in the Ozarks.

Paul P. Hinchey, of De Soto, is president of the organization and A. D. Sheppard, of Doniphan, is secretary. Its active leadership in their respective communities is in the hands of outstanding men like Wilbur M. Welker, Dr. C. A. Sander, Marble Hill; Roy Woodburn, Walter Thomas,

Poplar Bluff; Dr. Joseph A. Serena, Charles L. Harrison, Cape Girardeau; William Standley, Dr. T. W. Cotton, Van Buren; W. R. Lay, Steelville; L. D. Vandivort, George Addison, Salem; W. L. Cole, Union; Dr. J. V. Denny, Sullivan; Dr. C. A. Bunge, Bland; Hon. F. B. Meyer, Bay; Arch Hollenbeck, W. W. Manz, West Plains; Dr. Milford Riggs, S. P. Ringo, Ironton; E. T. Manley, Festus; Bern Duffner, De Soto; C. T. Smith, O. J. Ferguson, Fredericktown; John W. Terrill, Belle; Judge W. W. Humphrey, Tavern; R. A. Young, Alton; A. L. Carr, Thayer; T. A. Dubrouillet, Linn; Judge A. H. Balkenbusch, Westphalia; George A. Rozier, Perryville; Dr. W. H. Breuer, St. James; B. H. Rucker, Rolla; R. L. Daniels, Norman Crow, Ellington; E. K. Ponder, E. B. Johnston, Doniphan; Charles R. Pratt, Flat River; O. W. Ramsey, Bismarck; F. J. Rozier, Ste. Genevieve; E. G. Lawbaugh, St. Marys; S. A. Cunningham, C. M. Seaman, Eminence; E. K. Lyles, Houston; W. W. Durnell, Cabool; Ed. Drew, Caledonia; C. A. Young, Cadet; Dr. John F. Wagner, Greenville; and Dr. A. F. Wagner, Gravelton.

In St. Louis the Missouri Ozarks Chamber of Commerce has a strong organization, under the leadership of Lon Sanders, vice president, and including many outstanding business men. F. W. A. Vesper is chairman of the National and State parks committee.

The Ozark Playground Association, with headquarters at Joplin, and the White River Boosters Association, at Hollister, have done very effective work in advertising their sections, and the Springfield Chamber of Commerce has a watchful eye on its territory.

MISSOURI STATE PARKS

Missouri's State park system to-day comprises approximately 40,000 acres of the most wondrous scenery throughout the famous Ozark region. Authorities unhesitatingly declare it to be one of the finest park systems in the United States.

When we take a survey of what Missouri parks have to offer along recreational lines, the diversity of offerings seems to leave nothing unsupplied to make a summer's outing more satisfying and enjoyable. The supreme pleasure of fishing, swimming, camping, boating, and hiking in these enchanted spots, created and maintained for all Missouri and her visitors, can not be even partially conceived until experienced. It is not easy to exaggerate the countless beauties and pleasures our great outdoors have to offer.

The names, location, and character of the Missouri State parks in the Ozarks region are: Indian Trail, Dent County, 16 miles north of Salem on State Highway 19, game refuge, 13,173 acres; Montauk, Dent County, 21 miles southwest of Salem, from State Highway 32, spring flowing 40,000,000 gallons daily, trout stream, 633 acres; Big Spring, Carter County, 5 miles south of Van Buren, from United States Highway 60, spring flowing 500,000,000 gallons daily, game refuge, 4,373 acres; Deer Run, Reynolds County, 10 miles west of Ellington, from State Highway 21, game refuge, 6,160 acres; Sam A. Baker, Wayne County, 3 miles north of Patterson, from State Highway 34, game refuge, scenic, 5,500 acres, fine fishing; Alley Spring, Shannon County, 18 miles north of Birch Tree, from United States Highway 60, spring flowing 55,000,000 gallons daily, fine fishing, 427 acres; Bennett Spring, Dallas and Laclede Counties, 12 miles west of Lebanon, 25 miles northeast of Buffalo, from United States Highways 66 and 54, respectively, 71,000,000-gallon spring, trout hatchery, bass and trout fishing, 425 acres; Sequiota, Greene County, 6 miles south of Springfield, on United States Highway 60, fish hatchery, cave, and underground river, 14 acres; Round Spring, Shannon County, 14 miles north of Eminence, on State Highway 19, 18,000,000-gallon spring, bass fishing, 76 acres; Meramec, Franklin County, 4 miles east of Sullivan, from United States Highway 66, game refuge, numerous and large caves, 5,778 acres; Chesapeake, Lawrence County, 28 miles west of Springfield, on State Highway 38, fish hatchery, 100 acres; Roaring River State Park, Barry County, 8 miles south of Cassville, on State Highway 37, beautiful spring, good fishing, concrete swimming pool, 2,400 acres.

NATIONAL PARK IN THE OZARKS

The practicability of the establishment of a national park in the Missouri Ozarks has been directed to the attention of the United States Department of the Interior. This movement gained strength in 1930, and a definite commitment was obtained from Mr. Arno B. Cammerer, Associate Director National Park Service, that field representatives would make an official survey of the Ozark region during 1931. It is being advanced as a sound reason that the location of a national park in the Missouri Ozarks will provide recreational advantages to more than 20,000,000 people who reside within a day's travel of this scenic section, much of which is wholly primeval in character.

CAVES IN THE OZARKS

Wonderful caves are numerous throughout the Missouri Ozarks. Onondaga Cave, located near Leasburg, in Crawford County, 85 miles southwest of St. Louis, is 3½ miles long, and the entire length shows the wonderful work of the ages. Water has taken its time to carve, sometimes in pure white, sometimes in tan or brown, many things of beauty. Where it has not carved or worn away the softer part, it has made its deposit of material gathered somewhere else in its travels, and these deposits vary in color and texture. The Twins, huge stalagmites, must have been thousands of years in reaching their present size, and they are still growing very slowly. There are two human skeletons in the cave, which have become ossified and embedded in the floor of the cave. These are thought to be Indian skeletons.

In a 3½-mile trip through the great subterranean cavern one follows a river for about a mile and one-half, crossing it many times. The rest of the way it does not appear again.

The room in which The Twins stand is 350 feet long, 150 feet wide, and 130 feet high. The Twins stand almost in the center of the room. The Ballroom is about the same in length, varies from 40 to 75 feet in width, and from 20 to 40 feet high. The floor is of almost unbroken onyx. The Waterfalls roar under the King's Canopy, and can be heard half a mile away. There is no place where one has to crawl to get from one room to another.

Fairy Cave and Marvel Cave, in what is known as the "Shepherd of the Hills" territory of the Missouri Ozarks, are also outstanding in this nature's wonderland.

In these Missouri Ozarks are combined beauties unexcelled in any part of nature's dominion. From the summit of the mountains opens a panorama of mystery and scenic interest that loses itself to view in the distant horizon. Rugged forests, stately and commanding; streams that beat upon the base of mountains, their waters dancing in swirling currents to lose themselves in the distant outline; lakes, bluffs, caves, and chasms; valleys, carpeted in green, blending in harmonious contour and color with the background, delight with their unending beauty.

The most renowned world traveler of his day, Bayard Taylor, more than a half century ago said:

> I have traveled around the world to find, here in Missouri, the most magnificent scenery the human eye ever beheld.

There is symmetry and order in the Ozark Mountain ranges, revealing the mystic touch of their unseen Creator. Places of historic interest enliven the imagination. Ste. Genevieve, seat of the first white settlement in Missouri, nearly 200 years ago; the remains of the old shot tower at Herculaneum, relic of the War of 1812; historic Cape Girardeau; Fredericktown and Pilot Knob, scenes of Civil War conflicts of strategic import; Potosi, second oldest town in Missouri and the burial place of Moses Austin, founder of the town and later Texas pioneer; Mine LaMotte, founded by the French in 1720, and the first lead mine in America, have a particular historic value to the Ozark visitor.

The visible forms of nature have their setting in an interesting past, such as to entertain the imagination as well as to delight the eye. In these mountain fastnesses are an invigorating atmosphere and a healthful climate. The massive hills impart a feeling of security and comfort, the wild-

ness a spirit of adventure. There is variety of scenery and beauty in the Ozarks in its wooded mountains, its rivers and flowers, that none can view but with delight and a fuller appreciation of the helpful service of nature to mankind.

Improved highways now make all sections of the Ozarks of easy access to the motorist. Federal Highways Nos. 50, 60, 61, 63, 66, and 67 provide interstate traffic ways into the heart of the Ozarks. Equally as well improved are the score or more of State highways, properly identified and marked, supplying a network that encompasses the entire section.

Most assuredly this wonderful section was intended for the enjoyment of the peoples of all time. Missouri invites the vacationists to partake of the unbounded pleasure tours its vacation land will provide.

THE OIL EMBARGO

Mr. LINTHICUM. Mr. Speaker, the final weeks of this session of the Congress have been marked by a well-organized fight to put an embargo on petroleum and its by-products. This was not a new venture on the part of the royalty owners and so-called independent producers. They were here in force last year fighting for a prohibitive tariff; they will be here again next year fighting for the same thing unless all signs fail.

They and their friends have bombarded Congress with telegrams and letters; they have interviewed Senators and Members whenever and wherever the opportunity has been presented. They have been granted extended hearings before committees of both Houses and their spokesmen have made gallant fights for them on both floors of the Congress.

Hundreds of pages of testimony have been taken by congressional committees and hundreds of pages of reports have been made by governmental agencies since this discussion became acute. Owing to the fact that the subject will be agitated when the new Congress convenes, I think it pertinent to present now a short analysis of what appear to be the important points covered by the testimony and by the reports. I shall, for obvious reasons, limit myself in references to disinterested testimony when that is possible; that is to say, I shall quote more freely from reports of Government agencies which have no financial interest in the question than from those whose judgment might be swayed by profit or loss.

The major arguments of the proponents and the answers to their arguments as they appear—to me, at least—may be outlined as follows:

First. Hundreds of thousands of men have been thrown out of work in the American oil fields as a result of the dumping of cheap foreign oil in the American market.

I have seen no evidence to show any such condition. The evidence shows that approximately 18,000 men are out of employment as a result of a gross and constantly growing overproduction of petroleum in the American fields.

Second. Thousands of small wells will be destroyed and their owners impoverished if they are shut down as a result of overproduction.

This unhappy foreboding, repeated by almost all the principal witnesses, is flatly contradicted by the Bureau of Mines of the United States Government. The bureau reports that the temporary closing of many of these wells would be an excellent method of conserving petroleum and that it would not destroy the wells. It is undoubtedly true that some of these small wells represent economic anachronisms.

Third. That American producers are prorating their production at great expense to themselves, while four of the great importing companies are dumping their foreign products onto the American market with the actual intent, or at least the result, of depressing prices.

The official figures of the Bureau of Mines appear to show beyond the question of a doubt, as does the testimony, that while the American producers have been compelled to prorate recently as a matter of self-preservation, the importers have actually been curtailing regularly for years, and that as a matter of cold fact the importers are now curtailing much more severely than are the United States producers as a class.

Fourth. That the importers employ cheap foreign labor and are thereby enabled to lay down oil on the eastern seaboard at a price with which the mid-continent operators can not compete.

The report of the Tariff Commission disposes of this fallacy concerning the values of the imported petroleum, while the detailed testimony of officials of these corporations shows that their properties pay American labor American wages and more, buy nothing but American materials, transport their products in American bottoms, and that the only foreign labor employed is that which clears the jungles and does other chores unknown in the mid-continent oil fields.

Fifth. That there is no relation between the price of crude oil and gasoline, and that therefore the farmer need not be disturbed lest his tractor-fuel bill be increased nor the 20,000,000 owners of automobiles in the country be disturbed lest their gasoline bills jump 20 or 25 per cent as a result of an embargo or a prohibitive tariff.

This astounding premise, vacating, as it proposes to do, the laws of supply and demand, is based apparently upon two isolated instances over a period of years and calmly puts aside the detailed charts prepared by various Government agencies as well as generally accurate organizations, such as Standard Statistics.

If a study of these charts shows anything, it shows that an embargo or a prohibitive tariff will add from 4 to 6 cents to the price of gasoline per gallon and from 70 cents to $1 to the price of fuel oil. Three quarters of a million fuel-oil users on the Atlantic seaboard will help pay this bonus and the American merchant marine will find itself denied the only economy which makes it possible for it to compete with foreign shipping.

There are some 665,000,000 barrels in storage at present, the Bureau of Mines reports, and if a tariff or embargo went into effect there would be a profit of $750,000,000 or $1,000,000,000 in sight for those who own the reserves—the big companies, not the independents.

Now let us summon the witnesses.

UNEMPLOYMENT

Virtually every embargo witness before the Senate Commerce Committee laid great stress on the unemployment situation. They all mentioned round numbers in multiples of 100,000. None of them went into details. I will quote but one typical of all the others:

> Mr. McGRADY. Mr. Chairman and members of the committee, the oil-well workers are a part of the American Federation of Labor. The condition of the oil-well workers is deplorable. More than 100,000 of these people have been thrown out of work in the Midland field alone. Their wages are from $4.50 to $18 a day. If you strike an average of $7 a day, it means that these workers are losing $700,000 a day in wages. You can multiply that by six days in a week, or 30 days in the month, or 365 days in the year, and you can see what an enormous amount of money is being lost in wages in only one field. All oil-producing States are just as bad.
>
> I want to impress upon this committee that there is just as much hunger, want, suffering, poverty, and degradation in the oil fields of this country as you can find in any other part of the Nation. We are firmly convinced that they need help, and they need it quickly.
>
> I do not intend to go into the technicalities of the bill, but merely to call your attention to the fact, gentlemen, that there are 1,000,000 American citizens pleading to you for help.

Against this general statement consider the following specific statement presented to the House Ways and Means Committee:

> In December, 1929, there were rigs drilling in mid-continent fields, Texas, and California, to the number of 3,074. In December, 1930, there were rigs drilling there to the number of 2,039. This shows a reduction in the number of rigs drilling between December, 1929, and December, 1930, of only 1,035. An average number of men which is required in connection with drilling a well is 18. This results in a total number of men out of jobs on account of cessation of drilling between the dates above mentioned of 18,630 in mid-continent fields, Texas, and California altogether. It would therefore appear that the estimated total of 100,000 men out of work connected with the drilling of wells is a gross although understandable exaggeration.

I submit that there is quite a difference between 18,630 and 100,000 or 1,000,000. While I regret that even the smaller number are unemployed I fancy that the proportion of un-

employment in the mid-continent fields is no greater than in any other trade just at present.

The following colloquy occurred between Senator COPELAND and Mr. William C. McTarnahan, president of the Petroleum Heat & Power Co., who stated that an embargo or tariff would put an end to the fuel-oil business in the Eastern States; it gives an inkling of what may happen in other branches of business dependent on imports of petroleum.

Senator COPELAND. You are bearing in mind, are you, that one of the arguments advanced when the labor people were here, that this is a plan to put back to work in the oil regions thousands of men who are now without employment?

Mr. MCTARNAHAN. I understand it figures a hundred thousand men, and I say to you that the very figures I have here show that in salesmen in our own company—we employ 2,000 people in this business in our factories building this equipment. That has nothing to do with the associated lines that are building fuel-oil tanks, selling pipe and brick, doing concrete work, excavating work to install these tanks all over the country. There are 125,000 men, approximately—very close to that number—now receiving employment by the American Oil Burner Association manufacturers and their dealers and associated lines. As I say, that has nothing to do with the tank people, steel people, or pipe people.

Senator COPELAND. As I understand your position, it is that even though this embargo should result in employment in the oil fields, that there would be a corresponding decrease in connection with your business.

Mr. MCTARNAHAN. There would be at least 25,000 more men, I believe, go out of work for those reasons. You do not realize there are at this present moment 750,000 people in this country with oil-burning plants; there are 690,000 homes in this country to-day burning oil in those homes for fuel.

Senator COPELAND. How many?

Mr. MCTARNAHAN. Six hundred and ninety thousand. There are approximately 75,000 industrial plants.

Consider also this statement made before the Ways and Means Committee by Congressman NELSON of Maine:

Let us assume that an embargo would put to work the 100,000 men that they claim are out of work in the mid-western fields. There is no question in my mind but that it would put out of work many times that number on the Atlantic seaboard. Now, I have listened to the gentlemen, proponents of this measure, as they testified here and, if I understand the situation and if their evidence is correct, this embargo will not put those 100,000 men back to work. The trouble with the oil industry, as this committee can see and as witnesses have admitted, is that it has overproduced itself to death worse than wheat, worse than soft coal. Of the wells of the United States already drilled—all the work is done on them—the potential production of those wells is at least 10,000,000 barrels a day. Mr. Franklin testified that it was 18,000,000 barrels per day. The production at the present time we will call 2,500,000 barrels per day. The gentleman who just testified [Mr. MCKEOWN] told us it was 2,000,000 barrels. That would leave a potential capacity for production in the pinched-in wells in this country of from 7,500,000 barrels a day to 15,750,000 barrels a day—the potential capacity of these wells already drilled.

The Garber bill would bar the importation of 250,000 barrels per day. That is only one-thirtieth or one-sixtieth of the oil now held back from production. If you pass this embargo, instead of putting 100,000 men back to work in mid-continental oil fields all they would have to do is to turn the valves of the pinched-in wells of this country and obtain from thirty to sixty times as much oil as you are shutting out per day.

THE SMALL-WELL OWNERS

No end of sympathy has been aroused by the repeated statements of witnesses of the plight of the owners whose wells would go to ruin if closed down or "pinched in" if American production is curtailed in the face of the present orgy of overproduction. Here is the answer to this plea for sympathy as made by the Bureau of Mines. It is to be found on the last page of the Senate committee hearings:

Some proponents of restrictive oil legislation repeatedly have stressed and have given the unqualified inference that the production from some 300,000 wells in the United States will be irrevocably destroyed unless those wells are allowed to produce without interruption to the end of their normal lives. It is well recognized that a serious economic condition faces the individual owner of pumping wells. In these wells the lifting costs are frequently many times that of wells where the force for lifting the oil is supplied by the expansive energy of the originally contained or associated natural gas. Lifting costs usually determine the margin of profit for producing crude oil; and when the market is depressed because of an abundance of oil either from flowing domestic wells or from other sources, the so-called "stripper" wells are usually the first to feel this depression. Because of the investment in these relatively small producers, and because their owners or lessees, in general, are an essential part of the American oil industry, it seems fundamentally sound that equitable relief should be given.

However, in an honest and unprejudiced analysis of the present economic condition of the American oil industry, it should be recognized that the figures which have been used to designate the number of wells presumably needing relief are largely theoretical. Even assuming that 300,000 wells, out of the total of 328,200 producing wells in the United States (Bureau of Mines figures) as of December 31, 1929), were to be "shut in" for a period of time, present engineering knowledge shows it to be illogical to suppose that all of the production from these wells would be henceforth unrecoverable, thus defeating the true policy of oil conservation. Defective casing and other poor conditioning of wells will invite migration of water and some oil will be trapped in the sands; but to suppose that all of those wells will be ruined if they are not operated is misinformation based upon lack of engineering knowledge regarding the flow of oil and water through sands and unfamiliarity with the experience in certain areas where water migration has been definitely controlled and in still other areas where, after production was "shut in" for a relatively long period, resumed production was at a higher rate than previous to the "shutting in" of the wells.

WHO IS CURTAILING?

In reply to the charges made by the independents that the American producers are curtailing while the importers are not doing so, Mr. Nelson made the following statement based on official reports:

The only significant thing I can see that has happened since last spring is that we are in the midst of a great industrial and economic depression, which covers the entire United States, which affects every locality and every industry, so that we are all, in every section, carrying just as much of a burden as we can well bear at the present time. Now, why should we single out the oil industry for governmental protection? Is that industry particularly affected or affected to such a peculiar extent that it should receive, apart from these other industries, economic protection from this Government?

First, are the imports unduly increasing? Your committee had before it, when you considered the matter of a tariff last spring, the figures which showed that imports of crude oil in 1920 were 106,000,000 barrels; in 1921, 125,000,000 barrels; in 1922, 130,000,000 barrels; and the figures recently issued by the Bureau of Mines, issued last month—and I have them here and believe they are authentic—show that the imports for last year were 105,600,000 barrels; the imports for 1930 were 108,710,000 barrels. In other words, the imports for last year were 3,000,000 barrels less than the year previous and something like 25,000,000 barrels less than in 1922.

Secondly, are prices falling out of proportion to the fall in prices of other products and commodities here in the United States? Babson's statistics, the latest out, show, taking a representative group of farm products, that they fell in 1930 from the value of 1929, 39.9 per cent, practically 40 per cent. They show that the average commodity prices of raw materials in 1930 dropped 12.6 per cent from 1929, 16.6 per cent from 1928, and 16 per cent from 1927. The statistics compiled by Babson, entitled "The Monthly Statistical Summary of Petroleum and Its Products," show that the average price for 1930 of crude oil in all of the United States oil fields, taking in the entire country, was $1.19, which is 8 per cent less than the average for 1929, 1 per cent less than the average for 1928, and 6.3 per cent less than the average for 1927.

While farm products fell 40 per cent, while average commodities dropped 12.6, oil dropped but 8; while average commodities dropped 16.6 per cent, oil dropped but 1 per cent; while average commodities dropped 16 per cent in 1927, oil dropped but 6.3 per cent.

By far the best answer to the question of curtailing is given in the following tables of American production and imports covering a long period of years, as compiled by the Bureau of Mines:

Year	Production	Imports
1918	355, 928, 000	37, 736, 000
1919	378, 367, 000	52, 822, 000
1920	442, 929, 000	106, 175, 000
1921	472, 183, 000	125, 364, 000
1922	557, 531, 000	127, 308, 000
1923	732, 407, 000	82, 015, 000
1924	713, 940, 000	77, 775, 000
1925	763, 743, 000	61, 824, 000
1926	770, 874, 000	60, 382, 000
1927	901, 129, 000	58, 383,000
1928	901, 474, 000	79, 767, 000
1929	1, 007, 323, 000	78, 933, 000
Total	7, 997, 828, 000	948, 484, 000

These figures show very clearly that the mid-continent producers have been encouraging overproduction while importers have restrained their drilling operations.

COSTS OF FOREIGN AND DOMESTIC PRODUCTION AND WAGES PAID BY IMPORTERS

The Tariff Commission's recent report on the differences in cost and prices of American and Venezuelan products

completely clarifies this much mooted question. Let the summary of the commission's recent report speak for itself:

The commission is directed by section 332 (f) of the tariff act of 1930 to ascertain the approximate average cost per barrel to the oil refineries located on the Atlantic seaboard of crude petroleum delivered to them from the oil fields of the United States during the three years preceding 1930 and the present approximate average cost per barrel of crude petroleum from Lake Maracaibo, Venezuela, delivered to the same points. The instructions contained in this section are subject to more than one interpretation, and the various possible interpretations are fully discussed in the body of this report.

The average cost of production of crude petroleum at the well, for 1927, 1928, and 1929, in the States of Oklahoma, Texas, Arkansas, Kansas, Louisiana, and New Mexico, from which States is obtained the great bulk of the domestic oil refined along the Atlantic seaboard, was $1.10. The cost of transporting this oil to the Atlantic seaboard was 88 cents, including pipe-line charges to Gulf ports, a purchasing charge of 10 cents per barrel, and tanker charges from Gulf ports to the Atlantic seaboard. The total cost of the oil delivered at Atlantic seaboard was, therefore, $1.98 per barrel. This cost is computed on the basis of "company interest oil," i. e., royalty oil, has not been included in total production, and includes interest at 6 per cent on the investment of the companies.

The cost of production of oil in the Maracaibo Basin of Venezuela in 1929 (section 332 (f) calls for "present" cost and 1929 is the latest year for which costs were available) was 56 cents at the point of transfer to ocean tankers. Transportation and other charges necessary to deliver the oil to the Atlantic seaboard were 23 cents, making a total of 79 cents, cost delivered at Atlantic seaboard refineries. This figure also is computed on the basis of company interest oil and includes interest at 6 per cent on the investment of the companies.

The commission has made additional comparisons of the domestic and Venezuelan costs, on bases which might be indicated by other interpretations of section 332 (f). For example, it has compared the 3-year weighted average cost in the United States and in the Maracaibo Basin, Venezuela. On this basis the domestic delivered cost is $1.98, the same figure as that used above, while the Venezuelan is $0.89, made up as follows: Cost at the point of transfer to ocean tankers, $0.65; transportation and other charges, $0.24.

"Delivered cost to the Atlantic seaboard refineries" might also be interpreted as meaning the delivered prices which the refiners pay, since the price paid for crude oil by those who purchase in the open market is tantamount to the cost to them. The commission, therefore, ascertained not only cost at the well plus transportation and other charges to the Atlantic seaboard, as summarized above, but also the delivered prices paid for both domestic oil from all fields and oil from the Maracaibo Basin, Venezuela. The 3-year (1927-1929) weighted average price paid for domestic crude from the Mid-Continent-Gulf area by the Atlantic seaboard refiners was $2.06 and for the Venezuelan crude $1.10. The price paid in 1929 for domestic crude from the Mid-Continent-Gulf area was $2.03 and for Venezuelan crude $1.02.

It is necessary to point out that in comparing the costs of domestic and Venezuelan crudes articles are being compared which are not similar. The domestic crude from the Mid-Continent and adjacent areas, the cost of which is here compared with the Venezuelan crude, had an average gravity of approximately 32°, Baumé scale, while the foreign had a gravity of 18° to 19°. The domestic crude refined along the Atlantic seaboard during the period covered yielded, largely by cracking processes, 36 to 44 per cent of gasoline, while the Venezuelan yielded 9 to 12 per cent gasoline and 75 to 83 per cent of fuel oil. (See Tables 14 and 15 showing typical yields of finished products from domestic and Venezuelan crudes.) Gasoline has a much higher unit value than fuel oil.

The difference in quality of domestic as compared with Venezuelan crude is reflected in the wide difference in the price paid by the Atlantic coast refineries. The commission has also ascertained the value of the product derived from the two kinds of crude petroleum by the Atlantic coast refineries during each year. In 1929 the value of the products obtained from the domestic crude used was $2.97 per barrel, and from the Venezuelan crude $1.15 per barrel.

The following statement presented to the Ways and Means Committee by Mr. Paul Harwood, vice president of the Pan American Petroleum & Transport Co., should dispose of the allegations made so loosely and freely that the American companies abroad employ "cheap foreign labor":

The proponents of a tariff or embargo on oils have been misled into a belief that production costs of foreign oils are low because of the availability of cheap labor—or "cheap peon labor" or "labor accustomed to a low standard of living." It has even been seriously stated that the only American labor needed to produce oil abroad is 1 superintendent, 2 drillers, and 2 helpers. This conception is an error and should be dispelled.

Wherever an oil rig is working under American management the world over, the men on that rig are Americans. Only American or high-paid European operatives produce and handle oil. There are native laborers in Mexico and Venezuela, but there are also jobs for them to do unknown to the American producers at home. The aggressive jungle must be constantly cut back. Roads must be built and kept open. Pipe lines must be laid where ditching machinery is useless. And the torrid climate will not permit the use of other than natives for pick-and-spade work.

American oil producers in foreign lands use Americans in all work for which the natives are not fitted. The Americans must be and are paid wages higher than at home, and housed, hospitalized, and made comfortable in tropical climate, on modern lines at the expense of the employer. Towns, houses, roads, machine shops, foundries, railways—in short, all that is furnished free to the producer by taxation and cooperation of society in the United States—must be furnished by the American oil man and the field and office worker by the American producers. There are no fewer Americans on monthly wage on the average in American oil fields in Venezuela than in the United States, and their cost to employers runs as follows:

Approximate wage rate, Lago Petroleum Corporation, Venezuela

Classification	Average salary per month	Cost of subsistence, etc.[1]	Vacation costs [1]	Approximate total per month
Driller	$350	$123	$29	$502
Toolpusher	450	123	37	610
Machinist	250	123	21	394
Boilermaker	225	123	19	367
Geologists	225-400	123	19-33	367-556
Stenographers	150-250	123	12-21	285-394
Clerks	150-300	123	12-25	285-448
Pipeline foremen	275-350	123	23-29	421-502
Gaugers	150-200	123	12-17	285-340
Engineers	225-350	123	19-29	367-402
Electric foremen	250-300	123	21-25	394-448
Accountants	175-385	123	14-32	312-540

[1] Average cost, based on all monthly employees, including those of other than American nationality.

There is no advantage in cheap labor in Venezuela or Mexico. The labor laws of the countries are strict and mean business. Native wages are approaching the American standard of 15 years ago, but still the native laborer can not do the work of the experienced American, and a comparison of the last column above with the straight and sole wages paid in the United States to employees of similar category will show that any fancied advantage in cheap labor is overcome by additional expenses unknown in the United States fields.

WHAT PRICE GASOLINE?

The following table taken from page 233 of the hearings before the House Ways and Means Committee shows how the oil bonus would be collected State by State if a high protective tariff or an embargo is levied against petroleum and its by-products:

State	Gasoline consumed, 1930 [1]	Increased price at 4 cents per gallon
Alabama	172,000,000	$6,880,000
Arizona	76,000,000	3,040,000
Arkansas	139,000,000	5,560,000
Colorado	170,000,000	6,800,000
Connecticut	223,000,000	8,920,000
Delaware	35,000,000	1,400,000
District of Columbia	80,000,000	3,200,000
Florida	228,000,000	9,120,000
Georgia	224,000,000	8,960,000
Idaho	62,000,000	2,480,000
Illinois	1,000,000,000	40,000,000
Indiana	467,000,000	18,680,000
Iowa	399,000,000	15,960,000
Kansas	385,000,000	15,400,000
Kentucky	169,000,000	6,760,000
Louisiana	186,000,000	7,440,000
Maine	108,000,000	4,320,000
Maryland	174,000,000	6,960,000
Massachusetts	535,000,000	21,400,000
Michigan	794,000,000	31,760,000
Minnesota	400,000,000	16,000,000
Mississippi	138,000,000	5,520,000
Missouri	442,000,000	17,680,000
Montana	81,000,000	3,240,000
Nebraska	230,000,000	9,200,000
Nevada	19,000,000	760,000
New Hampshire	65,000,000	2,600,000
New Jersey	554,000,000	22,160,000
New Mexico	54,000,000	2,160,000
New York	1,479,000,000	59,160,000
North Carolina	251,000,000	10,040,000
North Dakota	120,000,000	4,800,000
Ohio	972,000,000	38,880,000
Oklahoma	324,000,000	12,960,000
Oregon	170,000,000	6,800,000
Rhode Island	89,000,000	3,560,000
South Carolina	119,000,000	4,760,000
South Dakota	138,000,000	5,520,000
Tennessee	215,000,000	8,600,000
Texas	800,000,000	32,000,000
Utah	60,000,000	2,400,000
Vermont	47,000,000	1,880,000

State	Gasoline consumed, 1930	Increased price at 4 cents per gallon
Virginia	228,000,000	$9,120,000
Washington	271,000,000	10,840,000
West Virginia	141,000,000	5,640,000
Wisconsin	439,000,000	17,560,000
Wyoming	36,000,000	1,440,000
California	1,400,000,000	56,000,000
Pennsylvania	950,000,000	38,000,000
Total	15,858,000,000	634,320,000

[1] December estimated.

At a future date I will discuss in some detail the extremely bad effects a tariff or embargo would have upon our relations with South America and our export trade generally.

For the present I will end this analysis with a quotation from a memorandum prepared by the Acting Director of the Bureau of Mines for the Secretary of the Interior. It is a part of the Senate Commerce Committee record.

The Bureau of Mines feels that there are certain important considerations which should be reviewed in connection with the proposed legislation. It is with this thought that the following suggestions are made:

1. Foreign crude which is being imported into the United States is predominantly the output of American-owned and operated companies. In its third report the Federal Oil Conservation Board stated that "The present imports of Mexican and South American crude oil come largely from American operators, and, while not obtained from United States oil sands, they are the product of American engineering and enterprise."

It would appear that these American companies consistently received the assistance of the United States Government in their efforts to explore and develop oil lands in foreign countries. Special attention has been given to possible restrictions imposed on United States citizens in the acquisition and development of foreign oil lands and to the establishment of the "open-door policy" in mandated areas. Discussing foreign oil sources in its first report, the Federal Oil Conservation Board advised "that our companies should vigorously acquire and explore such fields is of importance not only as a source of future supply but supply under control of our own citizens."

Having thus encouraged American oil companies to develop foreign oil production in order that other nations would not control an undue share of the world's oil resources, it might be considered that there has been established an implied obligation to continue in the assistance of American companies engaged in foreign oil production and that the restriction or refusal of admission to the United States of the oil so produced would be contrary to the encouragement which these companies have received while engaging in foreign oil exploration and development work.

PEACE DEPENDS UPON DOMESTIC EDUCATION ON FOREIGN AFFAIRS

Mr. FORT. Mr. Speaker, in accordance with the permission granted by the House, I herewith insert as an extension of my remarks the following speech delivered by me on January 3, 1931, as a part of a symposium discussion on foreign relations at the Saturday discussions luncheon of the National Republican Club:

Mr. Chairman, ladies and gentlemen, to the audience here I want, before starting my remarks, to apologize in advance for the discourtesy I am going to have to commit by leaving the moment I am through and missing what I know will be the fine address of Doctor Shotwell, but I must get a train back to Washington to be there for an engagement this evening.

I was greatly interested in Professor Myers's discussion of the propriety of lessening the influence in relation to the House and the Senate of the United States. The rules of the House of Representatives forbid a Member of that body criticizing the Senate or its Members. Therefore we find it very difficult ever to talk about it. [Laughter.]

The fact remains that we are rather proud of the fact in the House that that thing is happening, which always does happen in human affairs, and that is that the body which to-day has rendered in greater measure patriotic and intelligent service with the Nation's good as its motto is gaining continually greater power as between the two bodies of the Government.

Your chairman has said that these discussions are nonpartisan and that foreign affairs should be nonpartisan. Unfortunately, that is not so in this Nation, but it is so very largely abroad. One night in Washington, when I sat at dinner next to the ambassador of one of the great foreign countries, from whose nation had come that day news of the fall of the cabinet, I asked him if that would make any difference to him, and he said, "No; nor to the foreign policy of my nation. It makes no difference. Our Department of Foreign Affairs goes on in the same hands, whoever the Secretary is."

To the extent that implies bureaucratic control of foreign affairs we do not hope for it in America, but to the extent that it implies continuity of policy and the discussion and consideration of foreign affairs in a strictly nonpartisan sense it is one of our great needs.

I do not need, after the introduction of the chairman of myself as a member of this club, to reiterate that I am a Republican. In one point at least, however, I do not share in Professor Meyers's criticism of President Wilson's foreign policy. It was my fortune, during the early years of the war and before our entrance into it, to have to travel broadly throughout this Nation on business, and when I found sizable cities in the Middle West and Southwest whose newspapers did not even carry the official communiques of the Battle of the Marne, it seemed to me it was going to be a very difficult and a long problem to interest the great rank and file and mass of the American people in the affairs or wars of Europe.

Whether the process of education was carried on too long prior to our actual entrance into the war, time alone can tell, but my own experience in the West and South at that time has at least made me feel that the question is open to debate.

Of course, I am delighted at the tribute which Professor Myers has paid to the President of the United States. His sensitiveness, of which he has spoken, is to those of us who have been privileged to see him at his work a matter almost of physical agony under criticism. But I have yet to see the time when any criticism or any mental anguish due to it has changed one iota his convinced determination to carry out what he believed to be right. [Applause.] I think it is one of those peculiarly fortunate situations which this Nation has so often fallen into in its history that at this period, when world affairs must become increasingly engrossing, we have as President a man of whom the whole world knew before we did, as a disinterested person looking first and foremost for the welfare of men.

Professor Myers has spoken of the statesmen. It is, however, essential in foreign affairs as in domestic that the statesman who looks to the future should have with his statesmanship something of the qualities of the politician who looks at the present. Human beings being what they are, a leader who wants a following (and without a following no nonmonarchical leader in government can accomplish anything) must be able to retain the good will and the earnest support of his people.

Such discussions as this, therefore, have, it seems to me, an enormous value in so far as they offer the opportunity of calling to the attention of people throughout the Nation the complexity and the difficulty of our foreign questions and of those human factors which must enter into their solution, which to us are unknown. The whole thought of foreign affairs is to the average American the creation of the last 10 years. The illustration I have given you of the newspaper position as I saw it during 1915 and 1916 is sufficient proof of that fact.

The fact that probably none of us here present, unless it be Professor Myers or Doctor Shotwell, could draw a map of Europe as it is to-day—perhaps our children could; I know I couldn't—is but an illustration of the need in this Nation of real education on this question [applause] because there is nothing more loaded with dynamite, from the standpoint of the world as a whole, than unstudied discussion and action upon questions of foreign affairs. Sometimes the mere difference in language—or in idiom in the same language—produces misconceptions between nations, misconceptions difficult to eradicate; particularly in these days when the press both here and abroad runs to headlines and picks the sensational, which may have been a mistaken thought, out of the speech of a public man and cables it to the other side of the water.

The differences in religion make differences which are very delicate to handle. Those are problems perhaps of less seriousness on the psychological side, when the difference is between Christianity and paganism, because there we do not expect the same viewpoint. But when the difference of religious viewpoint between nations is defined by some of the very tenuous lines which to-day separate creeds, a mere misphrasing may prove of vital consequence in public thought.

The habits of thought of the rest of the world are different from our habits of thought. Largely this is due to physical conditions. We, sitting supreme in the two American continents, with a greater population in our Nation than all the rest of the nations in the two continents combined, have neither need of fear nor serious need of friendship from our neighbors in the sense of military friendship. The congregated nations of Europe, struggling with their problems of overpopulation in most of them; struggling with their problems of the new mechanization of their industry, where we have passed very far along the path of mechanization; struggling, many of them, with new forms of government with which they are unfamiliar, and therefore with governmental machinery they hardly yet know how to use; and bound by ancient prejudice based on hundreds of years of warfare, for or against neighboring nations, are in a very different mental attitude, especially when they consider their foreign relations toward each other or toward us from anything which traditionally affects the minds of American citizens.

They look upon us concededly and perhaps, not unnaturally at times, jealously, as far and away the greatest power in the world. They called us the greatest nation before 1918. Our rapid acquisition of military and naval strength and wise use of it during those two years made them concede we were not only a great nation but a great military power when we chose to be. Our wealth outstrips almost their combined wealth.

They want our friendship, every one of them, and yet the tradition of hundreds of years of fear of other nations and rivalry makes it not unthinkable—not impossible for us to realize—that

their wish for friendship may have in it some elements of the avoidance of fear. To them a powerful nation is a powerful threat. It is difficult for them to visualize the American viewpoint, to realize that we wish to use our power only in the interests of international good will and peace.

Our job—the job of our statesmen and of our whole people—in order that our foreign affairs may take proper form is, first, to convince the world that peace and good will is our one and only aspiration in the use of our great power. They are our debtors in vast sums of money, and it is awfully hard to love your creditors. They have an enormous overpopulation, and science and peace are destroying the old-time methods of relieving overpopulation—war, famine, and pestilence. Education must take their place, but in the meantime we, with what seem to them ample acres, refuse to help relieve that overpopulation problem, and through it all to them we seem to prosper, even to-day.

When we come to South America a little different situation results. There, there are new nations in the development stage, underpopulated, underfinanced. I do not believe to-day that any intelligent man in South or Central America fears the United States, but I do not believe it does much good to our relations with them to treat them even mentally as though we thought them inferior. Their culture, like that of Europe, differs from ours only in those minor differences which the very similarity makes more striking. Fundamentally our basic religious beliefs are similar. Fundamentally our education, our scientific beliefs, our laws aim to the same purposes. All of us are democracies. We Americans, both in the Government and in our private lives, must recognize that all this is true as a basis to real understanding, as a basis to the creation of the policy we really wish.

When we come to Asia and Africa we have a very different situation again; a total difference of religion, clashing less with ours because it is so totally different; overpopulation again, like Europe, and even worse overpopulation than any part of Europe; and inability to see or take our viewpoint, probably for a generation or two or more yet to come. There are nations rising from the ruins of an old civilization to begin the building of a new, where our task is to act as the architects for what the finished structure shall be.

It can be done, not by aggression but by sympathetic study—and only by sympathetic study. Take the problems of British India, on which so many people love to lay down rules and policies for Great Britain to adopt. What are these problems? At least a dozen bitterly clashing religious groups. I take it there are probably a hundred languages. Is it any wonder there is bitterness in England over casual volunteered advice from Americans—based on ignorance—as to how Great Britain should solve that problem. I do not believe any Englishman would regret if he got advice which would solve it.

Take the British Navy. There has been a reference to disarmament or reduction of navies. I happened to be in the House of Parliament with Ambassador Dawes in July, 1929, when that great British Premier, Ramsay MacDonald, arose to declare for the first time officially the intention of the British Government to enter into naval-reduction negotiations. As I sat there waiting for him to speak (I had just finished the day before reading a brief outline of British history) there went through my mind the fact that Great Britain was nothing in the world picture until three or four hundred years ago her inventors developed a new form of sailing ship, with which she defeated the Spanish Armada and conquered the world; with which she set up and whose successor ships have since protected her whole colonial empire; with which she can and ever must protect the food supply for her overpopulated islands. It seemed to me that the American residing in this great self-sufficient commonwealth—which can grow and produce everything it needs; which wants and has no colonial possessions—who feared to reduce our armament, when Great Britain, with all of her traditions, with all of her need for a navy, was willing to reduce hers, was a coward afraid of his own shadow.

The navy to Great Britain is Great Britain, and, from school days up, so every child has been taught. How anyone could doubt the validity and genuineness of a gesture from Great Britain toward reduction of naval armament has been beyond me since that day. I agree with Professor Myers that it is a matter of maintaining equality, but personally I am willing to go along to the lowest degree of reduction to which the other major nations of the world will go.

The whole thing comes down to this, as I see it: When a man and a woman are married they have new circumstances in which to live and new habits, and annoying ones, of each other to get used to, but the fact that the institution of matrimony has lasted through the generations is excellent proof that human nature offers the capacity for human beings to learn to compromise their viewpoints and agree on things that once seemed impossible when the closeness of their relation makes them able to know and understand each other's viewpoint.

We have new instrumentalities for that purpose in the world to-day—the enormous improvement in our communications, the fact that only a week ago we here in America could listen to Premier Mussolini make a speech in Italy. That sort of thing offers a tremendous possibility in the adjusting of viewpoints. The radio in front of me here to-day offers the same thing. The discussion going out from this club to the people of the Nation, the differing viewpoints of Professor Myers, Doctor Shotwell, and myself on some points give to the people who happen to be listening an opportunity at least to know that there are reasonable differences of opinion which reasonable men may have on all these questions. And that is the first thing to learn if we are to adjust our differences of opinion with our foreign neighbors.

I attended last summer the sessions of the Interparliamentary Union in London, a meeting of a group of delegates from 37 parliaments of 37 nations, who meet annually for the discussion of questions of government. Some of us were able to explain to delegates from other nations that this Nation could not be bound by the act of the Executive alone but had to have the concurrence of the Senate—a thing difficult for a foreigner to understand and grasp in view of the difference in their customs. That instrumentality has great hopes, as I see it, of producing a world approach to a common viewpoint.

Of course, our continuous travel is of great help. Of course (and I should have talked on this a little more if Professor Myers had not so adequately covered it), the World Court offers another opportunity for adjustment of viewpoint. As a lawyer—before I reformed and went into business—I am convinced that a grounded body of the law is the finest basis in the world on which to build mutual understanding. How far we rely upon settled law in our private lives, we do not even think. We take so much for granted. International law has no such basis to-day. It needs it; and if the World Court accomplishes nothing but a definition of international law, it will have performed a service worthy of our joining it.

Finally, with all of the differences in the form of government, with all the differences in language and religion and viewpoint, the world to-day is moving in all of its institutions in a common direction—and that is the direction of a universal democracy. Whether that democracy shall take the form of a socialistic one, whether the economic theories of Russia may ultimately become dominant over the world, or whether it will take the theories we hold in this Nation rests very largely upon us. We must perfect our own democracy if we want the world to simulate it. The object of our democracy, the object of all democracy—and all the world is tending toward democracy in some form or other—is the leveling of class, the bringing into the world of a general average of well-being and the elevation of that average. Russia is approaching it by pulling down the level of the highest. We have been approaching it here in America by continuous and steady efforts to raise the level of the lowest. To me, and I think to all of us, ours is the ideal system. If we perfect that system, if we tend here at home more and more and more to give the world leadership in that direction; if we help to bring about a finer and a truer democracy here, then surely will our ideals and our policies prevail in the world of foreign affairs. If here we establish, maintain, and improve the best form of democracy there is on any shore, our foreign relations will take care of themselves, because the world will be modeling after us. [Applause.]

WORLD ECONOMICS AND EASTERN AGRICULTURE

Mr. FORT. Mr. Speaker, in accordance with the permission granted by the House, I herewith insert as an extension of my remarks the following speech delivered by me on January 27, 1931, at the State agricultural convention in the assembly chamber of the statehouse, Trenton, N. J.:

Mr. President, Senator Roberts, ladies, and gentlemen, it is a real pleasure to get up home, if it is only for a day. But since I could only get away from Washington on the midnight train last night and should return to-night, and in the meantime have considerable business to attend to in Newark, I want to beg your indulgence and your pardon before I begin to speak, if I leave immediately on concluding what I have to say, as I must be back in Newark for a few hours before returning to Washington to-night.

I have been very much interested in Mr. Bardo's talk about taxes. Sitting down in Washington, where we have to vote on total appropriations for the Government annually of $4,600,000,000, of which a bill up in the House to-day for passage carries something over $1,000,000,000, we are studying this problem of taxation daily.

In line with what he has said, I think one fact should be observed and recalled by the people of the United States. To-day we are having probably the lowest cost of living that this Nation has been favored with in 20 years in every respect save one; that is rents. You have heard the figures which Mr. Bardo has given you as to the increase in State and municipal taxation, which are the vital factors in the fixation of rent of real property. In the Federal Government, whose taxation affects every other item of living cost except rent, we have decreased taxes since 1920 at a rate which now reaches approximately $2,000,000,000 a year. The contracting condition is that with rents at the peak for all time, thanks to high State and municipal taxes, the cost of living in other respects, thanks to a reduction of $2,000,000,000 in Federal taxes, is lower than ever before since we turned the century.

The lesson which he has taught here to-day is one which people must take home. State and municipal governments must give the same attention to detail in the expenditure of public funds that I am proud to say is given to-day in Washington, because our decrease of $2,000,000,000 a year in 10 years has been accompanied on the other hand by an increase of over $600,000,000 in the amount expended for veterans, which now reaches the sum of $866,000,000 a year, and by another increase for the benefit of agriculture to practically $200,000,000 a year.

In spite of those increases study of the proper method of spending Government funds has produced a total decrease net of $2,000,000,000 a year. Those figures should be taken home into

every community in the country, and a realization of their influence on what every one of us has to spend brought home, as Mr. Bardo and his association are trying to bring them home to every man.

The subject on which I was asked to take here to-day is a very broad subject, World Economics and Eastern Agriculture. In discussing world economics as it may influence eastern agriculture, we must not consider merely the passing phases of this period of world-wide depression, because it is not the incidental thing which happens from year to year that we mean when we talk of world economics. It is the major trends in the development of business and of government which affect all business the world over alike. There are trends which are uniform practically in their influence upon agriculture and industry, upon banking and upon transportation, upon all forms of modern human effort to earn a living.

What are they? In the first place, an amazing and continuing increase in the use of machinery to replace hands; in the second place, a great development in the spirit and practice of organization. All business to-day is tending into larger and larger and larger units for its conduct. With the railroads, we talk of consolidation. With such an industry as oil, to-day a single corporation—the Standard Oil and some of its competitors—goes from the stage of drilling in the ground in the hope of finding oil all the way into the sale of the finished product at its service stations in the city of Trenton, under one management and one ownership, with practically every intermediate process handled by its own employees.

The Anaconda Copper Co. goes from the digging of copper ore in Montana or in Chile to the delivery of a copper shingle on your grounds to go on your roof. That is not peculiar to America. That is happening in the same way and in the same degree throughout the world. Along with it has come a tremendous increase in the use of publicity as a new form of salesmanship. So ingrained is publicity into all of our lives to-day that we completely forget that it is a creature of the last 40 or 50 years, that advertising in the popular and modern sense dates back only to about 1880.

To-day, however, goods are no longer sold by the storekeeper on his reputation, but by the publicity man on the bearing and force which he gives to the name of the product. It is sold on its name. If you or I walk into a store and there are two bins of oranges side by side, one marked Sunkist, and the other without a mark, although they may have come from adjoining groves in California, the chances are we will buy the Sunkist orange, even if we pay more for it. The same is true with all other types of products. No longer do you buy a thing because of the merchant who offers it to you, but because of the name you have come to recognize.

Then publicity is going on in another direction. I was abroad last summer, and throughout England the advertising on every billboard and in every newspaper and in every shop window is "Buy British-made goods," or "Buy Dominion products." In Germany it is the same idea. I can't recall the German for it. Wherever you go, advertising is being directed toward building up local industry and local products.

Along with these trends has come still another, perhaps the father and perhaps the child, and that is a tendency toward specialization the world over. Men are not doing as general a business as they used to do, whether it is farming or manufacturing or what you please. The individual is a specialist, whether he be a doctor or a lawyer or a farmer. He is a specialist because to meet the pace of modern industry he must cut his costs, and to cut his costs he must bring down his unit cost for every article he produces. To bring down his unit costs he must understand in detail and to the most perfect degree possible just exactly what can be done to simplify the process of producing the particular article which is the mainstay of his business. We are becoming a world of specialists.

I don't know how many of you have ever been through the Ford factory in Detroit, but as you go through there and see a rear axle put on the runway and leave an hour later a finished car, with each man having to do all day long for eight hours the identical thing of putting on the identical nut on the end of an axle or some other part of the machine, or take the identical number of turns with a wrench toward tightening it as it moves on past him in the runway, you realize that there is the perfection of modern manufacturing efficiency in that plant. You appreciate the fact more and more clearly that specialization—doing one thing well—is the symbol and the keystone of modern industry.

Along with these trends here and abroad have come certain definite changes in the whole relation of men to their own lives, one of which is an increasing trend toward living in the city. That has been brought about by two things; first, by the increased relative wage scale in the city as contrasted to the farm. The second has been the increased efficiency in farming which makes fewer hands necessary to grow all that we in the cities need to consume. It is probably a fact that all of the food supplies and clothing supplies of America which come from farms could be produced with something around a half million fewer men than are now producing them, with the use of modern methods. But along with that the higher wage scales which have attracted men to the cities have produced higher living standards for the people who live in the cities—here rapidly, abroad more slowly.

Consequently there has grown a demand, and this directly and vitally affects eastern agriculture, due to the higher standard of living and the higher average income in normal times of the city dweller for a different type and a greater quantity of many of the products of agriculture. That has not gone into a demand for a greater amount of such old stable commodities as wheat or meat. There the average consumption of the American people has declined. In wheat the per capita consumption is probably in excess of a bushel per person a year less than it was 20 years ago, which is a large factor in the creation of our present problem in America in wheat. In meat the figures are somewhat more difficult to get, but there, too, there has been apparently a substantial reduction in demand.

The shift has been toward things which 20 years ago ranked more in the luxury class of farm commodities—fresh vegetables all the year round, fruits, poultry, eggs, butter, and milk. Into those commodities consumption has to an enormous degree shifted with the improvement of living standards and industrial earnings.

Along with these purely economic changes there have been, and still continue to be, certain vital political changes. When I use the word "political" I do not mean partisan, nor do I mean political merely in the sense of American problems, but I mean in the broader field of the relation of the Government to business and to agriculture. Those changes have taken the form the world over of considerable assistance by the government to agriculture, offsetting in many cases the assistance previously given by the government to other business, in some countries giving to agriculture a form of assistance never given to other business. This assistance has been fundamentally given to agriculture for a distinctive purpose affecting the government and its security in time of war; namely, the desire to make the nation self-sufficient for its own food supply.

Last year, as I traveled through Germany, on the dining-car tables was a little card pointing out that Germany was growing too much rye and too little wheat, giving the figures of how much wheat they were having to import; showing that they were exporters of rye; and calling upon the people, as a matter of national good, to reduce the amount of rye they were growing and grow more wheat, so that they would not have to buy abroad.

In England very much the same movement is going on to transform their agriculture, so far as possible, into a type which would mean that under any circumstances or conditions which might arise the nation would be able to feed itself, partly as an economic thing in order to retain their moneys at home and not have to buy the necessities of life abroad, partly as a measure of protection in the day of unhoped-for war.

Along with that type of government effort to control the direction which agriculture should take, the governments of the world have begun to attempt in different forms the direct influencing of the prices of agricultural commodities. In Brazil the Government monopoly on coffee, which attempted to maintain the price of that commodity, has failed because it stimulated overproduction. The last state of the Brazilian coffee planter is worse than the first. The same is true of the British effort to maintain the price of rubber for the benefit of the rubber producers in the Straits Settlements. The same thing has proven true of every effort to peg prices of commodities anywhere. The same thing must continue to prove true of any effort to peg prices, if the prices be pegged at a point where men generally can make money. There are too many millions of acres of land in the world to make it possible to limit production all over the world if prices be pegged at a profitable basis to the marginal producer.

On the other hand, I do believe that efforts to the type which our own Farm Board is engaged in—although somewhat hurried by the happening of a depression emergency before they were fully organized—which look merely to the influencing of price against speculative excess, can be and should be of great service to the Nation and to the producer. So long as those efforts are continued in the direction not of an effort to sustain prices at fixed levels but simply to prevent undue speculative fluctuation in prices, they are of real public service. As an illustration of what can be done by government without serious detriment to any proper industry, the picture of what has been done in wool in the last year is notable. The cooperative associations handling wool in the United States a year ago handled only about 30,000,000 pounds of the commodity. This year, because of the aid of the Farm Board, because of the wisdom of the woolgrowers of America in seeing the possibilities of cooperative marketing, the cooperative associations have handled 125,000,000 pounds of wool out of a total domestic production of 315,000,000 pounds. In other words, they have jumped in one year from 8 per cent to 40 per cent of the entire wool clip of America.

The organization of that industry, aided by the Farm Board agency, has not maintained a price for wool which ignores the world-wide conditions in that commodity, but has maintained a price for wool which will prevent the bankruptcy of the woolgrower without giving him sufficient unnatural and artificial profit to increase the supply of wool. To-day that, of all of the major agricultural industries of America, is probably in the best condition by the utilization of cooperative marketing without efforts to arbitrarily raise price.

Another form of Government intervention which has come into the picture in the last two or three years, of which no man can see the end, is what is going on in Russia. In Russia collectivism has gone way beyond the scope of our cooperative marketing and has reached a point where the farmer there to-day, in large sections, farms an assigned piece of land with Government-owned machinery, pooling his produce with all other men farming with Government-owned machinery, selling his crop for whatever he can get, and taking his share with all other farmers of the price realized on that sale.

That method applied to the staple crops of agriculture is bringing to-day in Russia to the farmer of that nation the lowest return

for his efforts that any farmer in the modern world has ever known. The price which he is getting for wheat, for example, is probably the equivalent of less than 20 cents per bushel. He is selling at a price based on 20 cents in the world market on a 5-year program, as it is called, the purpose of which is to enable the Russian Government to acquire sufficient funds from selling its produce abroad for whatever it will bring to enable it definitely to stabilize their form of experiment in government.

If they continue to get their people to work for the degraded scale of living which is their only present reward for their labor, Russian production constitutes a threat to the agriculture of the world in staple commodities which can not be overlooked. They have exported this year no one knows how much, but probably 150,000,000 bushels of wheat, at prices that have broken the whole world market 25 cents per bushel, except the American market. Our price to-day is 24 to 26 cents per bushel higher than the Winnipeg price, thanks to the combination of the tariff and the Farm Board's efforts.

What, however, is the future of the staple-crop agriculturist of the world if Russia can succeed in keeping her people at work for practically nothing a year? I do not know and I do not think anyone else can wisely prophesy. My own belief is that they can not keep their people at work indefinitely under such conditions.

The other world trend which has definitely affected all agriculture and all industry is the present apparently limitless slide of silver toward nothing per ounce. People began to worry about the price of silver when it broke 50 cents an ounce, and now it is down below 30. No one seems to know when it will stop. But the net result of its decline has been to take half of the people of the world whose currency is based on silver practically out of the purchasing markets of the world. Until something is done to stop the decline in silver—and nobody seems to know what that something is to be—we will have a most difficult condition to reckon with in determining the value and the possibilities of export commodities in any country in the world.

All of these conditions lead to one other thing, and that is that probably the world has in the last two years taken the final deflation step from war-price levels. I doubt if we shall again see in this generation the level of commodity prices, whether it be for agriculture or for industry, whether it be wheat or oil or coal, which we saw during the war and immediately after the war. If that be true, again the problem of agriculture is to stay, so far as possible, out of the commodities whose market is an export market. Behind our protective tariffs agriculture here can do better than agriculture in the export nations of the world. But if world prices for commodities generally are seeking and are now reaching a lower level, export commodities' future is distinctly cloudy.

What does that all mean to eastern agriculture? Eastern agriculture differs from world agriculture, properly interpreted. As Mr. Bardo has said, eastern agriculture has at its door the greatest consuming population in the world and a consuming population which, when in its normal buying power, seeks quality products in quantity volume. To get quality products in quantity volume we must follow world economic trends which are, first, the application of more science to production; second, the becoming even more truly specialists in the line we have undertaken; and third, the adaptation of our methods of production to the best-known methods anywhere.

Then we must use more machinery. All of the world is using more machinery, and we particularly must use more machinery in the East, because here we have the highest human labor market in the world. We can't raise our commodities unless we use every device known to modern industry to eliminate that high labor cost. We must have better organization of our eastern agriculture, organization which sees to it that the middleman becomes a decreasingly important factor, that there is a smaller proportion of profit and handling cost between the price the farmer gets and the price the consumer pays.

A great development in cooperative handling of farm commodities, which will utilize the publicity methods of all other industry, which will utilize the publicity of methods that the western and southern cooperative associations are using, will make the name of New Jersey quality products as well known in the markets as the name of the Sunkist orange. Those methods, which only organization can use economically, eastern agriculture must use increasingly.

We must entirely discontinue any effort to raise so-called staple crops. The staple crops are the crops of world commerce. The picture of world commerce offers little profit to American agriculture in the export field. Where prices are determined by export markets, we had better leave the commodity alone, except as a mere incident of diversification, and confine our efforts to those commodities which neither can be exported nor imported—the perishables, of which the quality markets of our great cities and our great suburban communities can take an unlimited supply and will pay quality price for; the perishables in which our location gives us the greatest market in the world without fear of competition if we provide it with the quantity and the quality it needs.

Probably we must tend in the East toward smaller and smaller farms and more intensive farming, while the one hope of the West and South, if they are to continue in staple crops, is probably toward larger and larger farms. More intensive methods of cultivation are what the East must have. That, generally speaking, means units small enough to supervise without heavy overhead cost.

In working out all of this problem eastern agriculture has wonderful assistance at its disposal. It has in the great Federal Department of Agriculture the finest organization of its kind in the world, headed in its various bureaus, as you have found this morning in the talk you had from Mr. Olsen, by men of distinctly valuable, I might say invaluable, attainments, many of whom are serving the Government out of devotion to its interests for far less than they would receive in private industry, and headed to-day by a brilliant and true friend of agriculture in Secretary Hyde. You have the assistance of the Federal Farm Board toward organization, toward advice in marketing, toward everything which will tend to put the industry of agriculture on a parity in economic structure with any other industry in the world.

You have here in this State, under the leadership of Doctor Lipman, a world-famed scientist in agriculture, and under the leadership of Mr. Duryea, whose reputation I happen to know goes through the 48 States as a secretary of agriculture without a superior, you have here, with the board and with those gentlemen and their able coworkers, every possible opportunity to gain valuable assistance from the agricultural branch of your State government. You have through your location something which all the farmers of all the rest of the world would give everything they have to get—a market of the type you have at your doors. New Jersey farmers have proven in their rally from the great depression which swept this State and its agriculture from 1870 until about 1910 that they have the brains, the courage, and the initiative which, after all, is the chief factor in the solution of any problem. With those advantages, I look to see eastern agriculture become the leading agriculture of America, the most prosperous agriculture on the globe.

RETIREMENT OF NAVAL OFFICERS

Mr. HOUSTON of Hawaii. Mr. Speaker, under leave to extend my remarks, I present herewith some comments on the Britten bill that has become a law through action of this Congress and signature of the President.

Though I have had 32 years of service in the Navy I generally hesitate about taking part in controversial debates, because, as a Delegate from the Territory of Hawaii, I must rely upon the good will of the Members of this House. But the debates on this measure indicate such a misunderstanding of some of the terms of the bill that I venture these notes in the hope that they will clarify the situation.

I must not, by this comment, be understood as being in favor of the plan of selection for promotion in the higher grades, for I am opposed to the method, but that phase of personnel control was not being discussed.

S. 550. A measure of justice in the treatment of the wartime officers now on the active Navy list.

Much has been said on the floor of this House with regard to the discrimination in this bill against the former wartime officers of the Navy who were permanently commissioned shortly after the close of the war. Such criticism is wholly unjustified for the bill provides for these officers a measure of safety which they will not otherwise possess.

The question of personnel in the Navy is a complicated one, with which the majority of the Members of this House can scarcely be expected to be familiar without much study and investigation. The general conception appears to be that once an officer receives his commission he advances steadily from grade to grade until he reaches the rank of rear admiral. It is well to remember that officers must be selected for the grades of rear admiral, captain, and commander, but few realize how drastic such selection is, and that the proportion of the higher grades is so small that a class which graduates 200 midshipmen from the Naval Academy can expect to have only 6 or 8 of those 200 reach the rank of rear admiral. Few realize that every officer before he is promoted to the next higher grade must undergo a very rigid professional and physical examination. The professional examination occupies several days, covers many technical subjects, and officers frequently are required to write 200 or 300 pages in covering the questions asked by the examining board. There can be no question that this examination procedure is good for the efficiency of the naval service. It keeps the officers alert, in step with the latest developments of the naval service, and mentally keen. If an officer who is due for promotion fails upon his examination, his promotion is held up and after a period of some months he is reexamined. If he passes on this reexamination he is promoted but loses about six months' seniority—that is, he

takes a position considerably lower than that he would have occupied had he passed the original examination. If he fails on this reexamination, he is discharged from the naval service, with not more than a year's pay.

Now, many of the war-time officers who were taken into the service during the war were former enlisted men or warrant officers. They were practical men, who, generally speaking, were specialists along a certain line. They were seamen who knew that particular and special line better than more educated men from civil life who had not had their seagoing experience, and so during the war they were taken into the service in the lower ranks and were assigned specialized duty for which they were fitted by their previous experience, and in these duties they acquitted themselves most creditably.

Many of these officers who acquitted themselves thus creditably in the World War did not, however, possess the general technical knowledge or the education which permitted them to perform the administrative duties which senior officers in the Navy are called upon to perform. This lack of knowledge or of education was no fault of these wartime officers, many of whom had not had an opportunity to obtain the basic education necessary for them to acquire a comprehensive knowledge of navigation, of the ballistics of gunnery, or a thorough knowledge of engineering and electricity. These things, together with a knowledge of international law and a knowledge of naval strategy and tactics, officers must have before they can qualify by examination for advancement to the rank of lieutenant commander, and it is necessary, if we are to maintain the high standard in our Navy that it now possesses, that officers who are advanced to this rank should possess the requisite knowledge in those subjects. It must be remembered that line officers are called upon both for deck duties and duties in the engine room.

As pointed out above, many of the former war-time officers could not pass these examinations. If they failed on their original examination and on their reexamination, the law provided that they should be discharged from the service, with not more than one year's sea pay, except that about one-third of these officers, who were former warrant officers, would have to revert to their former warrant rank. To have discharged with a year's pay these war-time officers who had served their country well in time of war and for nearly 15 years after the war would have been neither just nor equitable. To have advanced them to positions which they could not competently fill would also have been unjust to them and a great blow to the efficiency of the Navy.

When this bill was being considered careful thought was given to this question by the Navy Department, and as a result a special provision was written into this bill, which was entirely satisfactory to and recommended by these wartime officers, which provides that—

All lieutenants who are 45 or more years of age, or who have completed 20 or more years of service, counting all service for which they would be entitled to credit for voluntary retirement, and who undergo the required examination for promotion to lieutenant commander and are found not professionally qualified, shall be transferred to the retired list of the Navy: *Provided*, That if such lieutenants were permanently appointed as ensign or above in the permanent line of the Navy while holding permanent warrant or permanent commissioned warrant rank in the Navy they shall have the option of reverting to such permanent warrant or permanent commissioned warrant status in the lineal position to which their seniority would have entitled them had their service subsequent to such appointment been rendered in the status to which they revert.

This language applies only to those officers who are unable to pass the examination required for promotion. Each of them is entitled to take this examination; and if he passes it, he is promoted in exactly the same manner as any other officer of the Navy. If he fails, he is retired, or if he so desires he may remain on the active list and revert to his former warrant rank, provided he was formerly a warrant officer in the service. This measure in no way seeks forcibly to remove these officers from the service. It provides specially for their retention if they so desire it, and safeguards their interests in a way which they desire and which they can not enjoy without the passage of this bill. It must not be forgotten that the language in the bill which provides for them is the language which they themselves asked to have incorporated in it. Criticism of the bill on the ground that it is a "silk stocking" bill that discriminates against the war-time officers who are not graduates of the Naval Academy has no basis in fact. It will safeguard those very officers.

In my opinion Senate bill 550 will not only promote the efficiency of the Navy by smoothing out part of the promotion problem but it will safeguard the interests of that group of war-time officers who rendered valued service in time of need.

QUALIFY THE INDIANS FOR EMANCIPATION AND CITIZENSHIP AND SAVE THE GOVERNMENT FROM TWENTY TO FIFTY MILLIONS OF DOLLARS ANNUALLY

Mr. SPROUL of Kansas. Mr. Speaker, under leave to extend my remarks in the RECORD I desire to call attention to one of the Government's big problems, that of wisely and justly solving the Indian problem. H. R. 12576, after much study of the subject of Indian affairs by the author, was introduced in the House of Representatives February 27, 1931. As a basis upon which to predicate the bill, I will state that for 11 years my home was within 12 miles of the Oklahoma line, and for 36 years I have lived within 8 miles of the Oklahoma line and reservations of Indians. During those years I have seen much of the Indian life, both of those Indians who have lived in my district and of Indians whom I have met in different parts of Oklahoma, the Northwest and the Southwest of the United States.

I have given some special attention to the character of the life of Indians living on the reservations and elsewhere, and have talked with them with reference to the kind of governmental life the Indians have on the reservations.

Since coming to Congress I have served eight years on the Committee on Indian Affairs and have made a brief of Indian affairs law in order to learn the legal and constitutional relationship of the Federal Government to the Indian tribes and restricted members.

I have looked into the question of qualifying the Indians for emancipation and independent citizenship, and have given a lot of attention to the character of education the Government is giving the Indians; and have noted that little progress has been made in securing the qualification of Indians for real, independent, capable citizenship. I have determined that the Indians require a different character of education and training from what the whites require to qualify them for the responsibilities of life and independent citizenship.

My experiences with the subject of Indian affairs have led me to introduce H. R. 12756.

From reading the bill, without any explanation, one would probably not comprehend the full purposes and intentions of the bill. Hence I have reduced to a written statement a more or less lucid explanation of what I believe to be the fundamental facts upon which the bill is predicated. Then later, we set forth the purposes of the different sections of the bill, and how it is intended the bill may be properly applied as an educational system.

In the following statement I undertake to explain why a somewhat special plan should be adopted for teaching, training, and developing the Indians for capable, independent citizenship, and to qualify the Indians for complete emancipation:

A NEW METHOD FOR TEACHING AND TRAINING INDIANS

On entering upon a study of H. R. 12576 the question naturally arises: What are the purposes of the bill; what does it seek to do which may not be accomplished under the same educational system now used for educating non-Indians of the United States? Of course, H. R. 12576 has the same general purpose as any general educational system would have for non-Indians. Then, generally speaking, it might be asked whether this proposed educational system for the Indians contains any improvements on the systems which are in use for the non-Indians. To such a question, if there be one, we unhesitatingly say, it contains in our opinion much improvement over the educational systems for the non-Indians of our country. The specific purpose, of course, is to provide a sound and reasonable system for the education and training of the Indians to become capable, self-reliant, and independent citizens, qualified for emancipation.

In this connection it might be well to suggest that under the Constitution and the laws of Congress and the decisions of the Supreme Court, the Federal Government has been held to be the guardian for the Indians who are held to be a dependent, inferior race of people who shall be considered as wards of the Government. This wardship has continued to a greater or lesser degree since the Federal Government began to function in 1789. To-day we have approximately 350,000 Indians under the Indian tribal governments and living within many of our States. Just as legal guardians and parents are charged with the care, training, and education of their minor wards for self-reliant, capable, and independent citizenship, it is the duty of the Federal Government to care for and educate the Indians of the United States until they are self-reliant, independent, and capable citizens who may be emancipated from the wardship of the Federal Government. This is the greatest duty of the Federal Government toward the Indians. Another important question arises in considering the bill, H. R. 12576: What character of educational system is now in use in educating and training the Indians? Wherein does it differ, if at all, from the educational systems in the various States in which the Indians reside? Our reply would be that it does not differ, but is the same general system which for various reasons is used less effectively in producing the desired results. In considering the necessity for a different system of education and a different curriculum or course of study and a different application of the system, it is very material to go into the differences between the Indians on the one hand and the non-Indians on the other. As a race of people, the Indian is not much inclined to continuous hard work; he is not very ambitious; he specially enjoys fishing, hunting, racing, and other sports rather than any kind of hard labor; governmentally he is naturally a tribalist; he is more inclined to tribalism than to individualism; he is not especially interested in acquiring or building for himself a worth-while home or residence; neither does he have an ambition to acquire and operate at a profit a business or farm for himself; he is more interested in the welfare of his race collectively than he is for himself and others individually. On the other hand, the non-Indians are largely individualists. They are ambitious to acquire and own a home or residence; they are ambitious to acquire farms or other businesses or properties; they have been taught for thousands of years that at a certain definite age, about when they acquire physical maturity, they individually must assume the responsibilities of life and a home and citizenship and everything that goes with self-reliant, individual responsibilities, and citizenship; they have been taught that they must learn vocations or professions to realize the aforesaid purposes. Hence we see striking differences between the Indians on the one hand and the non-Indians on the other hand.

There are also striking differences between the Indians on the one hand and the non-Indians on the other in the way of taught and developed dispositions and traits of character. Through family and traditionary training, the Indians have come to understand that once their tribes owned the territory of the United States, and that the whites came from various countries and cheated them, and defrauded them and forcibly took from them their happy fishing and hunting grounds and appropriated them to the use of the whites. When the Indians have acquired a sufficient literary education to read and understand the written history of their race and the United States they learn and are informed that the traditionary history of their race and the treatment of them by the non-Indians, corroborates their traditionary knowledge of their people and the way they have been treated by the whites. Their conclusion from this history naturally is that the so-called "Great White Father" is under great and everlasting obligation to the Indian tribes of the United States. They learn also that in recognition of this everlasting obligation, the Federal Government known to them as the "Great White Father" recognizes the Government's great obligation to the Indians by serving as their guardian and caring for their various wants and needs. To them, the guardianship seems very appropriate, and in the estimation of the Indians should be continued indefinitely. Thus, we find the Indians to be paternalists in their relationship to the Federal Government, though among themselves they are tribalists. We, therefore, find a great difference between the Indians with reference to government greatly differing from the whites or non-Indians. The whites or non-Indians indorse the representative government and the property or capital system and believe largely in individualism. Without any special effort to eliminate from the young Indian his natural tribalistic instincts and belief in paternalism which has been practiced by the Government toward the Indians for more than a century, it is very probable that the Indians will continue to be tribalists and paternalists as well as to continue to possess the instincts natural to their race.

The economic costs to the Government of playing guardian to the Indians is now more than $20,000,000 annually. Much of it is used in the very old, unimproved educational system. Teachers without any special knowledge of Indian life or the characteristics peculiar to the Indian race are selected to teach the Indians. Universally the same plans and management are used in teaching the Indians that have been and are being used in the white schools. And, this, notwithstanding the fact that the Supreme Court has held that the Indians are a weak and subordinate race of people.

Just as it is the duty of the guardian of a white minor child and white parents of their children to specially qualify them for self-reliant, independent, and capable citizenship for their emancipation at maturity, so it is the duty of the Federal Government toward their Indian wards to educate, train, and develop them for the same character and type of citizenship, which should be the ambition and duty of the guardian or parents of white children.

It is our contention that little if any real progress is being made under our educational system used to train and develop the Indians in qualifying them for assuming the burdens and obligations of an independent, self-reliant citizenship. Therefore, H. R. 12576 is proposed as a somewhat new and different method for the training of and successfully educating and developing the Indian for emancipation from the guardianship at a reasonably early period in their lives.

The first section of the bill sets forth in a declarative way the policy the Congress proposes to pursue to fit the Indians for emancipated and qualified citizenship. It further declares that the policy is to at once enter upon an intensive and comprehensive program for qualifying the Indians for self-support, and to be capable of properly caring for and acquiring property.

Section 2 provides for the creation of a commission on Indian education, to be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Labor, the Commissioner of Indian Affairs, and the Commissioner of Education, of which commission the Secretary of the Interior is to be ex officio chairman. The particular personnel of the commission at once appeals to us as being especially fitted for membership on a committee devoted to Indian welfare. The chairman, of course, by law is charged with the looking after the welfare of the Indians. The Commissioner of Indian Affairs is a subordinate of the Secretary of the Interior and is likewise charged with looking after the welfare of the Indians. The Secretary of Labor is interested in the welfare of all who necessarily must engage in labor; as he deals with all classes of labor and is interested in the welfare of all classes of labor, he would surely be a qualified adviser in vocational education. Then we have the Secretary of Agriculture. The Indians are more familiar with the pastoral and other forms of agricultural life than any other type of work, thus making the Secretary of Agriculture better fitted than any other official of the Government for membership on the commission. The general duties of his office make him especially fitted to be an adviser with reference to the agricultural and pastoral phases of agriculture, and so we can see in him a special qualification for membership on the commission on Indian affairs and education.

The Federal Commissioner of Education has an official familiarity with the education of the Government Territorial residents, many of whom are either Indians or Eskimos, as well as whites. Therefore, his official duties will fit him for membership on the commission on Indian education.

Section 3 provides that the commission on Indian education shall cause to be prepared a special curriculum or course of study of teaching and training for the special education and development of the Indians to be self-supporting and qualified citizens. This curriculum or course of study and training must necessarily be prepared especially to eliminate from the Indian certain of his racial instincts and characteristics, some of which pertain to his tribal views and his lack of ambition to possess a home, property, and business, to be an individualist instead of a tribalist, and also to eliminate his beliefs and opinions with reference to paternalism. But in addition and to substitute for such racial and acquired un-American beliefs, it is desired to make him a loyal and patriotic, self-reliant, well-qualified citizen. After the special curriculum and course of study has been carefully prepared for the education and development of the Indians, it is declared (in sec. 5) to be the duty of the commission on education to select and employ a corps of normal training teachers for specially instructing and teaching Indian teachers the special characteristics of the Indian and Indian life and for teaching the Indian teachers methods and means and management for so teaching the Indians that they will make rapid progress toward qualified citizenship and preparedness for complete emancipation.

Section 6 sets forth the principles or elements of the character and type of citizenship sought to be attained, at the earliest reasonable date possible, in the Indians. The Indians are to be taught industry, continuity of effort, loyalty, efficiency, perseverance, economy, ambition, business administration, neatness, sobriety, truthfulness, integrity, and self and family support, participation in Government affairs and natural growth and development and welfare of country. It will be the duty of the commission which prepares the curriculum and course of training to develop a system of illustrations, and object methods for teaching the elements of the type of citizenship desired in the Indian for his emancipation. And it will be the duty of the normal training teachers to teach and show and illustrate to the Indian teachers how to overcome the racial handicaps of the Indians; how to change them from their present attitude toward communism and paternalism and lack of interest in business and homes and property to the non-Indian citizens' loyal and interested attitude toward home and property rights and obligation to Government, etc.

Section 7 fixes a definite date by which the guardianship of the Indians by the Federal Government shall cease and by which time the Indians shall all be qualified under this system of educational training and development for independent and emancipated citizenship.

Section 8 provides that, if and when the Indians become qualified for self-responsibility in every way, the Government shall issue to each one a certificate declaring him to be an independent and emancipated citizen of the United States. Section 9 fixes 50 years as the limit of time within which to educate, train, and develop the Indians for a capable citizenship and emancipation.

Section 10 provides that upon the attainment by the Indians of independence and emancipation it shall be the duty of the Gov-

ernment to deliver to them respectively all of the property of every character and kind which the Government, as the guardian of the Indians, has possession of.

Section 11 needs no explanation.

The question may be asked, What if there may be remaining at the end of 50 years some old feeble or dependent Indians unqualified for self-protection and support? Such would be an easy matter to control. The Government can easily continue the guardianship of such Indians for such length of time as may be necessary to fully discharge its duty toward the dependent Indians.

[H. R. 12576, Seventy-first Congress, second session]

A bill providing for teaching, training, developing, qualifying, and emancipating the Indians of the United States for independent citizenship, and for other purposes, within the period of 50 years

Be it enacted, etc., That it is hereby declared to be the policy and purpose of the Congress to provide for teaching, training, developing, and qualifying the Indians of the United States, as early as possible, to become industrious, self-reliant, qualified, independent, and self-maintaining citizens of the United States. And it is further declared to be the policy and purpose of the Congress to provide at once for entering upon and continuing such intensive and comprehensive training, developing, and qualifying of said Indians for capable, independent citizenship that within the period of 50 years further guardianship by the United States over the Indians and their property shall be unnecessary, and, therefore, discontinued.

SEC. 2. That in order to carry out the purposes of this act a commission on Indian education is hereby created, which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Labor, the Commissioner of Indian Affairs, and the Commissioner of Education, of which commission the Secretary of the Interior shall ex officio be chairman.

SEC. 3. That such commission on Indian education shall cause to be prepared such curriculum, course of teaching, study, and training as in its judgment will be necessary for use in teaching, training, and developing the Indians to be independent, self-supporting, qualified citizens.

SEC. 4. That to carry out the purposes set forth in this act special training or normal schools shall be provided for Indian teachers at such places and for such length of time as may be determined necessary by said Commission on Indian Education, for qualifying said teachers to teach, train, and develop the Indian students in accordance with such curriculum and course of teaching and training as shall from time to time be provided by or under the direction of the Commission on Indian Education.

SEC. 5. That the said Commission on Indian Education shall select and employ such normal-training teachers to specially instruct the Indian teachers of the Indian schools what and how to teach, to develop and to train the Indian students to become qualified for independent, self-reliant, self-supporting citizens of the United States in accordance with the purposes of this act. And the said commission shall fix and determine the salaries to be paid said normal-training instructors, which salaries shall be paid as the salaries of other Indian teachers.

SEC. 6. That among the elements embraced in the qualifications for citizenship sought by this act to be developed in the Indian students and which shall be taught are: Industry, continuity of effort, loyalty, efficiency, perseverance, ambition, economy, business administration, neatness, sobriety, truthfulness, integrity, self-preservation and protection, law observance, self-reliance, self and family support, participation in governmental activities, mental growth and development, and love of country.

SEC. 7. That 50 years from and after the approval of this act the United States shall cease to be the guardian of the Indians, and all Indians shall then and thereafter be regarded as independent, qualified citizens of the United States, with the same liberties, privileges, immunities, and responsibilities as other citizens.

SEC. 8. That as the Indians become qualified for independent citizenship, as determined by the Secretary of the Interior, such Indians shall, upon their application, or upon the initiative of the Secretary of the Interior, be given a certificate of independence and competency.

SEC. 9. That the special education, training, and development of the Indians, as herein provided for, shall continue until all the Indians become qualified for self-support and citizenship, or until the expiration of 50 years.

SEC. 10. That it shall be the duty of the Secretary of the Interior to preserve and protect all the property of each Indian, and upon such Indian arriving at the state of competency for independent citizenship the Secretary of the Interior shall deliver over said property to such Indian when he shall have received his competency papers.

SEC. 11. The Secretary of the Interior shall make all necessary rules and regulations for carrying out the purposes of this act.

LABOR LEGISLATION AND WICKERSHAM REPORT

Mr. SCHNEIDER. Mr. Speaker, I wish to review very briefly what has been accomplished by this Congress in the way of unemployment legislation and what has been done to improve working conditions of Government employees. Much more was obtained in this line than anyone anticipated could be obtained from such a reactionary Congress. Many bills still remain upon the calendars or on committee tables, however, which should have been considered and passed.

The Wagner unemployment agency bill has been passed very late in the session and is not yet a law. I earnestly hope that the President will sign it. I can not conceive of his refusal to do so, yet the possibility has been expressed, and in view of the fact that he has not shown a disposition to be liberal, a pocket veto would not surprise me greatly. I say that also because the interests who seem to be exercising some sort of hypnotic influence over him are not, of course, favorable to liberal working conditions for the working man. If he listens to them, it is possible that this bill may be defeated regardless of the will of Congress.

Another bill which is left in his hands as the Congress adjourns is the village mail carriers salary increase bill. Both of these bills I will discuss a little more fully later.

Under the following subheads I am going to state very briefly only the outstanding provisions and purposes of the measures which have been passed for the benefit of workers:

WAGNER UNEMPLOYMENT BILLS

Senator WAGNER, of New York has been carrying on a very extensive study of unemployment conditions and causes for several years and as a result of his study introduced three bills. These three bills—S. 3059, S. 3060, and S. 3061—were heralded throughout the country as a panacea for unemployment conditions. I will consider them in the order in which they were passed by Congress.

UNEMPLOYMENT STATISTICS

S. 3061 was passed by House and Senate and approved by the President on July 7, 1930. It authorized the collection and compilation of statistical information on volume and changes of employment in each of the States. It simply enlarged the work already being done by the Bureau of Labor Statistics for the purpose of having available accurate data.

STABILIZATION AND FUTURE PLANNING

S. 3059 has had a more difficult history, but after much consideration and amendment was rewritten and introduced as S. 5776. It was approved on February 10, 1931. This bill establishes a Federal employment stabilization board composed of the Secretaries of the Treasury, Commerce, Agriculture, and Labor. It is charged with the duty of advising the President from time to time of the trend of employment and business activity and of the existence or approach of business depression and unemployment in the United States. The act further authorizes the President to notify the Congress by special message whenever it appears that such a period of depression is likely to exist, making recommendations for appropriations for the construction of public works in order to aid in preventing unemployment. The measure also provides for the establishment of a system of advance planning of public works. Each department having supervision over any activity of the Federal Government involving construction projects, such as post offices or other Federal buildings, river and harbor projects and improvements, flood-control projects, public roads, and so forth, is directed to prepare a 6-year advance plan, with estimates showing projects suggested for allotment in each year. They are also directed to prepare a program for prompt commencement in an emergency. These plans are to be available for study and appropriation by the Congress whenever the condition of the country requires.

UNEMPLOYMENT AGENCIES

Senate 3060, which is considered by many to be the most important of the three Wagner unemployment bills, provides for establishment of Federal employment agencies throughout the United States where there are no State agencies. It also offers financial cooperation to States equal in amount to any sums appropriated for the purpose by a State up to the limit of that State's portion of the $1,500,000 appropriation authorized by the act. This appropriation is to be proportioned to the States according to their population.

This bill was adopted by House and Senate after a stormy experience in the House. The administration sought to block the enactment of this badly needed legislation by bringing

in a substitute bill a week before adjournment. This substitute proposed nothing more than the enlargement of the existing agencies of the Labor Department. The substitute was defeated in the House and the bill was passed by the House and Senate and sent to the President. It is certain that the system set up by this bill will do a great deal to bring the employer and employee in widely separated parts of the country together. Through these agencies available positions will be located and the unemployed persons placed therein. It will prevent such unfortunate situations as a labor surplus in Milwaukee and a great shortage in other cities of the country. It will bring to labor accurate information as to where employment is to be had anywhere in the country.

LOCAL WAGE RATES REQUIRED ON PUBLIC WORKS

Another measure of vast importance to labor is the so-called Davis-Bacon bill (S. 5904), which provides that every Government contract involving an expenditure of more than $5,000 and requiring employment of laborers or mechanics in the construction or repair of public buildings, shall contain a provision to the effect that the rate of wages for all laborers and mechanics employed on these buildings shall not be less than the prevailing rate of wages for similar work in the city or State in which the public building is located. This will obviate, largely, the practice of contractors bringing into a community where a public building is in course of erection cheap labor from the outside when local labor is available.

This act is to take effect 30 days after enactment. It was approved by the President on March 3. All contracts entered into by the United States after April 3, 1931, therefore, will contain this wage-protecting clause. It does not affect work under way or to be started on contracts already signed. However, I am sure that the position so definitely taken by the Congress will lead to few, if any, violations of the principle expressed by contractors not specifically covered by this bill.

POSTAL EMPLOYEES 44-HOUR BILL

The Kendall 44-hour week bill for postal employees means Saturday afternoons off for the day workers, and a 44-hour week instead of 48 for all other postal employees. Heretofore a very unsatisfactory Saturday afternoon arrangement was in effect, which was granted to employees at the whim of the postmaster. Sometimes they got Saturday afternoons off during the summer months and sometimes not. Notwithstanding the fact that postal receipts have increased 55 per cent, while the number of employees has increased only 17 per cent, Postmaster General Brown opposed this measure. In view of this position by the Postmaster General, postal employees are fortunate in securing the approval of the President on this bill. Mr. Brown is a chief among the bureaucrats here in Washington. A few months ago he advocated the increase of postal rates from 2 to 2½ cents on letter mail to replenish the treasury of the Post Office Department. Nothing, however, appears to have been done by him to explain the outrageous charges for leased post-office buildings or to reduce the tremendous charges by railroads and steamship companies for carrying the mail. No department of the Federal Government has a more efficient or higher class of employees on the whole than does the Post Office Department.

SATURDAY HALF HOLIDAY FOR GOVERNMENT WORKERS

For a great many years employees in the classified branches of civil service have sought a half holiday on Saturdays, and after a shameful delay the Congress has granted it to them. All Government offices, with a few exceptions in the District of Columbia and throughout the United States will close at 1 p. m. on Saturdays hereafter. This extends to shipyard workers, gun-factory and munition-plant employees, and all kinds of laborers and mechanics employed in and around governmental departments.

As a member of the Civil Service Committee of the House I recall the forcefulness with which representatives of employees, labor organizations presented their case. This was not only appealing but convincing. The approval of this bill by the Congress can be justified by the loyalty of these workers to Government service and the efficiency with which they apply themselves to their work.

VILLAGE CARRIER SALARY INCREASE

S. 543, another bill in which labor people have been interested, benefits only 954 workers in the village letter carrier service. However, the principle involved here also meant as much to labor at large as the benefit meant to these workers. These carriers in our small towns which are just able to qualify under postal regulations for letter-carrier service do fully as much work as the city carriers and frequently under more difficult circumstances, yet they receive from $250 to $400 less in annual wage than the city carrier.

This bill gives them a step-up in the civil-service classification amounting to $100 annually. It can be seen that village carriers make up a very small part of the postal employees. They do not wield the powerful influence that other groups of employees do. The merit of their case, however, is equal to that of any of those employees. The House was desirous of giving this group two step-ups, but this was opposed by some, and it appeared that the legislation, meritorious as it is, would not have the approval of the President.

WICKERSHAM REPORT

After approximately two years of investigation by the President's Crime Commission, its chairman, Judge Wickersham, presented its report to the President. The report was looked forward to with great anxiety by the Congress and the country. After a thorough reading and analysis of practically the only subject that they investigated, which was the so-called prohibition question, nobody could ascertain whether the commisison was wet or dry. Of late some members of the commission, and its chairman in particular, have interpreted the report as being favorable to the wets. The drys, since the appearance of the report, have claimed that it favored their views. To say the least, it is a document of confusion and disappointment to everybody.

From all reports the findings of the commission were supposed to make an absolutely dry report, but the evidence that was presented to the commission from all sections of the country, and particularly the so-called dry areas, brought such an indictment against prohibition that even the commission could not bring itself to approve the "noble experiment."

During the entire session of the Seventy-first Congress the prohibition question was constantly before the House. More speeches were made and more matter printed in the RECORD on this subject by far than on any other subject. This will continue to be the order in the Congress in my estimation until there is a satisfactory modification of the Volstead Act or a repeal of the eighteenth amendment. I am convinced from the evidence submitted to the Wickersham Commission, and, of course, from my personal knowledge of conditions in the country, that the Volstead Act can not be enforced. This being the case, it appears to me that the only logical thing to do is to modify the Volstead Act, and if necessary amend or repeal the eighteenth amendment.

WHAT HAS BEEN DONE TO RELIEVE OUR NATIONAL DEPRESSION

Mr. STRONG of Kansas. Mr. Speaker and Members of the House, I am taking advantage of the permission given me to extend my remarks in the RECORD by setting forth what the Republican administration has done to alleviate the misfortune which our Nation, together with the other nations of the earth, has experienced.

Large national expenditures by reason of important wars have always been followed by an economic depression. The Civil War closed in 1865 and eight years afterwards came the economic depression of 1873, when banks and business houses failed, the closing of manufactories threw labor out of work, prices were depressed, and hard times followed.

The World War closed in 1918, and in 1919 and 1920 prices fell, largely because our markets were flooded with agricultural and manufactured goods imported from other countries under the Underwood tariff laws, which had been passed during the Wilson administration. However, the passage

of the farmers' emergency tariff bill in 1921 under the Harding administration, which was followed by a general tariff law in 1922, excluded such importations and restored to our farmers, workingmen, mines, and factories the markets of our own Nation, and it was thought that the post-war economic depression had been avoided.

But the nations of Europe had been so drained of their resources and wealth during the war that had been world wide in its scope that in 1929 a depression set in involving all the nations that had participated in the war and precipitated an international economic crisis. Russia, through the use of low-priced labor, working on a low standard of living, started to embarrass other nations through flooding their markets with low-priced products which caused them to establish trade barriers and embargoes. Our foreign trade became affected and our surplus of food, cotton, and manufactured goods caused prices to decline.

The value of stocks and bonds that had been inflated beyond that justified by their earnings broke and in the winter of 1929 a stock-market panic ensued and we became involved in the world depression and falling prices affected all business, including agriculture. The president, realizing the situation, called together leaders of manufacturing, mining, banking, business, agriculture, and railroad groups and pointed out that an attempt to lessen operations, curtail employment and reduce wages would undoubtedly bring an economic crisis that would shake the Nation to its foundations, and urged that in so far as possible factories, railroads, and all business be operated and wages maintained, and every means taken to avoid such a catastrophe. He promised if such a course was followed he would lend his influence not only to a continuance but an expansion of the public building program and also increase appropriations for the development of national highways and rivers so as to lessen unemployment; and those who are above playing politics readily admit that the impending crisis was in part averted.

Congress responded to the President's appeal and increased by many millions its appropriations for the canalization of our rivers, the improvement of our harbors, the building of public buildings, and the construction of roads.

The study of the needs of agriculture had developed that the failure of the farmers of the nations to control their own marketing systems, as other industries do, was responsible for their failure to receive a fair return for their products and the agriculture marketing act was passed, in which the Federal Farm Board was set up with authority to create farmer-owned and farmer-controlled marketing associations, and a fund of $500,000,000 was authorized to be advanced from the Public Treasury to provide working capital, with as low a rate of interest as other industries enjoyed.

A tariff bill was passed, which though grossly misrepresented so favored agriculture that when the final analysis by the Tariff Commission was made it was found that 68 per cent of its increases were on agricultural products while 32 per cent were upon those of industry.

During the summer of 1930 an unprecedented drought affected 15 great agricultural States, not only destroying crops but depriving many of food for themselves and their stock.

In the elections of 1930 such conditions coupled with the low prices and unemployment were used to create dissatisfaction with the present administration, and both the farm marketing act and the tariff bill were misrepresented to the voters.

When Congress convened for the short session in December, 1930, the condition was so serious that the leaders of the Democratic Party publicly announced that they would cooperate with the Republican Party in the passage of essential legislation, and it is to be regretted that in the effort to "play politics" and affect the general election of 1932 such promises were not fulfilled.

The purpose of the short session is to pass the nine great appropriation bills necessary to carry on the various branches of the Government. In addition legislation for the relief of the farmers in distress in the drought-stricken areas had to be passed. The construction of Government buildings, Federal aid to the States for the construction of roads, the improvement of rivers and harbors, and the building of needed hospitals for the World War veterans, and other necessary legislation had to be sandwiched in between these great appropriation bills, so that it was easy for those who carry on "legislative piracy" by threatening the destruction of necessary legislation unless bill introduced for political purposes were given consideration. Never in the 12 years of my experience in Congress have I known a short session so congested with proposed legislation, and not until within a few hours of the closing of Congress was it assured that the threat to force an extra session by the defeating of appropriation bills would not result, while a filibuster conducted in the Senate until the gavel fell for its adjournment prevented the passage of desirable legislation.

It is, therefore, interesting to note what was accomplished during the session just closed:

The nine appropriation bills, with two definiency bills, necessary for carrying on the Government departments were passed.

The emergency construction act, including $80,000,000 for Federal-aid highways; $25,500,000 for rivers and harbors and flood control; and $10,500,000 for roads in national forests and national parks was enacted.

For drought relief, including loans for seed, feed, fertilizer, and other agricultural rehabilitation, including rural sanitation and medical supplies in drought areas, $69,000,000 were appropriated.

Increase in public-building appropriations over like appropriations at last session for construction and sites, $16,000,000, and additional authorization for construction of new buildings, $100,000,000, totaling $116,000,000.

Loans for the construction of merchant vessels in the American merchant marine, $35,000,000.

In the interest of the ex-service men, many of whom were represented to be in distress, legislation was passed permitting them to borrow 50 per cent of the amount of their adjusted-compensation certificates. For the building of additional hospitals for the World War veterans, $20,850,000.

In addition, legislation was enacted with regard to building over 20 bridges across navigable streams; citizenship; to provide books for the adult blind; with regard to infected cattle; flood control; forestry; several bills with regard to the rights of Indians; insular affairs; internal revenue; 20 bills with regard to our national defense; three for the establishment of our national parks; two with regard to the Postal Service; one pertaining to public health; two pertaining to aviation; five pertaining to education; and many others with regard to insurance, public lands, shipping, reclamation and irrigation, taxation claims against the Government, and so forth.

Of matters of importance to our State, three stand out prominently.

CORN SUGAR

For years a ruling issued by the Department of Agriculture had interfered with the unlimited manufacture of sugar made from corn, regardless of the fact that a method had been developed whereby 25 pounds of wholesome white granulated sugar could be made from a bushel of corn, leaving the residue as a fine food for stock. During this session of Congress a 7-year fight was ended by the rescinding of this regulation. It will result in the use of large quantities of corn, which it is believed will not only help in maintaining a good price for that product but bring about an increased acreage and a corresponding reduction in wheat acreage.

RESTORING THE TAX ON OLEOMARGARINE

In November last the manufacturers of oleomargarine through the use of palm oil imported from abroad found a way to color oleomargarine to exactly imitate butter, and secured a ruling through the Internal Revenue Commission to the effect that the use of palm oil, being a natural colorization, would release the manufacturers of oleomargarine from the tax of 10 cents per pound that it had paid for over

20 years. Immediately the oleomargarine manufacturers began an intensive campaign for the sale of such a product, with the result that an already low price of butter was further reduced 10 cents per pound, and the butter industry, which produces by far the largest revenue of any agricultural product, was threatened with destruction, and the public influenced to use an article that does not have the health-producing qualities of real butter.

A bill restoring the tax was passed over strenuous opposition by the manufacturers of oleomargarine and will become a law within 90 days from the closing of Congress. In appreciation of my successful fight for the dairying interests I was presented with the pen with which the President signed the bill.

OIL

In the passage of the tariff bill last year a request for a duty on oil was delayed until too late to have the same included in the bill. This year the large oil companies that have been purchasing the oil in Kansas, Oklahoma, Texas, and California and other oil-producing States announced that on the 1st of January, 1931, they would discontinue purchasing the same. This meant disaster to the many thousands of owners of oil wells in such States. An investigation developed the fact that such large oil companies had increased the importation of oil from other nations and an effort was made to pass legislation for the relief of the independent oil producers through the restriction of the importation of oil.

While the leaders of the House and Senate were forced to acknowledge that a tariff bill could not be passed at the short session, they openly favored legislation that would restrict the importation of oil and thus afford the American oil producers an opportunity to sell such portion of oil as would permit a partial operation of their wells until the long term of Congress should make possible the chance to pass further legislation. Those who did not understand that Republican leaders are not in a position to compel the members of the Ways and Means Committee to report out legislation were prominent in circulating such propaganda, and later when the Ways and Means Committee failed to report out such desirable legislation charged that they were an eastern-controlled committee. The facts are that the Republican members of all committees of the House are chosen, not by the Speaker but by a "Committee on Committees," composed of one Member from each Republican State, selected by the Republican delegation of that State, so it can be easily realized that there is no power or control over any member of any committee except that of the voters of his own district. The Democratic members of committees are named by the ranking Democrat on the Ways and Means Committee, who at present is the Democratic leader. The Republican members of the Ways and Means Committee are from the following States: Oregon, Massachusetts, New Jersey, Washington, Colorado, Pennsylvania (2), Michigan, Ohio, Illinois, New York (2), Rhode Island, Iowa, and Wisconsin. The Democrats are from Texas, Mississippi, Georgia, Illinois, Tennessee, North Carolina, Arkansas, Washington, Indiana, and New York. It is therefore readily seen that the committee is not eastern-controlled; also that only a few of the members from either party come from oil-producing States, which, together with the congested condition of legislation in the short session of Congress, was responsible for the failure of legislation for the protection of the oil industry.

At the close of the Congress a conference of Republicans is always held at which candidates for the offices of the House are nominated. As a Republican I attended this conference and made an appeal for legislation for the protection of our great oil industry and the need of the same. Other Members of our delegation saw fit to remain away from the conference as a protest against the failure to pass oil legislation and to meet the approval of those engaged in and depending upon the oil industry who did not realize the reasons for the failure to secure such legislation.

I believe that a tariff on oil will be passed at the next session of Congress if the Republicans are in control, for such relief can only come through that party that believes in the restriction of the importation of foreign products for the protection of American industry, agriculture, and labor.

While there was much of politics and little of cooperation by the minority party during the 90 days in which the Congress was permitted to be in session, much good legislation was passed in the interest of the farmer, the laboring man, and the business interests of the country.

OLEOMARGARINE

Mr. SCHNEIDER. Mr. Speaker, I wish to express my position on the oleomargarine bill, H. R. 16836, introduced by Representative BRIGHAM, and also wish to say a few words in behalf of the dairy industry.

I hope the Members of this House will see the vital need for this legislation and vote to pass it before we adjourn. The dairy industry in my State and in the country is in desperate need of it.

All that is intended by this bill is to make effective legislation which we have already written upon the statute books. As early as 1886 the Congress recognized the necessity for protecting the butter industry of this Nation against the competition of oleomargarine.

By the act of August 2, 1886, a tax of 2 cents a pound was placed upon all oleomargarine. This provision still left oleomargarine manufacturers free to color their product in perfect imitation of butter, and in 1902 the Congress recognized the fact that oleomargarine producers were selling their product as butter. By the act of 1902, amending the 1886 law, the tax was increased from 2 to 10 cents per pound, with the provision, however, that—

> When oleomargarine is free from artificial coloration that causes it to look like butter of any shade of yellow, said tax shall be one-fourth of 1 cent per pound.

In interpreting this act the Bureau of Internal Revenue provided in its regulations:

> SEC. 43. Artificial coloration: (a) Oleomargarine is not free from artificial coloration if it looks like butter of any shade of yellow, except where such yellow color results from naturally colored oils or other materials which are used in substantial quantities in relation to the other ingredients, and which serve some material function or functions in addition to imparting color to the finished product.
>
> (b) The use of naturally colored ingredients in the manufacture of oleomargarine which have the effect of imparting to the finished product a yellow color in imitation or semblance of butter will not be regarded as causing artificial coloration if such ingredients form a bona fide component part of the manufactured article and serve substantial functions other than producing color.

The competition between oleomargarine and butter was effectively checked by the act of 1902. Immediately, however, oleomargarine manufacturers sought to find some method by which yellow-colored ingredients could be added in substantial quantities to make a yellow-colored oleomargarine that would escape the tax. The meat-packing industry succeeded in doing so by using certain highly colored body fats, called oleo oil, from old dairy cows. However, not enough of such material could be obtained to make a very large amount of oleomargarine, and the colored product so placed upon the market made no appreciable inroad upon the butter market. During 1930 a process was discovered whereby palm oil could be refined so as to give it a palatable flavor. Its natural deep-yellow color makes it an ideal substance for the purposes of the oleomargarine industry, and by the use of from 10 per cent to 15 per cent thereof as an ingredient a product is produced which resembles butter in almost every particular. Palm oil is a very heavy oil produced in the Dutch East Indies, Sumatra, Java, and on the West Coast of Africa. The trees grow wild in many places, but of recent years the production of palm oil has begun on the plantation system. The trees grow rapidly, producing as early as the fifth year. The quantity of oil obtained from a single tree varies from 225 pounds to about 1,700 pounds. The process used in extraction is primitive and inexpensive. It is imported to the United States duty free, and undersells the domestic oils, such as peanut oil, cottonseed oil, and oleo oil, which it replaces. To insure the marketability of this product a ruling from the Bureau of

Internal Revenue was sought, and on November 12, 1930, David Burnet, Commissioner of Internal Revenue, sent the following notice to collectors of internal revenue:

Collectors of Internal Revenue:

Reference is made to the use of unbleached palm oil in the manufacture of oleomargarine and to previous rulings of the bureau in connection therewith.

You are advised that the bureau, upon further consideration and investigation, now holds that the unbleached palm oil free from artificial coloration when used in substantial quantities in relation to other ingredients may be used in the manufacture of oleomargarine otherwise free from artificial coloration without subjecting the finished product to tax at the rate of 10 cents per pound.

All rules of the Bureau of Internal Revenue in so far as they may be contrary to this holding are hereby revoked. You are requested to forward immediately to each manufacturer of oleomargarine in your district a copy of this letter.

DAVID BURNET, *Commissioner.*

With this ruling all restraint upon the sale of oleomargarine colored to resemble butter was eliminated. Immediately the market was flooded with the yellow product. A decline of 5 cents per pound on butter followed shortly, and the oleomargarine people are at the present time engaged in a tremendous advertising campaign, the objective of which is to replace butter as the staple spread for bread with oleomargarine. If this campaign continues, it is estimated that the present consumption of approximately 100,000,000 pounds of colored oleomargarine annually will be increased to 300,000,000 pounds annually. In 1929, 342,000,000 pounds of oleomargarine were produced in the United States, only a small part of which was colored. The fact that white oleomargarine can not compete with yellow is certain to lead to the coloring of the entire production of oleomargarine.

If the color test advocated by this bill is not enacted, it is certain that palm oil, which was used in very small quantities before the ruling of November 12, 1930, will become an important part of oleomargarine formulas in 1931. Under the Internal Revenue Bureau ruling at least 10 per cent of palm oil must be used to be regarded as a substantial quantity. Oleomargarine formulas specify on an average about 15 per cent of palm oil, about 60 per cent of coconut oil, and the balance miscellaneous animal fats, oils, salt, and so forth. Considering the 1929 figures, approximately 50,000,000 pounds of palm oil will go into oleomargarine. That is going to mean the replacement of the domestic peanut oil and cottonseed oil now being used in the manufacture of this product.

Briefly, the Brigham bill amends the act of August 2, 1886, as amended, as follows:

SECTION 1. That any person who sells or furnishes oleomargarine for the use and the consumption of others, except for his own family table, who shall add thereto any coloring substance to make it yellow in color, shall be held to be a manufacturer of oleomargarine.

SEC. 2. Amends section 8 of the 1886 act providing, (a) that a tax of one-fourth cent per pound shall be paid upon all oleomargarine and 10 cents per pound upon all which is yellow in color; (b) defines the test to be used in determining the color and provides that it must not contain more than 1.6° of yellow as determined by the Lovibund tintometer; and (c) requires that the tax levied on oleomargarine shall be represented by coupon stamps just as is required in the case of the sale of tobacco.

SEC. 3. Provides that the act shall take effect 90 days after the date of its enactment.

In other words, the Brigham bill proposes, first, to provide a method for determining the color of oleomargarine; second, to fix the limit of coloration of oleomargarine subject to the 10-cent tax; and third, that the tax shall be represented by revenue stamps.

We have had this situation before us for 50 years. By the enactment of this bill we are not instituting new or novel legislation. The principle of safeguarding a great domestic industry from unfair competition by a product consisting largely of foreign imported substances has been upon our statutes since 1886. This act has been amended at times to meet the changing nature of the competitive conditions arising. It was first amended in 1902, as I have indicated above. The law stood that way until 1930, at which time we amended it again. The 1930 act amended the definition of oleomargarine so as to include substances made of vegetable and animal fats and oils churned in water instead of milk. It provided a moisture test for determining whether or not a compound was oleomargarine or a cooking compound. Any of these butter substitutes containing more than 1 per cent of moisture content become subject to the one-fourth cent tax, and, if artificially colored, subject to the 10-cent tax. By giving the dairy industry the consideration asked in the Brigham bill we merely make applicable to present conditions a law which gave protection in the past but does so no longer.

Figures presented by Mr. Charles Holman, secretary of the National Cooperative Milk Producers Federation, before the Committee on Agriculture show that more than 1,500,000 farmers sell milk off their farms for human consumption. They are located in every State in the Union. They own 33,500,000 dairy cattle, including nearly 22,000,000 milk cows. These cows produce approximately 130,000,000,000 pounds of milk annually, worth about $3,000,000,000. Of this total my State of Wisconsin leads all other States with 2,000,000 dairy cows.

Contrast these figures with the numbers engaged in production of oleomargarine. According to the Biennial Census of Manufactures for 1927 there were 26 establishments in the United States producing oleomargarine exclusively. They made about 65 per cent of the whole quantity of oleomargarine produced. Only 1,562 persons were employed in these plants, earning about $2,258,464 in wages.

When one considers census figures just made available showing the numbers of farms abandoned since the 1920 census further reason for protecting the dairy farmer is immediately evident. In five States grouped by the Bureau of the Census in the east north central division, consisting of Wisconsin, Michigan, Illinois, Indiana, and Ohio, the decrease in numbers of farms operated since 1920 is 116,179. Is it not self-evident that conditions on our dairy farms are bad enough? Can we afford to allow a very small number of persons—less than 2,000—destroy the butter market and affect the welfare of millions? Furthermore, when the protection asked by these millions can be afforded without destroying or even seriously inconveniencing the oleomargarine people, there should be no hesitation in acting favorably upon this bill. Oleomargarine and cooking compounds of various kinds will continue to be manufactured and sold, but we hope by this legislation to stop deceptive methods of marketing and thereby curtail the expansion of the oleomargarine industry at the expense of the dairy industry.

During the past 30 years the dairy industry of the United States has been subjected to rigid sanitary and health-giving regulations at great expense to those engaged therein. Both State and Federal Governments have provided tests for controlling dairy herds and the production of clean and wholesome dairy products. These tests, such as the tuberculin test, have cost the loss of many cows, and in frequent cases entire herds. The standard barn and milk-house equipment requirements in Wisconsin and other States have added to the burden of the dairy farmer. Many have been obliged to mortgage their farms and herds in order to comply with these regulations. They should not now be obliged to sell their milk and butter and cheese in competition with a foreign product stamped out by the feet of filthy natives and later congealed into dairy substitutes by machine processes.

Butter is not the only dairy product which must compete on the market with cheap substitutes. Much of the cheese on the market to-day is made of cheap imported fats and oils and undersells the genuine product. The Committee on Agriculture might well consider the question of controlling these substitutes. About 500,000,000 pounds of cheese is used each year in the United States. About 100,000,000 pounds is imported, and the balance, a part of which is cheese substitute, is produced domestically. About 80 per cent of all cheese produced in the United States by dairy farmers is produced in Wisconsin. The methods used in selling these substitutes are similar to those used by the oleomargarine people, and similar regulations respecting labels, moisture content, and so forth, should be worked

out to protect our farmers whose milk is used in making cheese.

These butter and cheese substitutes can be made so cheaply and sold at such large profit that enormous sums can be used by their makers in advertising, thus further encroaching on the dairy market.

Mr. Speaker, may I ask you to consider just for a moment why the oleomargarine people insist on coloring their product yellow? Is there any reason other than a desire to imitate butter? Certainly not. That must be evident to any fair-minded person. Their only purpose in coloring oleomargarine yellow is to deceive the public and encroach upon the butter market. Now, I contend, as has been contended by representatives of the dairy interests before the Committee on Agriculture, that yellow is the trade-mark of butter and that the oleomargarine people have no more right to use this trade-mark than any of those registered in the United States Patent Office. The color of oleomargarine is white, and the only object in coloring it yellow is to make it look like butter.

I believe that the resort to such a method of competition is entirely unfair and furthermore fraudulent because oleomargarine does not have the nutritive value that butter has. According to testimony given by Dr. E. V. McCollum, of Johns Hopkins University, who has conducted nutritional investigations for more than 23 years, dairy butter is the richest food known in certain health-giving vitamins. Butterfat he said in contrast to any other fat used in human diet is an outstanding source of vitamin A. Palm oil has none of these vitamins, nor have any of the other fats used in making of oleomargarine any appreciable amount of this vitamin. The presence of vitamin A in food is vital to the proper functioning of the salivatory and digestive glands in the human body.

This bill does not stop the sale of yellow oleomargarine. It does nothing more than tax it 10 cents per pound. The effect of that tax is only to bring the selling price of yellow oleomargarine somewhere near the price of butter. I earnestly wish that the committee had agreed upon a 15-cent per pound tax, because I do not think 10 cents is high enough at the present time to accomplish the purpose desired. The 10-cent tax was established 30 years ago when prices were considerably different than they are at the present. However, the 10-cent tax will bring oleomargarine near enough to butter to eliminate most competition.

Farm people are asking only for a square deal. They are at a disadvantage in competing with the importer, who can concentrate his factories in seaport towns and produce as much oleomargarine in one factory as butter can be produced in an entire State. With concentrated production points, unlimited credit, ample supply of raw materials easily and cheaply obtained, it is easy to see what a tremendous advantage the oleomargarine people have over the dairy people.

Our neighboring country, Canada, absolutely prohibits the manufacture and sale of oleomargarine. Several of our States rigidly regulate its manufacture and sale, and some prohibit it. The great dairy industry of this country opposes the fraudulent methods used by the oleomargarine industry, and I believe they are justified in asking for improvement of these conditions.

Innumerable court decisions made during the past several years have favored the manufacturers of dairy substitutes. The rulings of the Bureau of Internal Revenue have been clearly against the best interests of the farmers. Every special favor seeking interest seems to have had its request complied with by the present administration. Doubtless they are the same great financial interests who contribute so liberally to the election campaign funds. Hence, they are rewarded by favorable decisions at the expense of agriculture.

Farm people, because of their lack of economic unity, are unable to secure adequate representation in defense of their interests before the courts and Federal departments. Lack of political understanding and unity also works to their disadvantage. This situation would be changed immediately if farm people became active politically and insisted upon getting a square deal from those elected to public office, from President down.

In the proper and complete development of farm cooperation lies the solution of many of the problems of agriculture. The Brigham bill, now about to be acted upon by this House, has the united support of all the organized agricultural groups in America. In fact, it is here as the result of their thought and effort. The leaders of these groups realize its necessity. Its enactment, I am sure, will redound to the good of the entire dairy industry.

APPORTIONMENT OF REPRESENTATIVES IN CONGRESS

Mr. HARE. Mr. Speaker, under leave to extend my remarks in the RECORD I include the following statements made by me before the Census Committee on February 9, 1931, the committee having under consideration the bills H. R. 16301 and 16346, for the apportionment of Representatives in Congress among the several States under the Fifteenth Census:

Mr. Chairman and gentlemen of the committee, I will not attempt to discuss the theory upon which representation in Congress is based, because that is familiar to all. I want to discuss some of the practical problems that confront us to-day, or 150 years after the adoption of the Constitution, in trying to represent the people. I find that H. R. 16301 and 16346 embody the fundamental principle of representation. In other words, I gather from these bills that the purpose is to fix a representation on a basis of about 250,000 people. That is, there would be one Representative in Congress from a population somewhere approaching that number. I am sure that those who are present realize that while it may become a little more unwieldly in the House, although I am not convinced of that definitely, to transact business by increasing the number of Representatives, we must realize that the Congress may become less efficient as population increases unless the number of Representatives increase proportionately. I think I can speak from a practical standpoint, because I have served both in the capacity of a secretary to a Member of Congress, as the gentleman from California suggests, and I have served in the capacity of a Representative. It is true that a secretary can perform a great deal of the work that comes to a Representative's office, but at the same time every Representative realizes his responsibility to his individual constituents, and he finds that it is necessary to be familiar with practically every transaction that goes through his office.

I want to say that in the last 15 or 20 years it can not be estimated as to the amount of increased work involving a Representative in Congress on account of the changed conditions. The work has grown to such an extent that it is hardly possible for one man to do his work efficiently and physically stand up under the strain. Now, if we increase the number of people to be represented, we are going to increase the work of the individual and make his service less efficient to the people he represents. He may remain equally as efficient to the Nation as a whole, but he certainly becomes less efficient to the people he represents. To illustrate, my State under the reapportionment plan already arranged will lose one Representative. That means that the work of the others will be increased 15 to 25 per cent over what they are doing now. There is not a man on this committee, there is not a Member of this House who feels that he can increase his efforts or increase his work 25 per cent and do it efficiently. In other words, we realize that if we have additional work imposed upon us, then there must necessarily be less efficiency to the people in our districts, and we all realize that Members of the House are supposed to be fresh from the people at all times, to represent them individually as well as collectively. The question was raised here this morning as to whether or not a man could represent more people in a congested center or in a city than in a country or a rural district and do it with equal efficiency. I think he can because there are so many more problems—more pressing problems—confronting a person who represents a rural district than one who represents a large city. In a large city very often he represents the people collectively, whereas in a rural district he must represent them individually.

In a town or city a problem comes up and he represents a whole section, a whole community, through the secretary of some organization, through the secretary of the chamber of commerce, some club, or some other organization, whereas in the rural district he must represent the people individually. In the rural districts there are problems that you do not have in a large city, particularly in recent years, when Congress has been endeavoring to promote the activities and the interests of agriculture. For example, we have in the Department of Agriculture the extension service that was organized about 1913, placing a county agent in practically every county in the United States, and those of us who represent rural districts know how this has increased the work of those who represent rural districts. Take the county agents, who have problems of marketing, problems of diversification requiring information from various sources, problems of various kinds from which inquiries, requests, and suggestions come every day that did not exist prior to the passage of that law. Then we have the question of rural sanitation, rural education under what we know

as the Smith-Lever Act, the Smith-Hughes Act, and several other acts of Congress that have increased the office work of a Representative to a large extent.

We have other farm problems, such as rural credits, and those of us who represent rural districts know this work in the last 12 months or 2 years has increased enormously on account of the problems arising out of the various Federal land banks, joint-stock land banks, and other banking questions. These are some of the reasons why I think it would be well for Congress to say that a Representative should represent so many constituents and let the representation in Congress increase, if necessary, because I believe we can increase the number of Representatives in Congress a great deal better, a great deal easier, and with better results than we can afford to decrease the efficiency of representation of the people, because decreased representation means less efficiency in representation.

Mr. McLEOD. What limitation would the gentleman put on that increase and when?

Mr. HARE. My personal opinion is that representation should be about 250,000, and then let the number of Representatives be what it may. I believe that with increased intelligence on the part of the people of the United States in recent years, they are demanding more definite, more certain, and more efficient representation than in past years, and they will continue to demand increased efficiency in that representation.

The problem of highways; post roads; rural routes; air mails; hospitalization; compensation, etc., for veterans; radios; and many other problems are going to demand what is equivalent to increased representation.

Mr. McLEOD. What would the gentleman do when the country, possibly, reached a population of 200,000,000?

Mr. HARE. I think that is a problem too far in advance for us to contemplate.

I think we will be able to cross that bridge when we get to it. It may be that we would have to increase the number of Representatives in Congress twofold, maybe threefold; I do not know. But I believe the people of the country are going to demand the same efficient, or more efficient representation in Congress in the future than they have in the past, because as people increase in intelligence, as they increase in interest in their Government, and as interest increases in various activities of the Government, the work of the Representatives will necessarily increase, and therefore the number of Representatives should be increased.

Mr. ENGLEBRIGHT. The gentleman is building a very skillful and pleasing statement from one viewpoint; but the gentleman recognizes that one Representative or one individual can just as skillfully and ably represent 350,000 people as another Representative can represent 150,000 people, due to the difference of talents of the two men, the two Representatives, due to the difference in business ability or organization ability in his office.

Mr. HARE. That is the misfortune of those who selected the Representative. If they get an inefficient person, the mistake should not be charged to Congress.

Mr. MOUSER. You can not fix 250,000 as an average district.

Mr. HARE. If it becomes necessary, I should say that whenever a district increases its population more than 250,000, then there should be an additional Representative.

Mr. MOUSER. Of course, the most important part of it is general legislation. It depends upon the individual Congressman, how much energy he has.

Mr. HARE. I do not think that increased representation in the House would materially interfere with the efficiency of proper, conservative, and progressive legislation. I believe we would have the same degree of efficiency from a legislative standpoint to-day under existing conditions with a body of 500 men as we have with a body of 435 men. In other words, I do not believe that by simply increasing the number of men we decrease the efficiency of the legislative body. If I am correct in this belief, I ask you to go with me one step further and say that if you increase the number of people an individual has to represent you necessarily increase his work, and then if you increase the work materially or to any great extent the question then arises as to whether it does not follow that the services rendered are less efficient.

Mr. LOZIER. Is it not true that the Members sitting around this table, and, in fact, many Members of the House, are frequently prevented from being on the floor of the House and prevented from taking an active part in legislation because of the great amount of departmental matters that under our present system our Members are compelled to look after?

Mr. HARE. I think that is so obvious and so plain to every Member of the House that it would be accepted without argument.

Mr. ENGLEBRIGHT. Is it not then a matter of more efficient secretaries and more able and better-paid secretaries than to increase the size of the House?

Mr. HARE. No; I don't think so. By doing that you would relieve the Representative of a certain responsibility, and I believe that in order to insure the most efficient representation each Member should feel that he is personally responsible for every piece of work that goes out of his office.

Mr. ENGLEBRIGHT. If I follow the gentleman's theory through, you should not have any secretaries or assistants. You should do every bit of work yourself.

Mr. HARE. No; I don't mean that. It is not a question of doing typewriting and such work as that.

Mr. THURSTON. Discretionary duties.

Mr. JOHNSON. Is it not possible that the setting up of Federal agencies in the various districts, such as county agents, etc., tends to reduce the work centralized here in Washington?

Mr. HARE. By no means. I venture to say there is not a man who represents a rural district but what will say to-day that he has 100 requests now where he had 1 fifteen years ago for information pertaining to some phase of agriculture in which the county agent or some farmer is interested.

Mr. JOHNSON. I have a big district, more than half rural, 10 counties, very active county agents, and it gives rise to requests for information along those lines.

Mr. HARE. If an individual comes to me with a request, I am not so apt to send it to the county agent because I do it myself in my office, because if I turned it over to some one else it shifts the responsibility, and that is the very point I am making—we should not shift our responsibility. People expect a Congressman to give his special attention in trying to solve their individual problems, and they are entitled to such service. Let me say in conclusion that if it will not decrease the efficiency of Congress as a legislative body by increasing the number of Representatives in proportion to the increase in population, and if it does decrease the efficiency of the individual Member as a representative of the individuals he represents by limiting the representation in Congress, then I think we should take the horn of the dilemma that gives the people more direct representation and increase the efficiency of the Representative, because the future of this Government is dependent upon the attitude the individuals of this country take toward Congress and take toward the Government; they must feel in their own minds and in their own hearts that they are receiving direct or personal representation from the man they select as their personal Representative, and when they feel that the man they send to Congress to represent them personally is not representing them personally but representing the country at large only, then we are not going to have that same loyal devotion to the country and to the Government that this Government is entitled to and was intended when the Constitution and the question of representation was settled 150 years ago.

Mr. LOZIER. Is it not true that the multiplication of duties and responsibilities of the Members of Congress now come from the class of people whose only appeal is to Members of Congress? It does not come from the big business concerns or those who are able to send their legislative representatives to the Capital. It does not come from those who can employ competent legal assistance to represent them. It comes from the masses, from the man at the crossroads and from the humble citizens, the man whose only contact with the Government is through his Congressman, and as the gentleman from South Carolina says, if you deny the masses of the people this intimate personal contact through their Representatives direct with the governmental agencies and activities, you are practically denying them the benefits to which they are entitled under our scheme of government. Take the post office. The Post Office Department is the one agency of the Government that touches every man, woman, and child in the United States. To three-fourths of the people, I would say, the Post Office Department is the only agency of our Government that really touches the masses of the people. Whenever you deny to the masses of the people a direct and immediate contact with the Government, you are to that extent denying them the benefits of our scheme of government.

Mr. HARE. I think the gentleman has the point I was endeavoring to make quite clearly and I feel that there is a fundamental involved. It is not merely a question of efficiency of the House of Representatives that we are interested in in this reapportionment. If it were, then I would say reduce the representation instead of increasing it. But I am interested in the interests of those who constitute this Government, and I want to say that there are to-day more people actually interested in the affairs—the intricate affairs of this Government—than at any time in our history. They are taking more interest in the affairs of the Government than heretofore and the only agency through which they can act is their Representative, and they are manifesting and demonstrating their interest in larger numbers day after day.

Mr. JOHNSON. Is it not your experience that the people are increasingly becoming more interested and demanding more for themselves from the Government?

Mr. HARE. Surely they are, and why not? The Government exists for the people and not the people for the Government.

Mr. JOHNSON. Continually usurping the rights of the States, appealing more and more to the Federal Government. Carry that out. Increase the number of the House to 475 and reduce the number each Member represents. You are continuing to centralize this Government to the breaking point. You will make more powerful the strong committees of the House, you will reduce the work to a smaller section of leaders than we now have, and thereby, in my opinion, interfere with the action of the House of Representatives.

Mr. HARE. In my opinion, instead of centralizing it, it would decentralize. It is impossible for a personal representative, if he represented 500,000 people, to stay in touch personally with their wishes and represent their interest to the best advantage. He would be guided largely by his own inclinations and by his own wishes, but if he represented half that amount he would be able to stay in closer touch with them and know what they are thinking about, know their wishes, know their desires, know their attitude toward legislation, and therefore be better able to represent them individually.

Mr. JOHNSON. If it were 125,000 instead of 250,000, would you do still better?

Mr. HARE. You should.

Mr. JOHNSON. You would not have a House with 1,500 Members?

Mr. HARE. No. You come back to the time when the population became too large for each person to represent himself in legisla-

tive matters. You come back to the time when Congress was created. It was not convenient for everybody to come to Congress. They had to have representation.

Mr. CLANCY. I think the gentleman from South Carolina has made one of the most powerful and eloquent arguments for rural populations I have ever heard here.

Mr. HARE. You are both kind and generous, and I thank you.

Mr. CLANCY. He is a valuable Member of the House. I also think he is pretty fair. Undoubtedly the gentleman from Missouri [Mr. LOZIER] rather puts the words in his mouth, that the rural populations are unorganized and do not have representatives and agents here in Washington such as the business interests have. Did you ever hear of the Anti-Saloon League, the Grange, farmers' organizations, in your experience in Washington or in South Carolina? Do you know of any lobby that is organized like the Anti-Saloon League or the farmers' organizations here, or are bolder or more powerful?

Mr. HARE. I think there are sections of our country that have highly efficient representatives from an organized standpoint, and yet we are told by the Farm Board, an agency established here last year, that agriculture and agricultural interests of this country are less organized than any other agency in the country. The farmer is inclined to be an individualist, and he wants to protect his individual interest by individual representation. I believe that this was a fundamental principle involved in the establishment of this Government—in the establishment of a representative form of government—and in order to be able to render the best services I should be familiar with the viewpoint, with the interests, and with the activity of the people, so that when I come here I will be able to register for them what they would do under a particular situation or under particular circumstances. In order that I may be able to do that intelligently and efficiently the number to be represented should not be too large, for we can reach the point where you or I would have so many that it would be physically, mentally, and otherwise impossible to do it to the degree of efficiency they would have a right to expect.

Mr. MCLEOD. Would 445 take care of your State so that there would be no loss—an addition of 10 Members?

Mr. HARE. I have not studied the figures from my State. I do not know how many it would take or how much the increase would have to be so South Carolina would not lose a Representative, but I do believe that the number of people for a man to represent should not be materially increased. I believe if there is any change to be made it should be an increase in the number of Representatives. I understand there is to be a decrease of one in my State. I do not know whether I will be that one or not, and it is immaterial from the standpoint of a public officer, but if by a reduction in representation the work is to be increased 25 per cent per Member under the plan provided, then I know the people in my State will not have that same degree of efficient representation in the future they have had in the past.

Mr. ENGLEBRIGHT. The gentleman puts the limit or maximum of increase at 25 per cent. In your own State you have seven Members now. You lose one. That would be six, or a decrease of 14⅔ per cent. Does the gentleman think that any man of average ability can increase his work 14 per cent without impairing the results, by his ingenuity or industry?

Mr. HARE. I do not know whether a man of average ability could or not, but I do know this: That with my feeble ability, my humble ability——

Mr. ENGLEBRIGHT (interposing). We do not acknowledge that.

Mr. HARE. I know there is no chance in the world for me to increase my efforts 14 per cent and give the same degree of efficiency.

Mr. CLANCY. You have heard the argument about New York State being outvoted so emphatically by 16 smaller rural States in the United States Senate and you can apply it to North Carolina or Illinois, Ohio, Pennsylvania, Texas, and Michigan, and other growing States. Does the gentleman think that is fair? Does he think that the population from the rural sections get inadequate representation in the Senate?

Mr. HARE. All of the States?

Mr. CLANCY. Yes.

Mr. HARE. I think they get representation from the standpoint of the duties of a Senator.

Mr. HARE. Do you not think they get more than their share?

Mr. CLANCY. I would not think so.

MAPLE SUGAR AND THE TARIFF

Mr. GIBSON. Mr. Speaker, the tariff act of 1930 placed a duty of 8 cents per pound on maple sugar and 5½ cents per pound on maple sirup. These rates were fixed after full committee hearings and extended debate in the Senate. The direct object of these rates was to give adequate protection to the small farmers of 20 or more States who rely on income from the production of maple products at a time of the year when no other kind of farm work can be done with profit, especially in the great sugar States of the North. This protection was in line with the purpose of the special session at which tariff revision was initiated, namely, adequate protection to agricultural products.

Canadians are the principal competitors of the American farmers in the manufacture of maple products. Importations of maple sugar from Canada increased from about 2,000,000 pounds in 1923 to over 12,000,000 pounds in 1929. Our domestic production declined from 9,787,000 pounds in 1919 to 2,388,000 pounds in 1928. The percentage of consumption of imported maple products rose from 48 per cent in 1924 to 64 per cent in 1927.

The natural result followed. Only 58 per cent of the producing trees in Vermont are in use. The industry went onto the rocks in this country and thrived in Canada. This is an accurate picture of the situation when Congress acted. The new rates went into effect June 18, 1930, only to be lowered by proclamation of the President to 6 cents per pound on sugar and 4 cents per pound on sirup early in February, 1931. No crop had been produced in the meantime, so the rates provided in the act of 1930 did not have a trial and the intent of Congress was not given effect.

On June 25, 1930, the John G. Paton Co., a small New York corporation, making its principal purchases of the Maple Sugar Producers' Cooperative Association of the Province of Quebec, filed an application with the Tariff Commission for an investigation and report under the flexible provisions of the law. The hearing was held in November, 1930. The applicant was represented by several able lawyers, including Everett Sanders, former secretary to President Coolidge, and Joseph Tumulty, former secretary to President Wilson. Representatives of the farm organizations, several dirt farmers, the economist of the Vermont agricultural experiment station, and George C. Cary, president of the Cary Maple Sugar Corporation, appeared in opposition to the petition.

The applicant, the John G. Paton Co., a relatively small concern, purchased only about 200,000 pounds of domestic maple products during the past year. Its stock in the main came from the Canadian producers and was sold to the manufacturers of cigarettes. So in making the application to the Tariff Commission it was consciously or unconsciously the mouthpiece of the American Tobacco Co. and allied organizations.

A prior investigation by the old Tariff Commission of the costs of production was initiated in 1925. The report of the commission was made April 23, 1928, and set forth that in 1925 the cost of production of sirup in the United States exceeded the cost in Canada by $0.0355 per pound; that the cost of production of sugar in the United States exceeded the cost in Canada by $0.0555 per pound. The President at that time did not see fit to accept the report by putting the recommendations into effect.

The recent report of the commission, however, discloses that the commission in its last investigation did not make a thorough study of the costs of production in the principal producing regions of the United States and Canada under this investigation but took the old report of the commission containing costs of production for the year 1925, five years previous to the recent investigation, as a basis for its recent conclusions. The commission sent its investigators into the field, not for the purpose of finding first-hand and representative data concerning costs of production at that time but to determine "what changes, if any, had occurred in the maple-products industry since 1925." Its investigators, as a result of this superficial survey, found "no important changes affecting costs of production." Evidence submitted under oath at the public hearing by competent witnesses showed that the data which the commission had gathered for the year 1925 was not typical and representative of the costs of production in Vermont, the principal producing State in the United States.

It was shown that the commission's data concerning the valuation of orchards should be raised 9.41 cents per gallon of sirup, that a correction of 3.25 cents per gallon should be made in tax costs, that the yields per tree in the United States were above the average, and the yields per tree in Canada were lower than the average yields, thereby tending to reduce the difference in the costs in the United States as compared with Canada. It was further shown that the labor costs and fuel costs for Vermont were too low.

The commission admitted the inaccuracy of its data concerning the interest on investment in sugar groves, but instead of ascertaining the facts concerning this item as specified definitely in section 336, the commission omitted this item entirely from the cost comparison.

Thus, the commission's data for the year 1925 was not representative of the domestic costs of production at that time. That data is now more than 5 years old.

It is unfair to the domestic industry to suffer reductions of duties on the basis of data the basic portions of which were 5 years old, and which were admittedly inaccurate in at least one particular, and which were seriously questioned by competent authorities in many other particulars.

In justice to the American farmer, the commission, before recommending any change in duties, should at least have instituted a new and thorough cost study when its former data was shown by competent testimony to be unrepresentative and of questionable value for the purposes of section 336. This would have been the fair and just action to have taken if the commission was unwilling to accept the adjustments suggested by the domestic producers.

THE TARIFF COMMISSION HEARINGS

The facts brought out at the hearings in November are of interest to all who desire adequate protection to farm products, to all who believe in real agricultural relief.

The Paton Co. presented two economists, neither one of whom has the slightest acquaintance with the maple industry, and through them presented to the commission a mass of technical data bristling with references to wage trends, price indices, index numbers, indeterminate factors, and the other supposedly impressive terms of economic science. The general effect of this mass of data, the economists asked the commission to believe, was that there was practically no change up to the present time in the figures in the 1928 report of the Tariff Commission to the President showing costs of production, that consequently the Congress was entirely wrong when it put the duties at $0.08 and $0.055, that the duties should be made $0.0532 and $0.0355, and that the Paton Co. should thus be allowed to import its vast supplies of Canadian sirup and sugar and undersell the American farmer.

The farmers' side of the matter was handled by the assistant Washington representative of the American Farm Bureau Federation. Though he is not a lawyer and was opposed to the array of talent brought forward by the Paton Co., purveyor to the great tobacco companies, he nevertheless placed before the commission in a direct and simple way the true facts of the case. He pointed out that the duties prescribed in the tariff act of 1930 had never had a trial; the 1930 maple-sugar crop was gathered and sold long before the 18th of June, and within two weeks thereafter the application was made, through the Paton Co., for an investigation by the commission under section 336 of the new law, though one of its principal supporters in the Senate had procured a resolution of that body directing an immediate investigation into the maple-products duties. Prices were presented by the farm representative compiled from American and Canadian Government publications showing a difference of 9 cents per pound in the price paid the farmers for maple sugar, the American prices, of course, being higher. Six dirt farmers, producers of maple sugar, then testified about the costs of production, showing the narrow margin on which the American farmer now works in order to realize anything from his sugar orchard, showing that the difference in costs as indicated by their own personal experience had increased since 1925 as between the United States and Canada, rather than decreased as the two economists with their wage scales, price indices, and indeterminate trends had attempted to tell the commission. A banker from the heart of the maple-producing regions then testified from first-hand knowledge of the absolute necessity of these farmers for protection of sugar groves cut off because of the present low prices on maple products, and of the absolute certainty that the industry would fade away completely with increasing rapidity if there were no adequate protection allowed the American farmer, such as is provided by the act of 1930.

The Cary Maple Sugar Co.'s president then testified as to 40 years of buying and selling of maple products—contrasted with 5 years' experience of John G. Paton, practically all with Canadian producers—and gave figures from his own experience tending to show that the duties fixed by the Congress in the tariff act of 1930 were short of equalizing the differences in cost of production between the United States and Canada.

The farmers also presented before the commission an economist from the Vermont Agricultural Experiment Station who has been employed there for more than nine years. This man is thoroughly familiar with the maple-sugar industry from close observation of its actual workings, and from long residence in the center of a maple-producing region. He had participated in the commission's field investigation of 1925, but had from the first differed with the commission in some of the results which the commission's force had obtained from the data so gathered. This witness explained to the commission at some length the points of difference between the Vermont Agricultural Experiment Station's results and the results of the commission concerning the figures for costs of production of maple sugar and maple sirup in Vermont. His testimony was direct to the point, not based on price indices, index numbers, or general reports, but on the data collected in 1925 in collaboration with the commission and on data collected since then by the Vermont Agricultural Experimental Station in the sugar-producing regions themselves. This witness showed that from the best available material it at present appears there is a difference of $0.6954 per gallon in the cost of production between the United States and Canada, the American cost being higher. This is equivalent to a difference of $0.09 per pound in sugar and $0.06 per pound in sirup. Attempts were made to break down the testimony of this witness by a sharp cross-examination on the part of the importer's counsel. All that was shown by the cross-examination was that the Vermont expert's opinions had been changed as to certain items in the costs of production of maple sirup and maple sugar because he had since 1925 collected new data showing a rise in costs in Vermont and also because he had from the first differed with the commission in respect to the comparative values of sugar orchards in the United States and in Canada.

At the very close of the hearing, a surprise was furnished to the importer in that the only American customer of whom the importer had ever bought turned against him and supported the contentions of the farmers. The importer's only American customer is a farm cooperative of northern New York State. Its manager arose at the close of the hearing, stated that he had not been summoned by either side, and gave a strong presentation of facts showing that the differences in the cost of production in his particular region of New York were at least as much as $0.09 per pound on sugar and $0.06 per pound on sirup.

The importer therefore stood before the commission in the position of asking for the reduction of a duty in opposition to the interests of the farmers and of the largest American buyer of American maple products. He was there in an effort to obtain for the tobacco industry the chance to buy from Canadian farmers, living under un-American standards of life, a product which could with adequate protection be produced in sufficient quantities on the American side of the line to supply the entire American demand.

It developed upon cross-examination that he did not even know of the existence of a maple-sugar producers' cooperative in Vermont, the largest maple-producing State in the Union. The only American cooperative with whom he had dealt is the New York association above referred to, which association agrees in all respects with the farmers and which declines to support the importer in his position. He was thus left entirely alone with no one back of him except the tobacco industry and Quebec cooperative.

CANADIAN AID AND ADVANTAGES

The Committee on Finance of the Senate had before it in the preparation of the maple-sugar schedules of the tariff act of 1930 certain documentary evidence showing beyond any shadow of doubt that the government of the Province of Quebec was extending very material aid to the maple-sugar industry in that Province. This aid has taken various forms—outright appropriations to the industry, the lending of government officials to officer the Maple Sugar Producers Association, loans to the association and to individual members thereof without interest, purchase of material for the association to use in the manufacture and distribution of maple products, and outright backing of the industry by the Quebec provincial government.

At a meeting of the Quebec Cooperative Association in October, 1928, the Quebec minister of agriculture made the statement that the cooperative had sold up to that time $171,000 worth of sugar and sirup and expected to sell before the 1st of January a total of $200,000 worth. They were selling sugar at that time for $0.19 or $0.20 per pound. Consequently the sugar and sirup which they sold in the year 1928 would amount to approximately 1,000,000 pounds, in terms of sugar. There was one appropriation in the year 1928 of $40,000 for the maple-sugar industry, and it afterwards developed that the total appropriation for that year amounted to $55,000. Consequently that was a government aid to the Quebec cooperative of approximately $0.04 per pound in that year, 1928, alone.

These documents had been considered by the Senate Committee on Finance and had in January, 1930, been forwarded to the sugar division of the Tariff Commission for an opinion as to the effect of such aid as the Quebec government extended to the Quebec producers. The commission's sugar division made a study of these documents and reported to then Senator Frank L. Greene, of Vermont, that the assistance amounted to an advantage of at least $0.02 per pound in the production of maple sugar.

The existence of these documents was, of course, known to the importer. He and his customers went to the expense of having two officials of the Quebec government, one of whom is also an official of the Quebec cooperative, come to Washington to assist in the preparation of the importer's case before the Tariff Commission. It is extremely significant, however, that neither of these Quebec officials offered testimony before the commission. The importer's counsel submitted affidavits of the two officials in which they stated that the appropriations made by the Quebec government had been made for the purpose of improving the quality of the product and was in no sense a bonus or bounty. Neither of these affiants was offered as a witness, and consequently neither could be cross-examined, although both of them were shown by the jurats of the affidavits to have been in Washington on the day of the public hearing.

During the year 1930 the members of the Quebec cooperative received from $0.07 to $0.11 per pound for their sirup. This is the equivalent for maple sugar of $13.42 per 100 pounds. The Quebec cooperative sold to the Paton Co. and the tobacco industry directly at $0.235 per pound. Here is a difference of $0.10 per pound. The cost of manufacturing and boxes is not more than $0.01 per pound. Freight might account for another $0.01 per pound. However, much of the sugar was brought to the cooperative's warehouses directly by the farmers. In any event, there is at least $0.08 per pound difference between the price the Quebec cooperative received from the Paton Co. and the tobacco industry and the price that the farmers themselves received from the cooperative. This difference has never been accounted for. If it were profit to the cooperative, there is no possible doubt but that the importer would have emphasized that fact very strongly in his brief, as he was posing as a friend of the cooperative and recommending it to the American farmer. Either this $0.08 per pound went to persons on the inside of the cooperative or else it represents an enormous commission to the Paton Co., which is asking now for the reduction of the duty.

There can be no question that the assistance extended by the Quebec government to the Quebec producers constitutes an advantage within the meaning of section 336 of the tariff act of 1930. No other concern has received any benefit whatever from the Quebec government. The cooperative has an advantage over any dealer who attempts to deal with the Canadian producer directly. The cooperative's customer, the applicant before the Tariff Commission, benefits indirectly from this Canadian aid.

The National Grange, the American Farm Bureau Federation, and the farm bureaus in the various sugar-producing States very naturally prefer to have a duty on sirup and sugar which will to some extent equalize the differences in cost of production, as their own economist advises them, rather than to have that duty removed at the insistence of an importer and the tobacco industry, both of whom wish to buy maple products in Canada for a very low price and thus avoid the necessity of buying maple products from American producers at fair prices. The interest of the importer and of the tobacco industry is too obvious to require any further comment. Inadequate protection for the maple industry will mean a gradual vanishing of the industry in favor of the Canadian producer. This is a very real danger to the farmer, although, of course, it is of no possible interest to the importer or to the tobacco industry. In 1860, according to the Tariff Commission's report of 1928, the production of maple sugar and maple sirup in the United States exceeded that of Canada by almost 4 to 1. In 1925, according to the same authority, the amount produced in Canada exceeded the amount produced in the United States; while the annual American production had decreased by 8,000,000 pounds between 1859 and 1925, the Canadian production had increased many times.

The applicant made an attack, in the cross-examination of witnesses, on the Cary Maple Sugar Co., which deals largely with Vermont farmers. This attack was for the purpose of beclouding the issue. The Cary company deals fairly with the farmers and cooperatives and has their confidence. This company at the present time owns 3,000,000 pounds of sugar and sirup in Canada. Consequently it would benefit to some extent by the reduction of the duty. However, it has always believed that its interests were very closely bound up with the interests of the American producers, and it does not wish to see the duty reduced. It believes that its own interests in the long run will be subserved by supporting the American producer rather than the Canadian producer. It has always tried to pay the farmers a price for which they could well afford to tap their trees. It is believed that such a price has always been paid with the possible exception of the year 1921, when the exceedingly high price of the year 1920 and the consequent surplus of the product made a low price absolutely inevitable. In that year the difference between the price the Cary Maple Sugar Co. paid the farmer and the price at which it sold the product to the tobacco industry was $0.0266 per pound. This had to pay for overhead, selling expense, interest, insurance, and profit.

It is absolutely necessary that the friends of the American producers realize the situation with which the farmers are faced. This is not the J. G. Paton Co. against the farm organizations, or against the Cary Maple Sugar Co. The stake is the existence of the maple-sugar industry in the United States. The effect of the rates promulgated by the President will be that within a short period of time the sugar groves on the American side of the border will be cut off and used for lumber. The result will be satisfactory to the tobacco industry, because it can then buy of Canada, where living conditions are not equal to those on the American side, at practically its own price. It will, however, result in the abandoning of farms in northern Vermont because the amount realized from the maple-sugar industry is, in many cases, the difference between a profit and a loss in any given year.

The Tariff Commission, in this case as in others, is following an unworkable formula that results in an equalized tariff, not protection. The formula should be one that takes into full consideration injurious competition; one that seeks

an equalization of competitive conditions. The result of the maple-sugar and maple-sirup investigation falls short of any equalization of competitive conditions and fails of the purpose intended by Congress, namely, protection to the small farmer.

A hard blow has been struck the Vermont farmer. He has been done an injustice which ought to be remedied speedily, either by the President or by Congress.

LO THE POOR INDIAN

Mr. HALSEY. Mr. Speaker, according to Will Rogers, "when they let the *Mayflower* land the Indians made a big mistake." Subsequent history justifies the statement, for the white man at once became the red man's problem. The poor Indian has never had part or lot in determining his destiny. He must yield or perish before the operation of evolution's inexorable law—"survival of the fittest."

Congress by passive inaction may hasten his hapless fate, or it may adopt a wise and beneficient policy and preserve from extinction this vanishing race. It may evade, it can not avoid its constitutional duty to care for these wards of the Nation. Through delay and neglect the policy that will best promote their welfare and happiness has become a problem of great magnitude and far-reaching potential results.

The wrongs they have endured make a lurid and bloody story of ruthless exploitation of a minority and subject race. That shameful history has been fitly called a "century of dishonor," though it is the record of a people calling themselves Christian.

And the subject invites attention perennial and futile as the weather. Yet the treatment of the Indians by the Government imperatively demands Congress adopt a just, wise, and permanent policy for the well-being of this long-suffering people.

During the 97 years of its existence as a department responsible for their welfare, the affairs of the Indian Office have been directed by 32 commissioners, each one in turn introducing a different program for the new administration. The inevitable result of such frequent changes developed a policy having all the energy, direction, and purpose of a pup chasing its tail.

In its efforts to function the present Bureau of Indian Affairs appears to be hampered in efficiency by limitless red tape and a sort of creeping paralysis due in part to its goodly number of job holders—about 6,000 in all. It needs the treatment given the bottom of a vessel in dry dock after a cruise through the seven seas.

This bureau holds in the hollow of its hand the welfare and happiness of 350,000 Indians. It attempts to interpret and administer 300 treaties, though many now have no more force and effect than scraps of paper. It deals with 2,500 laws, often conflicting and contradictory. It has made innumerable rules and regulations to govern and control the person and property of these wards of the Nation.

They form 200 distinct tribal groups, speak threescore different languages, and they own property valued at $1,500,000,000. They live in 28 different States, extending from the dark timberlands of Washington to the alligator swamps of Florida.

After many years of Government control 200,000 can not yet speak, read, or write the English language of their conquerors, who fix their environment and determine their destiny unmindful of their nature and the manner of living of this once proud and virile aboriginal race of Americans.

Of the total Indian population over 100,000 are children and adolescent youth of school age many of whom are afflicted with trachoma or tuberculosis, diseases widely prevalent through lack of proper medical attention and care.

No one of any intelligence will deny that the Indian has made some progress in the arts and culture of the white man's civilization during 140 years of contact, violent and peaceful. But it is also true that such progress has in no wise been commensurate with the prodigal price paid for their advancement. The dread war cry is heard no longer, for the can opener has replaced the scalping knife. Blanket and buckskin yield to creased pants and abbreviated skirts. The tepee and wigwam disappear before the modern 2-room bungalow of tin and tar paper. Leaving the schoolroom, Indian youths are all dressed up, but nowhere to go. For him Emerson's America does not spell opportunity. Missionaries giving undue emphasis to sect and creed produce as the fruit of their sacrificial toil an abundant harvest of Dead Sea apples.

Granting the utmost claimed for his progress, yet after a half century of time and a half billion in money spent in his behalf, the Indian remains an alien and untutored race, a helpless, hopeless serf of the soil. For his benefit about 200 schools have been established that provide instruction in elementary and secondary courses of study, But at least one-third of the children of school age do not attend any school, Federal or State, public, private, or religious.

The outstanding agency in the Indian educational system is the inhuman, kid-catching Government boarding school. It is run on the plan of a half day of work and a half day of study. Though many States prohibit child labor, these schools are supported in part by the productive work of undernourished children.

A survey commission authorized by act of Congress to investigate conditions among the Indians severely indicts this institution for his education—the Government boarding school. In its report to the Secretary of the Interior it states:

> We are obliged to say frankly and unequivocally that the provisions for the care of Indian children are grossly inadequate.

Poor food in quality and quantity, buildings old and neglected, dormitories overcrowded, toilets inconvenient and insanitary, discipline wrong in character and purpose, archaic courses of study, vocational training in obsolescent trades, incompetent teachers disclose deplorable conditions that call for correction in an educational system that is inefficient and ineffective.

The test of success or failure of any educational program is its human product. The yardstick of its practical value in its output of boys and girls is their preparedness to build a life. White collars for a machine age misfit as do round pegs in square holes. In this day of fateful competition fitness for any activity requires intensive training adapted to its primary purpose. Rigid curriculum, mass instruction, automatic, mechanical methods of teaching in a program of education result in maladjustment of its product to a place in the social and economic order and create a potential menace of crime to the State. Our boasted public-school system is a failure if it does not make good citizens of boys and girls whether white, black, or red.

By this acid test the present school system for the Indians fails in its fundamental purpose. It should be reconstructed and readjusted to meet the acme of its objective—citizenship.

Soon after his inauguration President Hoover said in speaking on the subject:

> The fundamental aim of the Bureau of Indian Affairs shall be to make of the Indian a self-sustaining, self-respecting American citizen just as rapidly as this can be brought about, and in order to bring this about it will be necessary to revise our educational program into one of practical and vocational character, and to mature plans for the absorption of the Indian into the industrial and agricultural life of the Nation.

Congressman SPROUL of Kansas has introduced a bill that will, if enacted into law, accomplish the purpose, certainly a "consummation devoutly to be wished for."

This bill (H. R. 12576) proves to be original in conception and thoroughly constructive in its concrete program of measures and methods to get results. It provides for a 50-year period of education and training which is so adapted to the nature, needs, and interests of the Indian that at the end of the period they shall cease to be wards of the Nation; the Federal Government shall no longer be guardian of their persons and property.

As means to this end the bill creates a commission of education consisting of five members directed to work out

a program that will fully qualify the Indians of the United States for independent citizenship within the allotted time of 50 years. The Secretary of the Interior, the Secretary of Agriculture, the Secretary of Labor, the Commissioner of Indian Affairs, and the Commissioner of Education compose the personnel of the organization made responsible for the success of this colossal task of merging 350,000 Indians into the national life in the next half century.

In culture, ethics, religion, in all that determines their manner of living, the white man and the red man are as far apart as the poles. Their amalgamation involves the solution of many complex, intricate problems national in extent and beyond the ability or resources of any State to accomplish.

The act directs the commission to cause to be prepared a program for his education—academic, vocational, in health and moral character—that will develop in him the fixed habits and the essential qualities specifically named in the bill as distinctive traits of a good citizen.

Provisions of the bill set up the machinery through which the program shall function to teach, train, develop, and emancipate the Indians during the transitional period of 50 years.

Section 4 contain the outstanding feature of the machinery for the educational program. It provides for a number of teacher-training colleges, or normal schools. The courses of study in these schools are prepared to train teachers for special work as instructors and guides in the system devised for the education of Indian youth, a system revised and adapted to their industrial capacity and needs to qualify them for citizenship. And as such a program required the expert and the specialist, professional schools are established for the definite and exclusive purpose of preparing and qualifying teachers for this particular service. Its graduates must possess an intelligent, sympathetic understanding of the Indian with the ability to win his confidence and friendship in order to aid and train him to become a good citizen filled and thrilled with devotion to American ideals and institutions. Selecting teachers from a hodgepodge of applicants by civil-service examination in a routine of academic subjects utterly fails to meet the acid test of qualifications necessary for efficient, highly specialized service of individual teaching for citizenship of Indian boys and girls.

The bill introduced by Congressman SPROUL sets before Congress an open door of tremendous opportunity in providing a new day for the wards of the Nation. It offers them new opportunities under new leadership to escape from their bondage and serfdom and in the fullness of time become citizens possessing and enjoying the rights of American citizenship granted them by act of Congress in 1924, the inalienable rights of life, liberty, and the pursuit of happiness.

RELIEF TO FARM LOAN BORROWERS

Mr. HARE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statements made by me before the Committee on Banking and Currency, January 21, 1931, the committee having under consideration at that time H. R. 11233:

Mr. HARE. Mr. Chairman and gentlemen of the committee, I assume the committee is considering at this time only those bills having for their purpose the extension of time for the payment of interest on mortgages held by Federal land banks and joint-stock land banks. I have four bills before the committee, one to amend the intermediate credit bank act so as to permit the intermediate credit banks to loan money directly to farmers——

The CHAIRMAN. What is the number of that bill, Mr. Hare? Is that 11233?

Mr. HARE. No; that is H. R. 9181.

Mr. STEAGALL. I have not seen the last bill you are talking about. Is it before this committee?

Mr. HARE. Yes.

Mr. BRAND. There are not two Hare bills here.

The CHAIRMAN. Yes; 11233 and 16300.

Mr. HARE. The bills I have before the committee are as follows: H. R. 9181 provides for an amendment to the intermediate credit bank act permitting intermediate credit banks to lend money direct to farmers for production and marketing purposes; H. R. 11233 would amend the Federal farm loan act so as to require Federal land banks and joint-stock land banks, in case of emergency, to withhold foreclosure proceedings for a period of two years after default; H. R. 16038 provides an amendment to the Federal reserve act which would require the Federal reserve banks and the Secretary of the Treasury to use the profits or franchise tax accruing to the Treasury of the United States in insuring deposits to the extent of 50 per cent in any member bank of the Federal reserve system in case of failure; and H. R. 16300 would require Federal land banks and joint-stock land banks to accept their own bonds in payment of amortization premiums or in satisfaction of the mortgage itself. I assume, however, Mr. Chairman, that the committee is considering at the present only those bills that relate to the suspension of payments due on farm mortgages; if I am correct in this assumption, I shall direct my remarks to H. R. 11233. If the committee desires to hear from me on the other bills I shall be glad to do so at its earliest convenience.

The CHAIRMAN. That is your pleasure, Mr. HARE—whatever you decide.

Mr. HARE. I first invite attention to H. R. 11233, and in order that my remarks may follow the purport of the bill I am going to read a provision which would amend the existing act:

"That subsection (b), paragraph 4 of section 13 of the Federal farm loan act is hereby amended to read as follows:

"'*Provided*, That where a mortgage held by a Federal land bank or a joint-stock land bank has been in full force and effect for three years or more, foreclosure of such mortgage shall not be made until two years have elapsed following default of amortization payment, except in case of death of mortgagor or in order to prevent irreparable waste or depreciation in value of mortgaged property.'"

I might say that this bill was introduced March 31, 1930, nearly a year ago, and, of course, we could not anticipate at that time the urgent necessity for the passage of such a bill within 12 months following.

However, there was at that time an emergency in various sections caused by various catastrophes, such as excessive storms, hail, drought, etc., and this bill was designed to give the banks a right to extend the time of payments where they had been in full force and effect for three years or more. My idea was that if a mortgage had been carried for three years in good faith and a misfortune over which the mortgagor had no control arose, the land bank or the joint-stock land bank would have the right to extend the time of payment for at least two years, because if three full payments had been made and two years' extension were allowed, the bank would be in practically the same position with reference to the mortgaged property and the security as it was at the time the mortgage was taken.

In other words, the bank would be no worse off and the mortgagor would have a chance to hold his farm and preserve his home.

I have in mind now a farmer who, with the aid of his family, does practically all of his farm work. He had the misfortune of having several cases of typhoid fever in his family—six cases, as I recall—in 1928, during the months of April and May, when it was necessary to pitch the crop. As a consequence, he had a crop failure. The fall came and there was no way in the world for him to make his payments and yet the bank said that there was no way by which the time could be extended.

Now, that was a misfortune. There was an emergency, and I feel that the bank ought to have had the right, if it did not have the right under the law, to extend the time of those payments.

Then we have cases where farmers are unable to pay on account of the fact that their crops have been destroyed by storm, hail, or some other misfortune, which is usually quite local and could not be considered a misfortune of any magnitude. Such a class of farmers would be cared for by this bill, and then it would take care of those who suffer on account of what we call acts of God, where there are extreme droughts or storms covering a wide area.

It has been said that the banks have the authority under existing law to extend the time, but I have found there is a great difference between the law, a regulation, and a practice. In my section it has not been the practice.

In 1927 I know of a large farmer who had made a good crop. He had $2,000 for which he had no particular use. He turned it over to the bank with the request that it be applied on the principal of his mortgage. In 1928 we had such excessive rains—amounting to probably 70 or 75 inches in his locality—as a result he produced only 3 bales of cotton, although he had been accustomed to making 140 to 150 bales annually. He requested that the $2,000 that was applied to the principal on his mortgage the year before be now applied to the payment of his amortization premium. The bank refused to do it. He borrowed money on his personal note to pay the interest. In 1929 we had another year of excessive rainfall; and instead of making his customary 140 to 150 bales of cotton, he made 16. It was impossible, under those circumstances, to meet the payments. His mortgage was foreclosed, his home was sold, and the bank is now paying taxes on the land.

This last year, in that same community, we made an unusually good cotton crop, and if the time for payment had been extended this man would have been able to pay at least one if not both years in which he was in arrears, and could have gone on with his payments in the future. As it is, he is bankrupt and homeless. The bank has the land with the taxes to pay, and, from a financial standpoint, the institution itself is in much worse condition than it would have been if it had the right or authority to extend the time for the two years provided for in this bill.

One question that presented itself when the bill was introduced was whether or not the bank, the Federal Farm Loan Board, or the

Secretary of the Treasury would have the right to take care of the interest on bonds representing loans that would be extended. There is a provision embodied in other bills before this committee that would take care of this situation, and I might say that if the Secretary of the Treasury does not have the right to advance the interest on these bonds under existing law then that provision is indispensable. It is absolutely necessary.

But, under section 32 of the original act I concluded, and I contend now, that the Secretary of the Treasury already has the right to advance the interest on the bonds where payment has been extended by the banks, and, with the permission of the chairman, I will read this section, because it is short.

"That the Secretary of the Treasury is authorized, in his discretion, upon the request of the Federal Farm Loan Board, to make deposits for the temporary use of any Federal land bank out of any money in the Treasury not otherwise appropriated. Such Federal land bank shall issue to the Secretary of the Treasury a certificate of indebtedness for any such deposit, bearing a rate of interest not to exceed the current rate charged for other Government deposits, to be secured by farm-loan bonds or other collateral, to the satisfaction of the Secretary of the Treasury. Any such certificate shall be redeemed and paid by such land banks at the discretion of the Secretary of the Treasury."

Mark you, gentlemen, these certificates upon which advances have been made by the Secretary of the Treasury to the individual land banks, will be repaid at the discretion of the Secretary of the Treasury.

"The aggregate of all sums so deposited by the Secretary of the Treasury shall not exceed the sum of $6,000,000 at any one time."

My interpretation——

Mr. BRAND. What is that you are reading from?

Mr. HARE. The original Federal farm loan act, page 28, section 32.

My interpretation of that provision is that under existing law the Secretary of the Treasury, upon the petition or request of a Federal land bank or a joint-stock land bank, may advance money to the individual bank sufficient to pay the interest on bonds outstanding against such bank where payments on mortgages have been suspended; that is, to make temporary advances, and I submit that two years would be a temporary advance.

The only thing that gives me any particular concern in the interpretation of that particular phase of the act is whether, under present conditions, and under a demand that might be made by individual banks, $6,000,000 would be a sufficient fund to cover the various requests.

Mr. SEIBERLING. I should like to ask one question right here.

The CHAIRMAN. Very well, Mr. Seiberling.

Mr. SEIBERLING. Do you know how much has been advanced?

Mr. HARE. I do not.

Mr. SEIBERLING. I think that is very important.

Mr. HARE. I think so myself, but I assume the information can be furnished by representatives of the Farm Loan Board who are present.

Mr. STEAGALL. What is the question?

Mr. SEIBERLING. How much has been advanced at the present time?

Mr. STEAGALL. They have not advanced any.

Mr. SEIBERLING. I should like to have the record show that.

Mr. HARE. That is the law, as I understand it, and if the Secretary of the Treasury has the right under the original act to make such advancements to take care of the interest on these bonds, I can not see the wisdom of enacting further legislation for that purpose. For that reason the provision embodied in the other bills is not found in H. R. 11233. However, if the committee feels that this provision should be embodied in the legislation that is being pressed at this time, and if this bill in its wisdom, should be considered favorably, I think that provision should be added as an amendment. Personally I do not think it is necessary.

Mr. STEAGALL. Do you think that the advancement of $6,000,000 to all the land banks and the same to be fixed as an outstanding obligation against said banks, would add anything to the credit or that the amount advanced would be sufficient to enable the banks to grant these extensions?

Mr. HARE. It would do this——

Mr. STEAGALL. Pardon me. You see, the difficulty about granting extensions is that officials of the banks insist they must maintain voted mortgages as security back of their bonds and if you merely lend them some sum of money which is to stand as a charge against them and to be secured by bonds, it would be just the same as if they borrowed by selling more bonds to the investing public, it seems to me.

Mr. HARE. I am unable to say definitely, but in view of the information just furnished by the gentleman from Alabama [Mr. STEAGALL], to the effect that the Treasury Department has not made an advance to any of these banks in any sum whatsoever, I feel that $6,000,000 would go a long way in paying the interest on the bonds affected by the extension of the time of the payment on the mortgages represented by such bonds. I do not know whether or not it would be sufficient but if it is not sufficient I think the bill should provide for an amount sufficient to take care of the bonds.

Mr. STEAGALL. If you will permit me, the bill I have introduced provides for the advancement of $5,000,000 to each land bank against which they are not required to maintain any mortgage security, but is simply an advancement to them to be added to their reserves, and there is no charge against the bank in any sense except that they are liable for its reimbursement out of the net earnings of the bank to be paid one-fifth a year out of those earnings.

Mr. HARE. I hope the gentleman will understand that my remarks are not intended in any way to disparage the value or efficiency of the bill he has introduced, for it may meet the situation better than the one I am advocating.

Mr. STEAGALL. I understand that. I am only attempting to express what seems to me the chief difficulty in the administration of these banks, and that is that they must go forward, or at least they seem to think they must go forward, with their foreclosures, else they will not be maintaining up-to-date mortgages against their outstanding bonds. There is one of the problems. We have got to put some money in there.

Mr. SEIBERLING. I should like to ask one more question. Do you know whether any applications have been made by any banks for these extensions?

Mr. HARE. I do not know. I am not familiar with the actual operations of the Federal land banks or the Federal Farm Loan Board. I have read only from the original act, and my interpretation of the original act is such as to fit in and meet the condition that you are endeavoring to correct under the proposed legislation, and I want to say to the gentlemen of the committee and to those who have introduced bills that I have no particular pride of authorship in H. R. 11233. I am simply interested in relieving a condition that is well recognized by all, and I am simply submitting these remarks and this information for the consideration of the committee.

Mr. SEIBERLING. Mr. Chairman, I asked a question and did not have an opportunity to get an answer. There is a gentleman from the Farm Loan Board here who can answer that question, I think. I should like to know whether any application has been made for any advances.

Mr. BESTOR. There has been no application made by any bank for any advances.

Mr. HARE. May I conclude——

Mr. STEAGALL. May I say a word for the record? The initial capital of the land banks was subscribed by the Government, the total being $9,000,000, three-quarters of a million to each bank, which was automatically reimbursed as the stocks of the bank were taken over by the borrowers. The Government was repaid. Later the Government did make loans to the banks in large sums—something over $100,000,000, as I remember. Maybe the chairman will remember the amount—it was a large sum. But that was done at the instance of the Treasury during the war for the purpose of aiding the Government in floating its own bonds at that time. Officials of the Treasury thought that it was not wise to have the land-bank bonds on the market in competition with Government bonds, but, except for those advances, the Treasury has never made any advances to land banks save the initial capital, which has been repaid, and all other advances have been repaid to the Government.

The CHAIRMAN. I think, if you will pardon me, it should be made clear in connection with what the gentleman has intimated, that the authority was given to the Secretary of the Treasury to purchase $200,000,000 of farm land-bank bonds. The Secretary of the Treasury did purchase nearly $200,000,000 at that time. Because of the large loans floated by the Treasury for the Government, it was felt it was not wise to have the farm land-bank bonds go on the market at the same time. So the advances by the Government were through the purchase of Federal farm land-bank bonds.

In addition to that the Treasury had advanced to the intermediate credit banks a total of $50,000,000, which the intermediate credit banks now owe the Treasury. I think that covers the whole situation of the advances by the Treasury to the Federal farm loan system.

Mr. STEAGALL. That is true, but the advances to the intermediate credit banks have, of course, no relation to the problem of the Federal land banks. The advances made by the Government to the land banks were made just as the investing public would have made those advances and secured in the same way.

The CHAIRMAN. And subsequently the Treasury sold to the public those bonds they had purchased.

Mr. STEAGALL. Yes.

Mr. HARE. I will conclude my statement with reference to H. R. 11233, by way of reiteration, that the purpose of this bill is to suspend payment, not exceeding two years, on any mortgage held by a Federal land bank or joint-stock land bank that has been in full force and effect for three years where an emergency of such magnitude has arisen making it impossible for the mortgagor to meet the payments.

It will be noted that in case of the death of the mortgagor, or in order to prevent irreparable waste or depreciation in the value of the mortgage, this amendment will not apply.

It was brought out yesterday that if the time should be extended for 18 months, and then the mortgagor had the right for another 18 months before foreclosure proceedings are instituted, he might keep possession of the land for 3 or 4 years without payment of taxes, and there would be a depreciation of the land in the meantime. Under this bill that condition could not arise.

Mr. Chairman and members of the committee, I sincerely trust you will give immediate consideration to the proposed legislation. It may be that you will take the bills presented into consideration and report a committee. If so, and it will take care of the difficulties we are trying to overcome, it will be highly satisfactory to me.

Mr. Chairman, I am sure your time is limited, but with your further permission I invite attention to H. R. 9181, and shall be glad to have same inserted into the record.

The CHAIRMAN. Without objection, that bill will be inserted.

I should like also to place in the record at this point a letter under date of May 26, 1930, from the Undersecretary of the Treasury, Ogden L. Mills, reporting on the bill H. R. 11233, and a letter under date of April 9, 1930, from the Secretary of the Treasury, A. W. Mellon, reporting on the bill H. R. 9181 and also a similar bill, H. R. 6581, and also copies of the bills referred to.

(The letters and bills referred to are printed in full, as follows:)

THE SECRETARY OF THE TREASURY,
Washington, May 26, 1930.

DEAR MR. CHAIRMAN: The Federal Farm Loan Board has brought to the attention of the Treasury Department your letter to Mr. Bestor of April 23, 1930, requesting a report on bill H. R. 11233, introduced in the House of Representatives on March 31, 1930. It appears from this bill that its purpose is to amend the Federal farm loan act so that where a mortgage held by a Federal land bank or joint-stock land bank has been in full force and effect for three years or more, foreclosure of such mortgage shall not be made until two years have elapsed following default of amortization payment, except in case of death of mortgagor, or in order to prevent irreparable waste or depreciation in value of mortgaged property.

As you are aware, both Federal land banks and joint-stock land banks obtain the funds which they loan upon farm mortgage security chiefly from the sale to the investing public of farm loan bonds which are, for the most part, collaterally secured by first mortgages on farm lands pledged with the various farm loan registrars in accordance with the provisions of the Federal farm loan act. There are outstanding at the present time nearly $1,800,000,000 of farm loan bonds. The interest on these bonds is payable in cash semiannually on the dates fixed by the terms of the bonds, and the money required for this purpose must be available on the interest-payment dates. Obviously, if the banks are to meet their obligations, they must be able to collect the interest upon their mortgage loans which constitute their chief assets. The obligations of the banks can not be met if the terms of their mortgages can not be enforced.

In this connection it should be observed that with only two exceptions involving a very small amount of capital stock, the Government is no longer a stockholder of the Federal land banks, but that they are owned directly or indirectly by the farmer borrowers and that the joint-stock land banks are privately capitalized and owned corporations. Under the law a land bank can not charge borrowers interest at a rate greater than 1 per cent above the rate borne by its last preceding bond issue, and it is apparent that this is a very narrow margin on which to operate. Out of it the bank must not only pay its operating expenses but set up necessary reserves, absorb any losses that may be sustained, and pay any dividends that its financial condition permits. If a borrower defaults in his loan, the responsibility rests with the bank concerned to determine what course of action is necessary in order to protect its interests. It is the policy of the banks to consider each individual case on its merits. None of them desires to acquire land if it can reasonably be avoided, and there is every disposition on the part of the banks to give an opportunity to borrowers who have a chance to work out of their difficulties. Clearly the banks must have adequate power to take appropriate action in individual cases if they are to continue to operate, to discharge their obligations to their bondholders, and to protect the interests of their stockholders. Any attempt such as this bill would make to deal with the matter on a wholesale basis would inevitably result in demoralization and would have the effect of depreciating the value of a large portion of the assets of these institutions by impairing the contract rights of the banks created by the notes and mortgages of the classes of borrowers coming within the provisions of the bill. It is, therefore, likely that the market value of the outstanding bonds of the banks would be affected adversely and that the ability of the banks to market further issues of bonds at reasonable rates would suffer. It would be unfortunate if the progress which has already been made toward the restoration of public confidence in the system as a result of the constructive work that has been accomplished since the reorganization of the Federal Farm Loan Board in 1927 were now arrested by the operation of such a bill, and, aside from the serious question of its constitutionality, which is indicated by the foregoing discussion, this department believes that its adoption would be decidedly unwise.

Very truly yours,

OGDEN L. MILLS,
Acting Secretary of the Treasury.

HON. L. T. MCFADDEN,
Chairman Committee on Banking and Currency,
House of Representatives, Washington, D. C.

THE SECRETARY OF THE TREASURY,
Washington, April 9, 1930.

DEAR MR. CHAIRMAN: Reference is made to your letter of February 12, 1930, to the Farm Loan Commissioner, in which you request a report on bills H. R. 9181 and H. R. 6581. The discussion in this letter applies to H. R. 9181. A separate report will be made on H. R. 6581.

In substance bill H. R. 9181 would amend the agricultural credits act of 1923 by adding to section 202 (a) (3) thereof new subparagraphs designated as "(e)" and "(f)," under which the Federal intermediate credit banks would be authorized to make loans for production or harvesting purposes "directly to farmers individually or jointly who may be bona fide members of an approved, recognized cooperative marketing association, subject to inspection by the Federal Farm Board." The interest or discount rate to be charged would not "exceed the prevailing rate of interest allowed by the State where the loan is made," and a trustee would be "named to receive and hold one-half of the interest or discount on each and every such loan as a guarantee or reserve fund for the purpose of protecting said bank from losses on such notes or papers discounted," with a proviso "that the remaining portion of such reserve fund at the expiration of the agreement period shall be distributed to the rightful owners according to their respective rights." Under the bill there would be a representative in each county, or a designated number of counties, to inspect and recommend for approval or disapproval applications for loans, and to collect and care for the bank's interest "during the repayment period." The bill further provides that such notes shall be "eligible for discount with a 60-day maturity date, and not to exceed 12 months, except where loans are made for dairying, breeding, or livestock raising the maturity date shall not exceed three years." In addition the bill provides that the Secretary of the Treasury shall be authorized to purchase Federal intermediate credit bank debentures "so as to stabilize the rate of interest on such debentures and keep it within or below 4 per cent." The bill contains a final proviso "that no such loan to any individual borrower shall exceed $5,000, nor shall any such loan exceed a pro rata amount when made to farmers jointly."

It is evident from this résumé of the amendments that would be made by the bill that there existed in connection with its preparation a misunderstanding of the fundamental theory and purposes of the agricultural credits act of 1923 with respect to the Federal intermediate credit bank system.

While the act provided that the capital of these banks should be furnished by the Government of the United States, and that they should operate under the supervision of the Federal Farm Loan Board, Congress contemplated that their principal source of funds for loan purposes should be the sale of tax-exempt debentures to the investing public, for which the United States Government shall assume no liability directly or indirectly. In other words, Congress contemplated that after establishing the banks the system should stand on its own feet. While for a time recently because of general money market conditions, the effect of which extended to Government securities also, the rates borne by these debentures increased, the banks were able to obtain all the funds that they needed for their current loaning operations, and the market for these debentures has improved to such an extent that they are being sold currently on a 3¾ per cent interest basis. A proposal that the Government should step in to buy these debentures might be taken to imply some doubt on the part of the Government that the banks would be able to take care of their credit needs and stand alone as business institutions. Moreover, it should be borne in mind that the purchase of such debentures by the Treasury Department would increase the amount of the borrowing requirements of the Treasury and thereby add to its burdens without any apparent necessity therefor.

Under the law as it now stands the Federal intermediate credit banks may "discount for or purchase from any national bank and/or any State bank, trust company, agricultural credit corporation, incorporated livestock loan company, savings institution, cooperative bank, cooperative credit or marketing association of agricultural producers organized under the laws of any State or of the Government of the United States, and/or any other Federal intermediate credit bank, with its indorsement, any note, draft, bill of exchange, debenture, or other such obligation the proceeds of which have been advanced or used in the first instance for any agricultural purpose or for the raising, breeding, fattening, or marketing of livestock." Under bill H. R. 9181 the banks would make loans directly to individuals without the indorsement of a responsible financing institution, as the law now contemplates. This would make a radical change in the methods of operation of the Federal intermediate credit banks and the manner in which they finance agricultural paper. As you know, there are 12 Federal intermediate credit banks for the entire United States, their districts being the same as those of the Federal land banks. As a rule, each bank serves several States, and it would no doubt require a large number of field representatives and a greatly increased expense for the banks to do business directly with individual borrowers. Moreover, the bank would be deprived of the indorsement which it now obtains from the financing institution which discounts the paper, and thus would be subjected to substantially greater risks of loss than now exist. In this connection, the provisions of the bill which contemplate that the bank may exact the legal rate of interest in the particular State, and that one-half of the interest collected shall be held in trust as a guarantee or reserve fund against losses, likewise fail to take into consideration the fundamental purposes of the system and, in fact, would be entirely impracticable.

Without going into further details in the discussion of this bill, it is apparent that such a system would be cumbersome, expensive, and productive of undue delay in handling paper, as well as risk, which could only redound to the disadvantage of all concerned and might seriously impair the marketability of the debentures of the banks.

In the circumstances, I regret to advise you that this department does not regard with favor the legislation contemplated by bill H. R. 9181.

Very truly yours,

A. W. MELLON,
Secretary of the Treasury.

Hon. LOUIS T. MCFADDEN,
Chairman Banking and Currency Committee,
House of Representatives, Washington, D. C.

[H. R. 11233, Seventy-first Congress, second session]

A bill to amend the Federal farm loan act

Be it enacted, etc., That subsection (b), paragraph 4, of section 13 of the Federal farm loan act is hereby amended to read as follows:

"Parcels of land acquired in satisfaction of debts or purchased at sale under judgments, decrees, or mortgages held by it. But no such bank shall hold title and possession of any real estate purchased or acquired to secure any debt due to it, for a longer period than five years, except with the special approval of the Federal Farm Loan Board in writing: *Provided*, That where a mortgage held by a Federal land bank or a joint-stock land bank has been in full force and effect for three years or more, foreclosure of such mortgage shall not be made until two years have elapsed following default of amortization payment, except in case of death of mortgagor, or in order to prevent irreparable waste or depreciation in value of mortgaged property."

[H. R. 9181, Seventy-first Congress, second session]

A bill to amend an act providing for Federal intermediate credit banks

Be it enacted, etc., That section 202 of the Federal intermediate credit bank act is hereby amended after subsection (3) paragraph (d) so that the section will read as follows:

"SEC. 202. (a) That Federal intermediate credit banks, when chartered and established, shall have power, subject solely to such restrictions, limitations, and conditions as may be imposed by the Federal Farm Loan Board not inconsistent with the provisions of this act—

"(1) To discount for, or purchase from, any national bank, and/or any State bank, trust company, agricultural credit corporation, incorporated livestock loan company, savings institution, cooperative bank, cooperative credit or marketing association of agricultural producers, organized under the laws of any State, or of the Government of the United States, and/or any other Federal intermediate credit bank, with its indorsement, any note, draft, bill of exchange, debenture, or other such obligation the proceeds of which have been advanced or used in the first instance for any agricultural purpose or for the raising, breeding, fattening, or marketing of livestock;

"(2) To buy or sell, with or without recourse, debentures issued by any other Federal intermediate credit bank; and

"(3) To make loans or advances direct to any cooperative association organized under the laws of any State and composed of persons engaged in producing, or producing and marketing, staple agricultural products, or livestock, if the notes or other such obligations representing such loans are secured by warehouse receipts, and/or shipping documents covering such products, and/or mortgages on livestock: *Provided*, That no such loan or advance shall exceed 75 per cent of the market value of the products covered by said warehouse receipts and/or shipping documents, or of the livestock covered by said mortgages.

"(b) No paper shall be purchased from or discounted for any national bank, State bank, trust company, or savings institution under this section, if the amount of such paper added to the aggregate liabilities of such national bank, State bank, trust company, or savings institution, whether direct or contingent (other than bona fide deposit liabilities), exceeds the amount of such liability permitted under the laws of the jurisdiction creating the same; or exceeds twice the paid-in and unimpaired capital and surplus of such national bank, State bank, trust company, or savings institution. No paper shall under this section be purchased from or discounted for any other corporation engaged in making loans for agricultural purposes or for the raising, breeding, fattening, or marketing of livestock, if the amount of such paper added to the aggregate liabilities of such corporation exceeds the amount of such liabilities permitted under the laws of the jurisdiction creating the same; or exceeds ten times the paid-in and unimpaired capital and surplus of such corporation. It shall be unlawful for any national bank which is indebted to any Federal intermediate credit bank upon paper discounted or purchased under this section, to incur any additional indebtedness, if by virtue of such additional indebtedness its aggregate liabilities, direct or contingent, will exceed the limitations herein contained.

"(c) Loans, advances, or discounts made under this section shall have a maturity at the time they are made or discounted by the Federal intermediate credit bank of not less than six months nor more than three years. Any Federal intermediate credit bank may in its discretion sell loans or discounts made under this section, with or without its indorsement.

"(d) Rates of interest or discount charged by the Federal intermediate credit banks upon such loans and discounts shall be subject to the approval of the Federal Farm Loan Board. On the majority vote of the members of the Federal Farm Loan Board any Federal intermediate credit bank shall be required to rediscount the discounted paper of any other Federal intermediate credit bank at rates of interest to be fixed by the Federal Farm Loan Board.

"(e) To make loans for production or harvesting purposes directly to farmers individually or jointly who may be bona fide members of an approved, recognized cooperative marketing association subject to inspection by the Federal Farm Board; the interest or discount rate to be charged not to exceed the prevailing rate of interest allowed by the State where loan is made, the bank to have a trustee named to receive and hold one-half of the interest or discount on each and every such loan as a guarantee or reserve fund for the purpose of protecting said bank from losses on such notes or papers discounted: *Provided*, That the remaining portion of such reserve fund at the expiration of the agreement period shall be distributed to the rightful owners according to their respective rights.

"(f) That there shall be a bonded, experienced representative in each county, or a designated number of counties, to inspect and recommend for approval or disapproval applications for loans, and likewise to collect and care for the bank's interest during the repayment period; such notes to be eligible for discount with a 60-day maturity date and not to exceed 12 months, except where loans are made for dairying or livestock raising the maturity date shall not exceed three years; that the Secretary of the Treasury is hereby authorized to purchase Federal intermediate credit bank debentures so as to stabilize the rate of interest on such debentures and keep it within or below 4 per cent: *Provided*, That no such loan to any individual borrower shall exceed $5,000, nor shall any such loan exceed a pro rata amount when made to farmers jointly."

[H. R. 6581, Seventy-first Congress, second session]

A bill to authorize and direct the Intermediate Credit Bank of Columbia, S. C., to credit certain notes and mortgages discounted for the South Carolina Agricultural Credit Co.

Be it enacted, etc., That the Intermediate Credit Bank of Columbia, S. C., be, and it is hereby, authorized and directed to credit notes and mortgages discounted by said bank for the South Carolina Agricultural Credit Co., of Beaufort, S. C., in the fall of 1925 and spring of 1926, to full extent of net sales and deposits made by the Beaufort Truck Growers' Cooperative Association of Beaufort, S. C., for the makers of such notes and mortgages and for the benefit of said intermediate credit bank, and to refund payments made to said bank or deposits placed to its credit by said association or by the makers of such notes and mortgages any amount of such payments or deposits exceeding said sales and deposits plus the balance due on such notes and mortgages at the time such payments or deposits were made, said credits and payments being authorized because of the failure of said bank to credit said notes and mortgages at the time said sales and deposits were made or within a reasonable time thereafter.

Mr. HARE. Mr. Chairman, I would like to insert in the record at this place a resolution adopted by the General Assembly of South Carolina, 1930, and also a resolution of the agricultural steering committee of South Carolina in 1930, together with a letter of mine to the editor of the Manufacturers Record, under date of April 5, 1930, in response to an inquiry as to the purpose of this bill. I ask that the letter be inserted because it explains the purpose of the bill in detail, and it will not be necessary for me to take up so much time of the committee.

The CHAIRMAN. Without objection, those insertions will be made at this point.

(The papers referred to are printed in full as follows:)

A CONCURRENT RESOLUTION OF THE GENERAL ASSEMBLY OF THE STATE OF SOUTH CAROLINA, 1930

(Introduced by Representative John K. McElveen)

Resolved, That the General Assembly of the State of South Carolina does hereby memorialize the Congress of the United States of America that its best thought and attention be directed toward means of affecting the rehabilitation of agriculture in this State and in all other States in like situation.

Numerous farms are now owned by joint-stock land banks and Federal land banks organized pursuant to Federal statutes, which were enacted with the view of furnishing substantial aid to landowners, in assisting them in financing loans over long periods of time, and we wish to record, on the part of agriculture, our appreciation of these beneficent laws that the Congress has seen fit to enact.

Notwithstanding, however, many farms owned by the aforesaid institutions are now lying idle, going to waste, and remaining unproductive. It is believed that a still lower reduction of the interest rate charged on loans on these lands would induce their purchase and operation by many well suited by training and ability, and who otherwise, and without such assistance, will remain idle and unproductive.

We therefore call the attention of the Congress to this state of affairs, and respectfully petition and memorialize it to employ, within constitutional limitations, such of the resources of the Federal Government, by statutes duly enacted, as will afford the most immediate and effective relief to the distressed situation in this and other States similarly situated.

Resolved further, That the clerks of each branch of the general assembly, acting together, transmit to the Senators and Members of the House of Representatives in Congress from this State copies of this resolution.

I hereby certify that the foregoing is a correct copy of a concurrent resolution adopted by the house of representatives and ordered sent to the senate on March 21, 1930.

J. WILSON GIBBES,
Clerk of the House.

Adopted by the senate and ordered returned to the house of representatives with concurrence, March 26, 1930.

[SEAL.] JAS. FOWLER,
Clerk of the Senate.

RESOLUTION OF THE AGRICULTURAL STEERING COMMITTEE OF SOUTH CAROLINA

To Hon. HERBERT HOOVER, PRESIDENT OF THE UNITED STATES, AND THE CONGRESS:

Whereas the agriculture of the Nation is in a most deplorable and decadent condition due to the fact that the products of the farm have been forced upon the market at prices far below the cost of production; and

Whereas the stability of the Government rests primarily upon the prosperity of agriculture; and

Whereas the Federal land bank and joint-stock land banks have loaned on first mortgage, on homes and lands of farmers, more than $2,000,000,000, and that on account of the depressed financial condition of agriculture the farmers have not been able, though most willing, to meet the interest and amortization installment upon their loans, with the result that the present drastic policy of foreclosure as in force by the Federal land bank and joint-stock land banks is resulting in driving hundreds of thousands of farmers from their homes, causing untold distress and unemployment, unrest, and actual suffering, with no returning benefit to the Government; and

Whereas the rapid and unprecedented readjustment in merchandise, industry, and banking, as well as agriculture, has brought about such general hardships as to offer a challenge to our best statesmanship and become an active threat to orderly government: Therefore be it

Resolved, That President Hoover and the Congress of the United States are hereby petitioned to immediately give favorable consideration to the following recommendations; and the governors and legislators of all States are requested to take similar action for nation-wide relief:

First, that all interest and amortization payments, now due to the Federal land bank and joint-stock land banks and to become due for three years, shall be held in abeyance for a period of three years.

Second, that all foreclosure proceedings now pending or to become pending within the next three years shall also be held in abeyance.

Third, that the interest on all farm mortgages held by the Federal land bank and the joint-stock land banks shall be at a rate of interest of 3 per cent.

Fourth, that suitable legislation is enacted by Congress to protect the outstanding bonds of the Federal land bank and joint-stock land banks.

We heartily commend the efforts already made by the Senators and Representatives of South Carolina in their efforts to bring the results embodied herein, and desire to say that we are calling on all friendly allied lines of agriculture to join with us in this request for the best interest of the Nation.

A. R. JOHNSTON, *Chairman.*

COLUMBIA, S. C., *March 19, 1930.*

TO THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES:

Whereas funds for the production of agricultural products are now seriously curtailed and secured only under onerous conditions; and

Whereas the intermediate credit banks designed to furnish such funds have failed in their purpose; and

Whereas we hold that the rehabilitation of agriculture makes it necessary that such a source of funds be provided: Therefore, be it

Resolved, That we petition the President and the Congress of the United States to secure a thorough and constructive investigation of the intermediate credit banks and a reconstruction of said banks so that it may be the means for the conservative financing of agricultural production; and we hereby commend the Senators and Members of Congress from South Carolina for their efforts to secure an investigation of the existing intermediate credit banks.

A. R. JOHNSTON, *Chairman.*

APRIL 5, 1930.

Hon. RICHARD F. EDMONDS,
Editor Manufacturers Record, Baltimore, Md.

DEAR MR. EDMONDS: This is to acknowledge receipt of your letter of April 3 requesting an expression of my views on H. R. 11233 providing, by amendment, for the extension of mortgages held by the Federal and joint-stock land banks under the Federal farm loan act. I think you will have less difficulty in getting a thorough understanding of the amendment after reading the provisions of the bill and I am, therefore, inclosing herewith copy of same, with the suggestion that the amendment referred to begins with line 11.

I was prompted to introduce this amendment last fall when I saw that the Federal and joint-stock land banks were foreclosing a number of mortgages upon the first default in payment, and I happen to know that default in many of the cases was not due to lack of effort on the part of the mortgagor, but because his crops had been destroyed by hail, windstorms, excessive rains, or insect pests. I felt that practically all of these farmers could have met these delinquent payments if foreclosure had been deferred one or two years and they had been afforded a further opportunity. I was convinced also that the policy of foreclosing a mortgage upon default of the first amortization payment was in most instances not to the best interest of either the bank or the mortgagor, because at the sale following nearly every foreclosure the bank became the purchaser and then necessarily assumed the obligation to bear all expenses in connection with the upkeep of the farm and payment of the taxes thereon.

Several cases have come under my observation where I am quite sure farmers could have redeemed their mortgages if they had been given one or two years of grace, but the mortgages were foreclosed upon default of one payment and now the banks have the land on their hands as a heavy liability and the mortgagor is homeless and without hope. Both are in worse shape financially than they were a year ago. I am convinced that if the banks had been permitted to give these farmers an extension of time they would have paid the taxes, kept the buildings in repair, and taken care of the land by proper husbandry; that is, they would have kept the mortgaged property in such a condition that it would have been fully as valuable at the end of two years as when the mortgage was foreclosed and in the meantime most of the delinquent payments would have been made and both the bank and the mortgagor would be in a better condition to continue. It is my impression that some of the banks have rented or leased the farms on hand and arranged to finance their operation, and it is now my understanding that the taxes, upkeep, and other expenses in 1929 were greater than the income from such lands. It is clear, of course, that such a policy can not continue.

The amendment does not contemplate deferring payment on all mortgages but only those where it can be shown that the default was due to circumstances or conditions over which the mortgagor has no control, such as crop failures due to abnormal weather conditions, insect pests, or other misfortunes. Or it may be that a farmer would like to utilize the amortization premium in making some worth-while improvement to his farm, or in connection with his farming operations, and such improvement or investment would materially increase the value of the mortgaged property, then payments should be deferred under the proposed amendment. It should be understood, of course, that if, upon default, it is found that irreparable waste or depreciation in value of the mortgaged property would result by delay the mortgage, under the amendment, would be subject to foreclosure. But it should be remembered that the amendment is intended primarily to give some consideration to the farmer who is making an honest effort to pay for his land but is unable to meet the regular amortization payments on account of conditions or emergencies over which he has no control.

Very truly yours,

BUTLER B. HARE.

Mr. SEIBERLING. I think it would be enlightening to know if the Secretary of the Treasury approves or disapproves of these bills.

The CHAIRMAN. He disapproves of both of them.

Mr. STEAGALL. I should like to ask the gentleman with reference to his amendment to the intermediate credit act. Just what do you attempt to do in that?

Mr. HARE. As suggested a few moments ago, I will have the amendment inserted in the record, beginning at line 16, page 4, subsection (e). The purpose of the bill is to give intermediate credit banks a right to make loans direct to individuals instead of having to go through an agricultural credit corporation or some banking institution as is now provided.

Mr. STEAGALL. That is the only change you have attempted to make?

Mr. HARE. Yes.

Mr. STEAGALL. I had not seen the bill until a few moments ago.

Mr. HARE. Of course, it provides that there shall be a bonded, experienced representative of the intermediate credit bank to first pass upon each application made by the individual farmer, but the primary purpose of the bill is to take care of a situation that has arisen after several years of experience in lending money by the intermediate credit banks for production purposes through agricultural credit corporations. I think it will be generally conceded that the present policy, method, or system has not met the conditions that were contemplated when the act was passed. In other words, in the section of the country with which I am familiar practically all of the agricultural credit corporations have failed. As a consequence, farmers in those sections are unable to secure loans for production purposes, and when we consider the practical operation of these corporations we can understand why they would necessarily fail. As a rule, most of them were institutions of small capital. Consequently, the loans they could make were limited. The spread between the interest they charged and the interest received was too small to take care of the overhead charges and losses that would naturally arise. Failure, therefore, was inevitable, although a few of the larger organizations have survived.

The bill would give to an intermediate credit bank in its territory the right for its representatives to pass upon the security offered—I might say the whole security, the moral risk, the actual chattels or collateral or prospects—before a loan would be made.

This representative would have the right to follow up the loan and see that the money is well expended.

Under the existing arrangement or practices that have been followed heretofore it has been found not infrequently a man would obtain money and never plant his crop, or he would obtain a loan and plant only half of what his inventory contemplated. Losses under such conditions are certain. This amendment would remove the possibility of such practices.

Mr. STEAGALL. You think the direct loans under the intermediate credit banks would be safer than loans made through an agricultural credit corporation, with capital stock wholly unprotected?

Mr. HARE. I think so, and my opinion is based on experience and what I would consider general information; in other words, if I were a banker I would feel safer in taking the report of the representative of my bank as to the security for such loan than the report of the representative of an agricultural credit corporation where it does not take the time and expense to personally investigate the risk to be assumed.

I think the plan I have suggested would be perfectly feasible and perfectly reasonable and at the same time could be done cheaper, because I think the intermediate credit banks can take the spread between the amount charged the farmer and the amount charged by the bank and take care of all the overhead expenses and reduce the losses to an extent that it would take care of all losses that might follow.

The Secretary of the Treasury, Mr. Mellon, in reporting on this bill, seems to think that the field forces of the bank would be enlarged and expenses greatly increased. It is true the field forces would be enlarged and expenses would be increased, but I am contending that the 2 per cent now allowed the agricultural credit corporations would revert to the bank, and this accumulation of funds would more than defray the expenses incident to the work, and any remaining could be placed in a fund to take care of losses that might occur. Under the present policy 2 per cent goes to the credit corporation, and should there be any profit after expenses are paid the surplus goes to the stockholders of the credit corporation. So under the proposed amendment the cost to the farmer would be the same and the charge to the intermediate credit bank may be less. However, one of the great advantages the intermediate credit banks will have under the amendment is that its representative would be charged with the responsibility of first approving the loan, and then would be required to look after the collection of it in the fall or whenever the crops are harvested and see to it that the proceeds from the sale of all mortgaged crops are placed to the credit of the notes, because under the present policy there is much complaint to the effect that borrowers often "run" their crops and fail to apply the proceeds to their notes. I think if the Secretary of the Treasury would inquire of the presidents of these intermediate credit banks, they will say that they can loan direct to the farmer with as much or greater safety than they can under the existing plan.

Mr. STEAGALL. Of course, the intermediate credit banks can not operate unless they get the money from which to make the loans. Do you think they could obtain better accommodations and secure the money under a system where they went out and loaned the individual farmer than they can through a credit corporation? Is not this a fact, that even the commercial banks that serve the farmers have come upon the time when even they can not borrow money to be reloaned for production purposes? Is not that the practical situation they are in in your section of the country?

Mr. HARE. Yes; to some extent.

Mr. STEAGALL. You do not think you could devise a system of loans to farmers better than these banks with all the——

Mr. HARE. I think they would have the same security and a better security than they have under the existing law, because under the existing law, as I understand it, they have only the security embodied in the mortgage given by the farmer supplemented by the stock of the agricultural credit bank, which generally runs from ten to twenty thousand dollars. I think the security under the proposed plan would be just as good and just as ample and just as secure. As a matter of fact, the point I am making is that it would be more secure because a representative of the bank would first pass upon the security of the mortgage to be given by the farmer and he would be more careful in exercising that discretion than has been exercised by the representatives of the agricultural credit corporations.

Just one more point in that connection and that is this: We are appropriating $45,000,000, $25,000,000—I do not know how many millions this Congress will appropriate—to aid farmers for production purposes this year. That is for a temporary use only. We know that the banking institutions of the country have broken down to such an extent that money can not be advanced for production purposes.

Now, if the intermediate credit bank has met with a condition that could not be foreseen by those who proposed this legislation, then why should not we adjust the conditions or operations of these banking institutions to meet the conditions that prevail and make it safer for the bank and better for the people that they are to serve?

Mr. STEAGALL. Of course, I am in sympathy with what the gentleman wants to accomplish, and I should like to see the intermediate credit banks accomplish what he wants, but we can not do it unless we get the money to do the business with. The question in my mind is how to do that.

Mrs. PRATT. I should like to ask a question, and in asking it I do not wish to be considered in any way unsympathetic with those very distressing circumstances. But is there not a fundamental principle involved in all this discussion that, perhaps, we might lose sight of, and that is the question of how far we should attempt to commit the Federal Government in assuming the financial obligations of individuals?

I think it was brought out very clearly by what Congressman HARE said a few moments ago, namely, the difficulty of determining, perhaps, just what was the cause of the immediate necessity of an individual farmer. He spoke of the question of serious illness. That is very distressing; but do you feel that we should be justified in permitting the Federal Government to aid in such a condition? Would we not, perhaps, be making the farmer less provident, so to speak? The agricultural business, of course, is affected more, perhaps, than any other business by outside elements, but I think the statement Mr. LUCE made yesterday is very illuminating, and that was that the farmer oftentimes, perhaps, is not very careful to lay up against lean years, and he gave an illustration of that when he spoke of the fact that in good crop years potatoes have been brought to the markets in Packard limousines.

Would it not be, perhaps, discriminating in the causes of distress between individuals? I ask that question because I think there is a very fundamental principle involved.

Mr. HARE. I appreciate the spirit that prompts the inquiry, for I understand that there is a fundamental principle involved in all this legislation, and I want to make it clear that I am not one of those inclined to urge that our Government should be overaltruistic in its relations to its people.

But the Government has taken a position; it has heretofore adopted a policy or system whereby it can make loans to agriculture for the purpose of inducing men and women to remain on the farms, to enable them to live there and own their homes. That was the primary purpose of the establishment of the Federal land banks and the joint-stock land banks.

Now, in the operation of that law, if an emergency arises—and I want that made clear, that there must be an emergency, something over which the individual had no control—then the law should be elastic enough to enable the Government or its representatives, when it is convinced that an emergency does exist, to give sufficient opportunity so that these individuals or class of individuals will be enabled to tide over such emergency and not be wiped out of existence at one stroke.

As to the other question relative to the Government lending money through the intermediate credit banks. That policy is already established. The Government has already committed itself; wisely or unwisely, I do not know. Sometimes I think it may have been unwise, because it seems sometimes that every law enacted by Congress since 1862, when we established the first land-grant college and the experiment stations that followed, has, in a way, met with certain failures, and when we make an inventory of agriculture we wonder whether or not these laws have been of any real advantage.

You will recall that prior to the Morrill Act of 1862 it was said that agriculture was in a deplorable condition and it was contended that the only relief was the establishment of an agricultural college in each State where young men could be trained in the science of agriculture; then they could go back into their respective communities and prove that agriculture could be made profitable by adjusting major crops to the particular types of soils to which they were particularly adapted. This was followed by the establishment of agricultural experiment stations, it being contended that before scientific principles could be applied to agriculture they must first be demonstrated in a practical way. Both of these agencies have contributed wonderfully to agriculture, but they have not solved our problems.

You will recall then for several years that agricultural leaders, as well as political leaders, said that agriculture could never be made successful under a tenant system; that there should be some system of long-term credit whereby good men could get money at a low rate of interest so as to establish themselves definitely and permanently on the farm, where the best type of citizenship could be developed and maintained. Congress then provided for the creation of the Federal land banks, the joint-stock land banks, and the intermediate credit banks, and they have been in operation now for a number of years. I could refer to the interstate commerce law, the law providing for the extension service in the Department of Agriculture, the act creating the Bureau of Markets, the Federal Farm Board, and a number of other acts of Congress designed primarily to aid agriculture; yet, we hear many saying that agriculture is in worse condition to-day than at any time in its history. I am convinced that all of the acts referred to were designed primarily for the benefit of agriculture. On the other hand, I am convinced that in the administration of some of these laws they have been inimical to the success of those engaged in agriculture.

But going back to the thought suggested by the lady from New York [Mrs. PRATT], permit me to say that our Government has adopted the policy of making loans indirectly to farmers for production purposes through the intermediate credit banks. My bill before you for consideration only applies to the agency or means by which these loans will be made. It does not go to the fundamental principle or policy of lending money to farmers. That was settled in the original intermediate credit bank act several years ago. It is now a question as to whether or not the policy of lending through agricultural credit corporations or whether the policy of lending directly to the individuals will be a sounder or a better business policy. Lending through the agricultural credit corporations, to my mind, has proven a failure. Then, if that be true, the

only way the intermediate credit banks can continue to function in granting loans to agriculture for production purposes is to grant them to the individual borrower. If not, then, in effect, the intermediate credit act is virtually repealed.

Referring to the suggestion of the gentleman from Alabama [Mr. STEAGALL] about the intermediate credit banks securing the money to be used in making the loans, I submit that they would follow the same method now in use. Of course, they would not have the advantage of the deposits made by the agricultural credit corporations, but this is a small amount as compared with the amount necessary to supply the needs or to meet demands. The intermediate credit banks get all the money they need to discount notes presented by banking institutions. These latter institutions don't furnish any of the money. So this amendment contemplates practically no change in the method of securing funds to be loaned.

Mr. Chairman, I appreciate the opportunity afforded me in presenting these two bills and regret that time will not permit me to proceed further this morning. The other two bills, H. R. 16038 and H. R. 16300, involve matters of such importance that I would like to have more time than you have at your disposal at present, and I prefer to have the committee afford me a hearing at a subsequent time.

The CHAIRMAN. Very well, Mr. HARE.

THE WET AND DRY ISSUE

Mr. AYRES. Mr. Speaker, I am among those Democrats who deplore the effort that is being made to lead our party astray upon the issue of prohibition. I regret and resent such efforts from whatever quarter they may come.

As an issue to be passed upon by the national convention of the party or to be inserted in the platform upon which our candidate for President shall run, it is false and a sham. There are many reasons why this is so.

In the first place, the President of the United States has no more to say about what shall be the policy of the country, whether wet or dry, whether the eighteenth amendment shall be retained, modified, or repealed than any private citizen. Amendments to the Constitution, whenever they are to be considered, are proposed by the Congress and are passed upon by the States in the way provided by the Constitution. If ratified by three-fourths of the States, they become operative. The President has no veto power, no voice in the matter whatsoever.

If prohibition is to be a political issue at all, and those who are advocating the repeal of the eighteenth amendment are sincere in that belief, they should be satisfied to confine the issue to States and congressional districts, for it is the Senators and Representatives in Congress who vote upon the proposed submission of constitutional amendments. Those who are opposed to the repeal or modification of the present prohibition amendment should pursue the same course. They should not seek to pursue a course that would threaten to disrupt any political party that puts a plank in its platform making the eighteenth amendment a campaign issue.

We all recognize that the wet and dry issue cuts sharply across both major political parties. There is a large element in the Democratic Party, as there is in the Republican Party, which honestly and sincerely believes that the eighteenth amendment should be repealed. There is another large element believing just as honestly and sincerely that prohibition is a good thing and that not only should no backward step be taken but that everything that can be done should be done to make more rigid the laws pertaining to its enforcement.

There is no doubt but that to put a repeal plank into the platform of the Democratic Party at its next national convention would result in a cleavage that would be disastrous to our hopes for success in the national election of 1932, and that at a time when our prospects for success are brighter than they have been in many years. A wet plank in our platform would be repudiated by a great majority of the members of the party in such States as Kansas, Nebraska, Kentucky, Tennessee, Georgia, and many others, and it would have to be repudiated by our party's candidates for the House and Senate from those States or their defeat would surely follow. On the other hand, should the platform contain a plank declaring for even more vigorous suppression of the manufacture and sale of alcoholic beverages, it would be repudiated by Democratic candidates for the House and Senate in such States as New York, Massachusetts, New Jersey, and others. So, on the grounds of expediency, a declaration on the prohibition question in any particular would be fatal to the party's prospects next year, and, in all probability, would create such a breach that it would require many years to heal. However, my opposition to such a plank is based on a higher ground than mere expediency, and that is that prohibition should not be considered a political but a social problem that will be solved not only more quickly but more satisfactorily by keeping it out of a national campaign, where there is always a great intensity of feeling.

As I have said, there are the two extreme elements in both political parties—the ultrawets, who are thinking of nothing but the repeal of the eighteenth amendment; and the ultradrys, whose chief object seems to be to make the dry laws more stringent than they already are. But in between these two extreme elements are millions of American men and women who are more interested in economic conditions. They realize that prohibition is not a basic economic problem, and dread the injection of the liquor issue into a national political campaign because of the furore it will arouse; and because it will divert the mind of the country from the many serious economic problems which are pressing for solution, and which must be solved if the country is to be restored to a condition of prosperity.

These millions of men and women are more concerned about the necessities of life. They are thinking about jobs, about the distress of our agricultural industry, about our decreased exports. The man whose family is facing want is not concerned about where he can get a drink, and if he gets it, whether it shall contain one-half of 1 per cent alcohol or 4 per cent or 10 per cent. He is thinking about a job, or about saving his farm, so that he can provide food, clothing, and other necessaries for his wife and children.

Not within the memory of persons now living has the country been overtaken by an economic disaster as tragic and as far-reaching as that which visited the country a year and a half ago, the end of which, I am sorry to say, is not yet in sight. The present national administration, the present leadership of the political party in power in the executive branch of this Government and in this Congress, has failed to show any capacity for foreseeing the course of events, or for coping with them when they arrived. The present administration has done absolutely nothing to ease conditions, but, if anything has contributed toward making them worse. The natural result is that the country is ready to repudiate such leadership, and if the Democratic Party will show that it is willing to deal honestly and capably with the great national problems of the day the people will turn gladly to it and again restore it to power. But they will not do so if it permits itself to be divided over such a sham issue as prohibition.

There are many essential issues, such as a revision of the tariff in a just and equitable manner for all industries, including agriculture; solving the unemployment problem; enacting legislation to guard against similar conditions in the future; enacting legislation to deal with the power question; evolving methods of handling the transportation question so as to establish freight rates that are reasonable and equitable for all classes and especially agriculture; and many other important and urgent matters upon which all Democrats, as well as all progressive voters of both parties, can unite.

A scheme has been proposed by some of the leaders of the Democratic Party to repeal the eighteenth amendment, at least by implication, by offering another amendment which is in direct conflict with the eighteenth amendment.

In other words, this would be an attempt partially to nullify the eighteenth amendment. I should think that such a proposal in a platform emanating from a Democratic convention would cause that grand old Democrat and defender of the Constitution, Andrew Jackson, to turn over in his grave. To adopt the proposed amendment would be carrying the doctrine of State sovereignty further than was advocated by Calhoun in 1832, which, it is said, caused Jackson in his declining days to say that he had one

regret and that was that he did not hang Calhoun when he had good reason for doing so. This proposed amendment is simply another method of injecting the prohibition question into the campaign of 1932 as the dominant issue. I can not conceive of anything that would bring more real happiness and satisfaction in administrative circles and among Republican leaders than for the Democratic convention in 1932 to adopt a policy of making the wet and dry question an issue and thus diverting the attention of the people from the real issues and the failures of the administration.

The situation will be tragic indeed if the great party of Jefferson and Jackson permits its leaders to make prohibition, or the wet and dry question, an issue in the next national campaign, when the economic problems are so serious as to affect the well-being of every individual. If it becomes necessary to repudiate such leadership to prevent this tragedy, it should be done, for this is the time when the Democratic Party must establish a new economic system as its dominant issue.

ADJOURNMENT

Mr. IRWIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 12 minutes p. m.), in accordance with the order heretofore made, the House adjourned until to-morrow, Saturday, February 28, 1931, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

867. A letter from the Secretary of the Treasury and Postmaster General, transmitting report of the Interdepartmental Committee, relating to public buildings construction outside of the District of Columbia. This is a composite report covering the allocation of all funds authorized for new construction outside of the District of Columbia, including the $115,000,000 authorized by the act of March 31, 1930; and the $100,000,000 authorized by the act of February 16, 1931 (H. Doc. No. 788); to the Committee on Public Buildings and Grounds and ordered to be printed.

868. A letter from the Secretary of War, transmitting partial report from the Chief of Engineers on Sacramento, San Joaquin, and Kern Rivers, Calif., covering navigation, flood control, power development, and irrigation (H. Doc. No. 791); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 16340. A bill to amend the act approved March 4, 1929, entitled "An act to provide for the enlarging of the Capitol Grounds"; with amendment (Rept. No. 2905). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLTON: Committee on the Public Lands. H. R. 16589. A bill to amend sections 17 and 27 of the general leasing act of February 25, 1920 (41 Stat. 437; U. S. C., title 30, secs. 184 and 226), as amended; with amendment (Rept. No. 2906). Referred to the Committee of the Whole House on the state of the Union.

Mr. REED of New York: Committee on Education. H. J. Res. 510. A joint resolution authorizing an annual appropriation for the maintenance of headquarters for the National Council of Intellectual Cooperation for the United States; without amendment (Rept. No. 2907). Referred to the Committee of the Whole House on the state of the Union.

Mr. ZIHLMAN: Committee on the District of Columbia. H. R. 14683. A bill to provide for the incorporation of credit unions within the District of Columbia; without amendment (Rept. No. 2908). Referred to the House Calendar.

Mr. WYANT: Committee on Interstate and Foreign Commerce. H. R. 17277. A bill to extend the times for commencing and completing the construction of a bridge across the Monongahela River at or near Star City, W. Va.; with amendment (Rept. No. 2909). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SINCLAIR: Committee on War Claims. H. R. 11745. A bill for the relief of Oscar C. Olson; without amendment (Rept. No. 2900). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. S. 5141. An act for the relief of Clarence R. Killion; without amendment (Rept. No. 2901). Referred to the Committee of the Whole House.

Mr. FISHER: Committee on Military Affairs. S. 5555. An act for the relief of Alexander M. Proctor; without amendment (Rept. No. 2902). Referred to the Committee of the Whole House.

Mr. BUTLER: Committee on Claims. S. 2332. An act for the relief of Milburn Knapp; without amendment (Rept. No. 2903). Referred to the Committee of the Whole House.

Mr. DOXEY: Committee on Claims. H. R. 4816. A bill for the relief of Henry Stanley Wood; without amendment (Rept. No. 2904). 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. GOODWIN: A bill (H. R. 17303) granting the consent of Congress to the Minneapolis, Northfield & Southern Railway to construct, maintain, and operate a railroad bridge across the Minnesota River; to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD. A bill (H. R. 17304) to extend the time in which applications may be made for the benefits of the disabled emergency officers retirement act of May 24, 1928; to the Committee on World War Veterans' Legislation.

By Mr. HALL of Mississippi: A bill (H. R. 17305) authorizing the acceptance by the Administrator of Veterans' Affairs of certain land in Biloxi, Miss., as a site for a branch home of the National Home for Disabled Volunteer Soldiers; to the Committee on Military Affairs.

By Mr. SINCLAIR: A bill (H. R. 17306) to provide for a special tax upon operators of grain elevators; to the Committee on Ways and Means.

By Mr. ALLGOOD: A bill (H. R. 17307) to provide for the construction of post-office buildings in all county seats in the United States, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. HAWLEY: Joint resolution (H. J. Res. 521) to amend paragraphs 501 and 502 of the tariff act of 1930; to the Committee on Ways and Means.

By Mr. SPARKS: Resolution (H. Res. 383) providing for the consideration of House Joint Resolution 356, a resolution proposing to amend the Constitution of the United States to bar aliens from being counted in congressional apportionments; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 17308) granting an increase of pension to Maria E. Kelly; to the Committee on Invalid Pensions.

By Mr. BACHARACH: A bill (H. R. 17309) granting a pension to Kate Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17310) granting an increase of pension to Harriet Johnson; to the Committee on Invalid Pensions.

By Mr. BRAND of Ohio: A bill (H. R. 17311) granting an increase of pension to Almeda Sanderson; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Illinois: A bill (H. R. 17312) granting an increase of pension to Minnie G. Barnes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17313) granting an increase of pension to Elizabeth J. Howe; to the Committee on Invalid Pensions.

By Mr. JOHNSTON of Missouri: A bill (H. R. 17314) granting an increase of pension to Addie Blunt; to the Committee on Invalid Pensions.

By Mrs. KAHN: A bill (H. R. 17315) for the relief of the Jewish Committee for Personal Service; to the Committee on World War Veterans' Legislation.

By Mr. STALKER: A bill (H. R. 17316) granting an increase of pension to Mary B. Norwood; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 17317) granting an increase of pension to Ary J. Warner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17318) granting an increase of pension to Mary A. Little; to the Committee on Invalid Pensions.

By Mr. VINCENT of Michigan: A bill (H. R. 17319) granting an increase of pension to Sophronia Austin; to the Committee on Invalid Pensions.

By Mr. WELSH of Pennsylvania: A bill (H. R. 17320) for the relief of Charles Pine; to the Committee on Claims.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 17321) granting an increase of pension to Elizabeth M. Schoonover; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17322) granting an increase of pension to Rebecca A. Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17323) granting an increase of pension to Ira C. Gibson; to the Committee on Pensions.

By Mr. UNDERHILL: Resolution (H. Res. 381) to pay Grafton E. Jackson, son of Lloyd Jackson, late an employee of the House, a sum equal to six months' salary and an additional sum of $250 for funeral expenses; to the Committee on Accounts.

Also, resolution (H. Res. 382) that there be paid out of the contingent fund a sum not exceeding $200 for additional clerical service in the enrolling room; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

10245. Petition of the First Ward Republican (Erie County) Committee at a meeting voted to request the approval of Congress to the appointment of Fred A. Bradley, collector of customs, Buffalo, N. Y.; to the Committee on Ways and Means.

10246. By Mr. BRIGGS: Letter and resolution of the Galveston Chamber of Commerce, indorsing Senate bill 4848; to the Committee on Ways and Means.

10247. By Mr. CAMPBELL of Iowa: Petition of 22 citizens of Ireton, Iowa, and vicinity urging support of the proposed Sparks-Capper stop-alien-representation amendment (H. J. Res. 356) to the United States Constitution; to the Committee on the Judiciary.

10248. By Mr. CANFIELD: Petition of Guy E. Hurlet, of route No. 4, Harrison, Ohio, and other members of the Christian Sunday School of Bright, Ind., urging the passage of the Sparks-Capper amendment; to the Committee on the Judiciary.

10249. Also, petition of Clyde Siefferman, of route No. 4, Harrison, Ohio, and other members of the Methodist Episcopal Sunday School, of Bright, Ind., urging the passage of the Sparks-Capper amendment; to the Committee on the Judiciary.

10250. By Mr. CARTER of California: Petition of Myrtie L. Holbrook and 45 others of the First Methodist Episcopal Church, of San Leandro, Calif., urging the passage of House Joint Resolution No. 356; to the Committee on the Judiciary.

10251. By Mr. CHASE: Petition of men and women of Presbyterian Church, Madera, Pa., asking for passage of Sparks-Capper amendment; to the Committee on the Judiciary.

10252. Also, petition of men and women of Presbyterian Church, Houtzdale, Pa., urging passage of Sparks-Capper amendment; to the Committee on the Judiciary.

10253. By Mr. CONDON: Protest of St. Camillus Guild of Catholic Graduate Nurses, of Providence, R. I., against the passage of Senate bill 4582; to the Committee on the Judiciary.

10254. By Mr. COOPER of Wisconsin: Petition of residents of Rock County, Wis., urging passage of Sparks-Capper stop-alien representation amendment; to the Committee on the Judiciary.

10255. Also, petition of residents of Walworth County, Wis., urging passage of Sparks-Capper stop-alien representation amendment; to the Committee on the Judiciary.

10256. By Mr. CRAMTON: Petition of Mrs. C. H. King and 63 other residents of Marlette, Mich., urging favorable action on the Hudson bill, H. R. 9986, for Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

10257. By Mr. CROWTHER: Petition of the Woman's Christian Temperance Union, of Schenectady, N. Y., requesting enactment of the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

10258. Also, petition of citizens of Schenectady, N. Y., requesting enactment of the Grant Hudson bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

10259. Also, petition of the Woman's Christian Temperance Union, of Niskayuna, N. Y., requesting enactment of the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

10260. By Mr. EATON of Colorado: Petition of 36 residents of Denver, Colo., concerning House bill 7884; to the Committee on the District of Columbia.

10261. By Mr. Hill of Washington: Petition of Mrs. M. E. Kendrick, Opportunity, Wash., and other citizens of Spokane and vicinity, urging the passage of House Joint Resolution No. 356, providing for exclusion of aliens from population count in congressional apportionment; to the Committee on the Judiciary.

10262. By Mr. HOOPER: Petition of citizens of Ceresco, Mich., urging Congress to support the proposed Sparks-Capper amendment to the United States Constitution (H. J. Res. 356), excluding unnaturalized aliens from count of population for apportionment of congressional districts; to the Committee on the Judiciary.

10263. By Mr. HULL of Wisconsin: Resolution of the Thorp Livestock Shipping Association, of Thorp, Wis., favoring the Brigham bill and protesting against the recent ruling of the Commissioner of Internal Revenue regarding the use of palm oil in oleomargarine; to the Committee on Agriculture.

10264. Also, resolution of the Granton Holstein Club, of Granton, Wis., favoring the Brigham bill and protesting against the resolution of the Commissioner of Internal Revenue regarding palm oil used in oleomargarine; to the Committee on Agriculture.

10265. Also, petition of citizens of Monroe County, Wis., favoring cash payment of adjusted-compensation certificates; to the Committee on Ways and Means.

10266. By Mr. MANLOVE: Petition of L. H. Dunn, L. C. Hartline, and 44 other residents of Walker, Mo., regarding unfair truck and bus competition with the railways; to the Committee on Interstate and Foreign Commerce.

10267. By Mr. MERRITT: Petition of sundry citizens of the fourth congressional district, Connecticut, favoring the passage of the House joint resolution providing for an amendment to the United States Constitution excluding unnaturalized aliens when making apportionment for congressional districts; to the Committee on the Judiciary.

10268. Also, resolution passed by Star Council, No. 42, the Sons and Daughters of Liberty, favoring House Joint Reso-

lution 410; to the Committee on Immigration and Naturalization.

10269. By Mr. SNOW: Petition of Amos J. Lay and others, of Brownville, Me., favoring passage of Sparks-Capper stop-alien representation amendment (H. J. Res. 356) providing for an amendment to the United States Constitution; to the Committee on the Judiciary.

10270. By Mr. SPARKS: Petition of United Brethren Sunday School, of Harlan, Kans., for the Federal supervision of motion pictures as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

10271. Also, petition of the Woman's Christian Temperance Union, of Lincoln, Kans., for the Federal supervision of motion pictures as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

10272. Also, petition of Covert Methodist Episcopal Sunday School, of Covert, Kans., for the Federal supervision of motion pictures as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

10273. By Mr. STRONG of Kansas: Petition of 59 citizens of Jamestown, Kans., urging passage of the Sparks-Capper stop-alien representation amendment; to the Committee on the Judiciary.

10274. By Mr. STRONG of Pennsylvania: Petition of citizens of Marion Center, Pa., and vicinity, in favor of an amendment to the Constitution of the United States to exclude unnaturalized aliens from the count of population for congressional apportionment; to the Committee on the Judiciary.

10275. By Mr. SWICK: Petition of A. R. Wahl and 14 other oil operators of Evans City, Butler County, Pa., urging the enactment of legislation placing a tariff on oil imports necessary for the profitable operation of small wells in the Evans City district; to the Committee on Ways and Means.

10276. By Mr. TABER: Petition of the Theological Seminary, Auburn, N. Y., favoring the passage of House Joint Resolution No. 356, providing for an amendment to the United States Constitution excluding unnaturalized aliens when making apportionment for congressional districts; to the Committee on the Judiciary.

10277. By Mr. WYANT: Petition of Herminie Council, No. 196, Junior Order United American Mechanics, by A. L. Young, secretary, urging support of Joint Resolution No. 473, restricting immigration; to the Committee on Immigration and Naturalization.