ommending the passage of House bill 8132, providing increase of pensions to veterans of the Spanish War and their dependents; to the Committee on Pensions.

1309. By Mr. O'CONNELL of New York: Petition of the Holy Name Society of the Church of the Holy Child Jesus, of Richmond Hill, Long Island, N. Y., favoring the passage of the Boylan bill; to the Committee on Foreign Affairs.

1310. Also, petition of the Women's Christian Temperance Union of the State of New York, favoring the passage of the Parker bill (H. R. 7555) to extend the maternity and infancy act; to the Committee on Interstate and Foreign Commerce.

1311. Also, petition of sundry citizens of Brooklyn, N. Y., opposing the passage of House bills 7179 and 7822, the compulsory Sunday observance bills, or any other national religious legislation; to the Committee on the District of Columbia.

1312. By Mr. SWING: Petition of certain residents of Westmoreland, Calif., protesting against the passage of House bill 7179, for the compulsory observance of Sunday; to the Committee on the District of Columbia.

1313. Also, petition of certain residents of Hemet, Calif., protesting against the passage of House bills 7179 and 7822, for the compulsory observance of Sunday; to the Committee on the District of Columbia.

1314. Also, petition of certain war veterans at the United States National Home for Disabled Soldiers at Sawtelle, Calif., indorsing proposed amendments to House bill 4474; to the Committee on World War Veterans' Legislation.

1315. By Mr. TILSON: Petition of J. H. Hoeppel, Arcadia, Calif., and others, favoring passage of bills H. R. 8132 and S. 3300; to the Committee on Pensions.

1316. By Mr. WHITE of Kansas: Petition of Frank Aimes and 75 other citizens of Russell, Kans., favoring passage of Senate bill 3301, for increase of pensions to Civil War veterans and their widows; to the Committee on Invalid Pensions.

SENATE

THURSDAY, *March 18, 1926*

(Legislative day of Monday, March 15, 1926)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Fernald	Kendrick	Reed, Pa.
Bayard	Ferris	Keyes	Robinson, Ark.
Bingham	Fess	King	Robinson, Ind.
Blease	Fletcher	La Follette	Sackett
Borah	Frazier	McLean	Sheppard
Bratton	George	McNary	Shortridge
Brookhart	Gillett	Mayfield	Simmons
Broussard	Glass	Means	Smoot
Bruce	Goff	Metcalf	Stanfield
Butler	Gooding	Moses	Stephens
Cameron	Greene	Neely	Swanson
Capper	Hale	Norris	Trammell
Copeland	Harreld	Oddie	Tyson
Couzens	Harris	Overman	Walsh
Cummins	Harrison	Pepper	Warren
Dale	Heflin	Phipps	Watson
Deneen	Howell	Pine	Wheeler
Edge	Johnson	Ransdell	Willis
Ernst	Jones, Wash.	Reed, Mo.	

Mr. WILLIS. I was requested to announce that the Senator from New York [Mr. WADSWORTH] and the Senator from North Dakota [Mr. NYE] are necessarily absent on business of the Senate.

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

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the Speaker of the House had affixed his signature to the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

S. 122. An act granting the consent of Congress to the Iowa Power & Light Co. to construct, maintain, and operate a dam in the Des Moines River;

S. 3173. An act granting the consent of Congress to the State roads commission of Maryland, acting for and on behalf of the State of Maryland, to reconstruct the present highway bridge across the Susquehanna River between Havre de Grace, in Harford County, and Perryville, in Cecil County; and

S. J. Res. 44. A joint resolution authorizing the Federal Reserve Bank of New York to invest its funds in the purchase of a site and the building now standing thereon for its branch office at Buffalo, N. Y.

CHILD LABOR

The VICE PRESIDENT laid before the Senate the following joint resolution of the Legislature of the State of Florida rejecting the proposed child labor amendment to the Constitution, which was referred to the Committee on the Judiciary:

Senate Concurrent Resolution 5

The joint resolution proposing the rejection by the Legislature of the State of Florida of the proposed amendment to the Constitution of the United States provided for by House Joint Resolution No. 184 of the Sixty-eighth Congress of the United States conferring upon Congress power to limit, regulate, and prohibit the labor of persons under 18 years of age.

Whereas the Sixty-eighth Congress of the United States has adopted House Joint Resolution No. 184, by the constitutional vote of the Senate and House of Representatives of the United States, whereby an amendment to the Constitution of the United States is proposed to the several States for ratification or rejection, said proposed amendment reading as follows:

"SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

"SEC. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to the legislation enacted by the Congress." And

Whereas the Legislature of the State of Florida, while being in full sympathy and accord with the humanitarian spirit which led to the submission of said proposed amendment of the Congress of the United States, is opposed to further extension of the powers of the Federal Government to invade and take away the inherent powers reserved by the several States: Now therefore be it

Resolved by the Legislature of the State of Florida, That the proposed amendment to the Constitution of the United States contained in House Joint Resolution No. 184 of the Sixty-eighth Congress of the United States proposing an amendment to the Constitution of the United States, which amendment reads as follows, to wit:

"SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

"SEC. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress."

Be and the same is hereby rejected by the Legislature of the State of Florida in regular session assembled, and that the action of this legislature thereon be forthwith certified to by the Secretary of State of the United States by the secretary of state of Florida under the great seal of the State, and that certified copies of this resolution be sent by the secretary of state of the State of Florida to the President and Vice President of the United States and to the Speaker of the House of Representatives of the United States.

Without approval.

STATE OF FLORIDA,
OFFICE OF SECRETARY OF STATE.

I, H. Clay Crawford, secretary of state of the State of Florida do hereby certify that the above and foregoing is a true and correct copy of senate concurrent resolution No. 5, as passed by the Legislature of the State of Florida (regular session, 1925) as shown by the enrolled resolution on file in this office.

Given under my hand and the great seal of the State of Florida, at Tallahassee, the capital, this the 15th day of March, A. D. 1926.

[SEAL.] H. CLAY CRAWFORD,
Secretary of State.

PETITION AND MEMORIAL

Mr. PEPPER presented a petition of the Philadelphia (Pa.) Board of Trade, praying for the passage of House bill 2, the so-called McFadden-Pepper bill, to amend an act providing for the consolidation of national banking associations, etc., which was ordered to lie on the table.

Mr. WILLIS presented a memorial of sundry citizens of Canton, Ohio, remonstrating against the passage of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES

Mr. HALE, from the Committee on Naval Affairs, to which was referred the bill (S. 3110) to authorize certain officers of the United States Navy to accept from the Republic of Haiti the medal of honor and merit, reported it without amendment and submitted a report (No. 394) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 3495) to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910, reported it with an amendment and submitted a report (No. 395) thereon.

He also, from the Committee on Claims, to which was referred the bill (S. 2722) for the relief of the Muscle Shoals, Birmingham & Pensacola Railroad Co., the successor in interest of the receiver of the Gulf, Florida & Alabama Railway Co., reported it with amendments and submitted a report (No. 396) thereon.

Mr. TRAMMELL, from the Committee on Claims, to which was referred the bill (S. 1354) for the relief of Josephine Rollingson, reported it adversely and submitted a report (No. 397) thereon.

He also, from the same committee, to which was referred the bill (S. 2193) for the relief of Grover Ashley, reported it without amendment and submitted a report (No. 398) thereon.

Mr. KENDRICK, from the Committee on Irrigation and Reclamation, to which was referred the bill (S. 3553) to provide for the storage for diversion of the waters of the North Platte River and construction of the Casper-Alcova reclamation project, reported it without amendment and submitted a report (No. 399) thereon.

Mr. HOWELL, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 1223) for the relief of J. L. Flynn (Rept. No. 400); and

A bill (S. 1224) for the relief of John P. McLaughlin (Rept. No. 401).

Mr. BAYARD, from the Committee on Claims, to which was referred the bill (S. 1647) for the relief of the city of Philadelphia, reported it without amendment and submitted a report (No. 402) thereon.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day that committee had presented to the President of the United States the following enrolled bills and joint resolution:

S. 122. An act granting the consent of Congress to the Iowa Power & Light Co. to construct, maintain, and operate a dam in the Des Moines River;

S. 3173. An act granting the consent of Congress to the State roads commission of Maryland, acting for and on behalf of the State of Maryland, to reconstruct the present highway bridge across the Susquehanna River between Havre de Grace in Harford County and Perryville in Cecil County; and

S. J. Res. 44. Joint resolution authorizing the Federal Reserve Bank of New York to invest its funds in the purchase of a site and the building now standing thereon for its branch office at Buffalo, N. Y.

BILLS INTRODUCED

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

By Mr. MOSES:

A bill (S. 3605) granting an increase of pension to Elizabeth P. Blinn (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 3606) granting a pension to Belle Bobbitt (with accompanying papers); to the Committee on Pensions.

A bill (S. 3607) to require the teaching of the Constitution of the United States, including the study of and devotion to American institutions and ideals, in all the public schools and colleges in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. HALE:

A bill (S. 3608) for the relief of Henry William Bennett, a British national; to the Committee on Claims.

By Mr. BORAH:

A bill (S. 3609) granting an increase of pension to Jennie Russell (with accompanying papers); to the Committee on Pensions.

A bill (S. 3610) to authorize the Caxton Printers (Ltd.) to make application to the Commissioner of Patents for the extension of Letters Patent No. 921467; to the Committee on Patents.

By Mr. LA FOLLETTE:

A bill (S. 3611) providing that funds appropriated for the care and relief of Indians of Wisconsin under the direction of the Secretary of the Interior shall be expended through certain public agencies of the State of Wisconsin; to the Committee on Indian Affairs.

By Mr. PEPPER:

A bill (S. 3612) granting a pension to Sarah L. Fluck; to the Committee on Pensions.

By Mr. HARRELD:

A bill (S. 3613) authorizing an appropriation for a monument for Quannah Parker, late chief of the Comanche Indians; to the Committee on Indian Affairs.

A bill (S. 3614) authorizing an appropriation for the construction of a hard-surfaced road across Fort Sill (Okla.) Military Reservation; and

A bill (S. 3615) for the relief of soldiers who were discharged from the Army during the Spanish-American War because of misrepresentation of age; to the Committee on Military Affairs.

By Mr. SWANSON:

A bill (S. 3616) for the relief of certain retired officers of the Navy and Marine Corps called into active service in World War from April 17, 1917, to November 12, 1918; to the Committee on Naval Affairs.

By Mr. EDGE:

A bill (S. 3617) for the relief of the Western Electric Co. (Inc.); and

A bill (S. 3618) for the relief of Western Electric Co. (Inc.); to the Committee on Claims.

By Mr. HEFLIN:

A bill (S. 3619) to amend the United States cotton futures act, as amended; to the Committee on Agriculture and Forestry.

By Mr. ERNST:

A bill (S. 3620) granting an increase of pension to Murry Kelley; to the Committee on Pensions.

By Mr. WILLIS:

A bill (S. 3621) granting an increase of pension to Julia Wells (with accompanying papers); to the Committee on Pensions.

By Mr. HARRIS:

A bill (S. 3622) granting a pension to Henry Clay Berryman; to the Committee on Pensions.

A bill (S. 3623) to ratify the action of a local board of sales control in respect of a contract between the United States and Max Hagedorn, of Lagrange, Ga.; to the Committee on Military Affairs.

By Mr. WADSWORTH:

A bill (S. 3624) authorizing the Secretary of War to obtain by reciprocal loan, sale, or exchange with foreign nations, in such quantities as are required for exhibition and study, articles of military arms, material, equipment, and clothing; to the Committee on Military Affairs.

By Mr. MOSES:

A bill (S. 3625) authorizing the granting of leave to members of the American Legion to attend the convention of the legion in Paris, France, in 1927; to the Committee on Civil Service.

A bill (S. 3626) to amend the act of February 28, 1925, fixing the compensation of fourth-class postmasters; to the Committee on Post Offices and Post Roads.

By Mr. NYE:

A bill (S. 3627) authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the State Historical Society of North Dakota the silver service which was presented to the battleship *North Dakota* by the citizens of that State; to the Committee on Naval Affairs.

BILL RECOMMITTED

Mr. ASHURST. I ask unanimous consent that the bill (S. 3282) to amend the act of February 26, 1925 (ch. 343 of the Statutes of the Sixty-eighth Congress), authorizing the construction of a bridge across the Colorado River near Lee Ferry, Ariz., which was introduced by me, and which I reported favorably from the Committee on Indian Affairs, be recommitted to that committee.

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

CHANGES OF REFERENCE

On motion of Mr. WARREN, the Committee on Appropriations was discharged from the further consideration of the bill (S. 2907) to authorize the general accounting officers of the United States to allow credit to Galen L. Tait, collector and disbursing agent, district of Maryland, for payments of travel and subsistence expenses made on properly certified and approved vouchers, and it was referred to the Committee on Claims.

Mr. COPELAND. I move that the Committee on the Judiciary be discharged from the further consideration of the bill (S. 991) to amend the tariff act of 1922 and other acts, and to change the official title of the Board of United States General Appraisers and members thereof to that of the United States

customs court, presiding judge, and judges thereof, and that it be referred to the Committee on Finance.

A similar bill passed by the House was referred here to the Committee on Finance, and the chairman of the Committee on the Judiciary thinks this bill should go to the same committee.

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

ASSISTANTS TO THE SECRETARY OF LABOR

Mr. REED of Pennsylvania submitted an amendment intended to be proposed by him to House bill 9795, making appropriations for the State and other departments, which was ordered to lie on the table and to be printed, as follows:

On page 103, line 24, before the period, insert a colon and the following:

"*Provided further*, That hereafter there shall be in the Department of Labor not more than two assistants to the Secretary, who shall perform such duties as may be prescribed by him or required by law."

EXPENDITURE OF MUSCLE SHOALS APPROPRIATION

Mr. NORRIS. Mr. President, I send to the desk a resolution calling on the Secretary of the Treasury for certain information. I ask unanimous consent for the present consideration of the resolution.

The VICE PRESIDENT. The resolution submitted by the Senator from Nebraska will be read.

The legislative clerk read the resolution (S. Res. 174), as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to inform the Senate how much of the appropriation contained in section 124 of the national defense act, approved June 3, 1916, has been utilized, giving in detail the purposes for which said appropriation has been utilized, the names of the persons receiving any part of said appropriation, together with an itemized statement of the amounts of money received by each.

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

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

Mr. NORRIS. Mr. President, the appropriation referred to is contained in section 124 of the national defense act, which was passed June 3, 1916, and is the law that authorized the construction of public works at Muscle Shoals. There was an appropriation of $20,000,000 given to the President for expenditure for that purpose. I understand that the appropriation has not yet been all utilized; that, for instance, the commission that was appointed by the President at the last session of Congress to make a study of the question and report to Congress has been paid out of that appropriation which was made on June 3, 1916. No report, however, so far as I know, has ever been made to Congress with regard to the expenditure of any of this money, and the passage of the resolution is desired simply for the purpose of giving to Congress information as to how the money has been expended, and how much of it has been expended.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

STATE TAXATION OF NATIONAL BANKS

Mr. McLEAN. Mr. President, on yesterday I asked unanimous consent for the immediate consideration of the bill (S. 3377) to amend section 5219 of the Revised Statutes of the United States, but there were several Senators present who wanted to be assured that the bill did not in any way affect the controversy in New York and Massachusetts over the refund of certain taxes which had been paid by national banks to the States. Consequently the bill went over until this morning. The report of the House committee, which fully explains the bill, has been printed in the RECORD. I am able to state that the controversy referred to has been settled. The bill does not in any way affect the tax-refund question which was raised three or four years ago. New York has paid back to the banks 50 per cent of the taxes collected and Massachusetts has returned 33⅓ per cent.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

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

Mr. McLEAN. I yield.

Mr. ROBINSON of Arkansas. I understand the bill will recognize the right of the States to tax incomes from national banks, if it taxes incomes from State banks, upon the same basis.

Mr. McLEAN. The purpose of the bill is to put the taxation of national banks on precisely the same basis as the tax on State banks in the States where they now have an income tax.

Mr. ROBINSON of Arkansas. I do not see any objection to the bill.

Mr. McLEAN. I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. Is there objection?

Mr. TRAMMELL. Mr. President, may I inquire of the Senator from Connecticut what is the purpose or object of the bill?

Mr. McLEAN. The Senator will see that the RECORD this morning contains a full explanation of the purport of the bill. I will say to the Senator that the purpose of it is to give the States which now have an income tax the right to tax the incomes of national banks in the same manner in which they tax the incomes of other corporations in the State. That is the main purpose of the bill. The Senator will remember that in 1923 we enacted a law which amended somewhat the original statute, and the only change of consequence is the proviso in this bill which accomplishes the purpose which I have stated.

Mr. TRAMMELL. May I ask the Senator another question? He said it gives the States the same right to tax national banks that they have under the law as to State banks.

Mr. McLEAN. That is all.

Mr. TRAMMELL. Is it the object of that provision to make the taxation laws more liberal toward national banks than under the present system?

Mr. McLEAN. It gives the States the right to tax the incomes of national banks on the same basis that the incomes of other corporations are taxed.

Mr. SMOOT. It gives the States simply one more method than they have under the existing law.

Mr. McLEAN. If the States have an income tax, they can tax the incomes of the national banks the same as they do those of the State banks.

Mr. TRAMMELL. I have no objection to the bill. I merely wanted to understand its purpose.

Mr. FLETCHER. May I state for the information of my colleague that I think the bill really would have no effect on the States where there are no State income taxes.

Mr. COUZENS. Does it in any way affect the taxes on the shares of stock or personal property of residents of a State?

Mr. McLEAN. It does not change the present law in that respect.

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

There being no objection, the bill was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That section 5219 of the Revised Statutes of the United States be, and the same is hereby, amended so as to read as follows:

"SEC. 5219. The legislature of each State may determine and direct, subject to the provisions of this section, the manner and place of taxing all the shares of national banking associations located within its limits. The several States may (1) tax said shares, or (2) include dividends derived therefrom in the taxable income of an owner or holder thereof, or (3) tax such associations on their net income, or (4) according to or measured by their net income, provided the following conditions are complied with:

"1. (a) The imposition by any State of any one of the above four forms of taxation shall be in lieu of the others, except as hereinafter provided in subdivision (c) of this clause.

"(b) In the case of a tax on said shares the tax imposed shall not be at a greater rate than is assessed upon other moneyed capital in the hands of individual citizens of such State coming into competition with the business of national banks: *Provided*, That bonds, notes, or other evidences of indebtedness in the hands of individual citizens not employed or engaged in the banking or investment business and representing merely personal investments not made in competition with such business, shall not be deemed moneyed capital within the meaning of this section.

"(c) In case of a tax on or according to or measured by the net income of an association, the taxing State may, except in case of a tax on net income, include the entire net income received from all sources, but the rate shall not be higher than the rate assessed upon other financial corporations nor higher than the highest of the rates assessed by the taxing State upon mercantile, manufacturing, and business corporations doing business within its limits: *Provided, however*, That a State which imposes a tax on or according to or measured by the net income of, or a franchise or excise tax on, financial, mercantile, manufacturing, and business corporations organized under its own laws or laws of other States and also imposes a tax upon the income of individuals, may include in such individual income dividends from national banking associations located within the State on condition that it also includes dividends from domestic corporations and may likewise include dividends from national banking associations located without the State on condition that it also includes divi-

dends from foreign corporations, but at no higher rate than is imposed on dividends from such other corporations.

"(d) In case the dividends derived from the said shares are taxed, the tax shall not be at a greater rate than is assessed upon the net income from other moneyed capital.

"2. The shares of any national banking association owned by nonresidents of any State shall be taxed by the taxing district or by the State where the association is located and not elsewhere; and such association shall make return of such shares and pay the tax thereon as agent of such nonresident shareholders.

"3. Nothing herein shall be construed to exempt the real property of associations from taxation in any State or in any subdivision thereof, to the same extent, according to its value, as other real property is taxed.

"4. The provisions of section 5219 of the Revised Statutes of the United States as heretofore in force shall not prevent the legalizing, ratifying, or confirming by the States of any tax heretofore paid, levied, or assessed upon the shares of national banks, or the collecting thereof, to the extent that such tax would be valid under said section."

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

POLICY RELATIVE TO BRIDGE BILLS

Mr. BINGHAM. Mr. President, I ask unanimous consent out of order to submit a report from the Committee on Commerce with regard to the new policy adopted by the committee with reference to bills authorizing the construction of bridges. On the 4th of March in certain remarks which I at that time made, at the request of the committee, I explained the new policy. On the 5th of March further reference to it will be found in the CONGRESSIONAL RECORD. At that time the senior Senator from Wisconsin [Mr. LENROOT] and the senior Senator from Virginia [Mr. SWANSON] asked that a statement as to the new policy be put in the form of a public document. The publication of that document has been delayed in order that forms for bills covering the different types of bridges—free bridges and toll bridges built by municipalities, and toll bridges built by private capital—might be drawn. Those forms have now been prepared, and I ask unanimous consent that they be printed in the RECORD. I also ask unanimous consent that they may be made a part of the document which the Senator from Wisconsin and the Senator from Virginia requested to have prepared and printed.

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

The matter referred to is as follows:

FORM I

INTERSTATE OR INTRASTATE HIGHWAY FREE BRIDGE—CONSTRUCTED BY STATES OR MUNICIPALITIES

A bill granting the consent of Congress to the [here insert State, State highway department, or county, municipality, or other political subdivision of a State] to construct a bridge across the ——— River

Be it enacted, etc., That the consent of Congress is hereby granted to [here insert State, State highway department, or county, municipality, or other political subdivision of a State] to construct, maintain, and operate a bridge and approaches thereto across the ——— River, at a point suitable to the interests of navigation, between ——— and ———, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act. The construction of such bridge shall not be commenced, nor shall any alteration in such bridge be made either before or after its completion, until plans and specifications for such construction or alteration have been submitted to the Secretary of War and the Chief of Engineers and approved by them as being adequate from the standpoint of the volume and weight of traffic which will pass over it.

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

FORM II

INTERSTATE OR INTRASTATE HIGHWAY TOLL BRIDGE CONSTRUCTED BY STATES OR MUNICIPALITIES

A bill granting the consent of Congress to the [here insert State, State highway department, or county, municipality, or other political subdivision of a State] to construct a bridge across the ——— River

Be it enacted, etc., That the consent of Congress is hereby granted to [here insert State, State highway department, or county, municipality, or other political subdivision of a State] to construct, maintain, and operate a bridge and approaches thereto across the ——— River, at a point suitable to the interests of navigation, between ——— and ———, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act. The construction of such bridge shall not be commenced, nor shall any alteration in such bridge be made either before or after its completion, until plans and specifications for such construction or alteration have been submitted to the Secretary of War and the Chief of Engineers and approved by them as being adequate from the standpoint of the volume and weight of traffic which will pass over it.

SEC. 2. The said [here insert State, State highway department, or county, municipality, or other political subdivision of a State] is [are] hereby authorized to fix and charge tolls for transit over such bridge and the rates so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in such act of March 23, 1906.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

FORM III

INTRASTATE HIGHWAY TOLL BRIDGE CONSTRUCTED BY PRIVATE CAPITAL

A bill granting the consent of Congress to [here insert (1) private individuals, their heirs, legal representatives and assigns, or (2) a private corporation, its successors and assigns] to construct a bridge across the ——— River

Be it enacted, etc., That the consent of Congress is hereby granted to [here insert (1) private individuals, their heirs, legal representatives and assigns, or (2) a private corporation, its successors and assigns] to construct, maintain, and operate a bridge and approaches thereto across the ——— River, at a point suitable to the interests of navigation, between ——— and ———, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act. The construction of such bridge shall not be commenced, nor shall any alteration in such bridge be made either before or after its completion, until plans and specifications for such construction or alteration have been submitted to the Secretary of War and the Chief of Engineers and approved by them as being adequate from the standpoint of the volume and weight of traffic which will pass over it.

SEC. 2. The said [here insert (1) private individuals, their heirs, legal representatives and assigns, or (2) a private corporation, its successors and assigns] are hereby authorized to fix and charge tolls for transit over such bridge and the rates so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in such act of March 23, 1906.

SEC. 3. After the date of completion of such bridge, as determined by the Secretary of War, either the State of ———, any political subdivision thereof, within or adjoining which such bridge is located, or two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and approaches, and interests in real property necessary therefor, by purchase, or by condemnation in accordance with the law of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of —— years after the completion of such bridge it is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good-will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and approaches, less a reasonable deduction for actual depreciation in respect of such bridge and approaches, (2) the actual cost of acquiring such interests in real property, (3) actual financing and promotion costs (not to exceed 10 per cent of the sum of the cost of construction of such bridge and approaches and the acquisition of such interests in real property), and (4) actual expenditures for necessary improvements.

SEC. 4. The said [here insert (1) private individuals, their heirs, legal representatives, and assigns, or (2) a private corporation, its successor and assigns] shall immediately after the completion of such bridge, file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and approaches, including the actual cost of acquiring interests in real property and actual financing and promotion costs. Within three years after the completion of such bridge, the Secretary of War may investigate the actual cost of such bridge, and for such purpose the [here insert (1) private individuals, their heirs, legal representatives and assigns, or (2) a private corporation, its successors and assigns] shall make available to the Secretary of War all of its records in connection with the financing and construction thereof. The findings of the Secretary of War as to such actual original cost shall be conclusive.

SEC. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

FORM IV

INTERSTATE HIGHWAY TOLL BRIDGE CONSTRUCTED BY PRIVATE CAPITAL

A bill granting the consent of Congress to [here insert (1) private individuals, their heirs, legal representatives, and assigns, or (2) a private corporation, its successors and assigns] to construct a bridge across the ——— River

Be it enacted, etc., That the consent of Congress is hereby granted to [here insert (1) private individuals, their heirs, legal representatives, and assigns, or (2) a private corporation, its successors and assigns] to construct, maintain, and operate a bridge and approaches thereto across the ——— River at a point suitable to the interests of navigation, between ——— and ———, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act. The construction of such bridge shall not be commenced, nor shall any alterations in such bridge be made either before or after its completion, until plans and specifications for such construction or alteration have been submitted by the Secretary of War and the Chief of Engineers and approved by them as being adequate from the standpoint of the volume and weight of traffic which will pass over it.

SEC. 2. The said [here insert (1) private individuals, their heirs, legal representatives, and assigns, or (2) a private corporation, its successors and assigns] are hereby authorized to fix and charge tolls for transit over such bridge, and the rates so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in such act of March 23, 1906.

SEC. 3. After the date of completion of such bridge, as determined by the Secretary of War, either the State of ———, the State of ———, any political subdivision of either of such States within or adjoining which such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and approaches, and interests in real property necessary therefor, by purchase or by condemnation in accordance with the law of either of such States governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of —— years after the completion of such bridge it is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and approaches, less a reasonable deduction for actual depreciation in respect of such bridge and approaches; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs (not to exceed 10 per cent of the sum of the cost of construction of such bridge and approaches and the acquisition of such interests and real property); and (4) actual expenditures for necessary improvements.

SEC. 4. The said [here insert (1) private individuals, their heirs, legal representatives, and assigns, or (2) a private corporation, its successors and assigns] shall, immediately after the completion of such bridge, file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and approaches, including the actual cost of acquiring interests in real property and actual financing and promotion costs. Within three years after the completion of such bridge the Secretary of War may investigate the actual cost of such bridge, and for such purpose the [here insert (1) private individuals, their heirs, legal representatives, and assigns, or (2) a private corporation, its successors and assigns] shall make available to the Secretary of War all of its records in connection with the financing and construction thereof. The findings of the Secretary of War as to such actual original cost shall be conclusive.

SEC. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

PERSONAL EXPLANATION

Mr. BROOKHART obtained the floor.

Mr. CUMMINS. Will my colleague yield to me for a moment?

Mr. BROOKHART. I yield.

Mr. CUMMINS. Mr. President, for the first time in my service in the Senate I rise to a question of personal privilege. In the Evening Star of yesterday afternoon a reference was made to the contest initiated by Mr. Steck against my colleague, the junior Senator from Iowa [Mr. BROOKHART]. The article suggested that I have some friends in the Senate who, in determining the matter, might give consideration to the effect of the decision upon my personal or political fortunes.

Mr. President, I make no complaint against the writer of the article nor against the newspaper which published it. They but repeat an insinuation which has been given the widest publicity, and particularly in the press of my own State. It is, of course, wholly, utterly untrue. I have, it is to be hoped, many friends in the Senate on both sides of the Chamber, and all of them will vote, and ought to vote, their honest convictions with respect to this contest. I would feel a lasting humiliation if I believed that any personal or political friend would consider anything but the right and justice of the case in reaching his conclusion. If my colleague received one valid vote more than Mr. Steck, he should retain his seat; on the other hand, if Mr. Steck received one valid vote more than my colleague, he should be seated.

If any Senator were to permit either personal or party influences to control his vote in such a matter he would be false to the oath under which he became a Member of this body.

Mr. President, permit me in this connection to make another statement:

I have not attempted, either directly or indirectly, by discussion, suggestion, inference, or in any other manner to influence any Senator with regard to this contest. All that I have said, and I have said that from the beginning, is that it should be disposed of just as speedily as possible and in accordance with the merits of the dispute.

I am obliged to my colleague.

LONG-AND-SHORT-HAUL CLAUSE OF INTERSTATE COMMERCE ACT

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 575) to amend section 4 of the interstate commerce act.

Mr. BROOKHART. Mr. President, I listened with very great interest to the eloquent and forceful address of the junior Senator from Ohio [Mr. FESS] upon the long and short haul bill. That address made me think of old times. I recalled the days when the western section of the country made its fight before the Interstate Commerce Commission against various discriminations that existed as a result of the wonderful railroad system of the United States. The arguments in the discrimination cases were presented by the brilliant and able railroad attorneys of those days, but they never sparkled with such eloquence as came from the lips of the Senator from Ohio in his discussion the other day. In the advance rate cases, when the railroads were again seeking to increase the rates on the whole people of the country, those arguments once more appeared. Of course, they are old and overgrown with moss, but now they blossom and bloom and sparkle in the bright sunlight of the eloquence of the Senator from Ohio.

In the first place, the central idea of those arguments seems to be that the country should mainly be developed in order to develop great railroad systems; in other words, the basic or primary thing in American civilization is a great railroad system. In emphasis of that idea the Senator from Ohio said that we could not exist 24 hours without the present railroad system. Then he retreated a little from that position and said it might exist a little longer than that but not very long.

I think we have now reached a new stage in transportation in our civilization. I do not know whether the existing railroad system will be necessary at all in a very few years I apprehend we could build 100,000 miles or so of good roads and dispense with it. Even now in the State of Ohio the people of that State could be loaded into the motor vehicles there and moved out of the State in four hours, but that could not be done by the railroads on railroad trains. So there is a new era in transportation in the United States.

I never have believed in the theory that the country should be developed for the railroads. I believe that the railroads should be developed for the country. That being true, I am opposed to the whole system of discriminations. I think the only trouble with the Gooding bill is that it does not go far enough. I am sorry it does not include the long haul from competitive points with other railroads as well as with water points.

But let us consider it as far as it does go. It prohibits one form of discrimination. The Senator from Ohio seemed to be entirely opposed to the Congress of the United States having any voice whatsoever in establishing rules for the government of the railroads. He proposed that all such matters should be left to the Interstate Commerce Commission, and, after reading the rules which the Congress had already established, he seemed to think we had gone too far and that we ought even to repeal those rules and turn the entire matter back to the commission.

I am not going to enter upon a criticism or a defense of the commission. It has had a varied history. We gave it by law at first, as we supposed, the right to establish rates in transportation. After about 10 years the Supreme Court of the United States decided there was no such power. Then began the agitation for the famous Roosevelt rate bill, agitation for a law that would really give the commission power to establish rates.

I attended a national convention in support of that measure, which, as I recall, was held in 1905. That was the beginning of my study of rate discriminations in the United States. As a result of that agitation the power was finally conferred upon the commission to regulate railroad rates within certain limita-

tions, and later the right to grant a less charge for the long haul than for the short haul was also granted.

At the time the commission was given this power there existed a system something like this in the Middle West: The whole United States was divided up into basing points, and it was the policy of the railroad companies to ship everything by long haul from one of these great basing points to another, and then, perhaps, in distribution, distribute it back over the same line, thus making a double and an unnecessary haul for the distribution of the products of the country.

It was that idea which the railroads supported. They supported it almost ruthlessly, to the disadvantage of many communities and to the disadvantage of the whole of the State of Iowa. There was no basing point of any kind in the State. Basing their rates upon Chicago, they established on first-class freight a rate of 117 per cent of the Chicago rate to Mississippi River points above and below the State of Iowa; but if you crossed the river into the State of Iowa, although the distance might be less, that rate was increased by 5 per cent, and it was 122 per cent of the Chicago rate. They did not stop with that discrimination, but on first-class freight they imposed a further bridge toll of 5 cents per hundred pounds. The other classes had a discrimination in proportion, something like the first-class freight.

At the time the rate cases were brought to remove these discriminations, Mr. Hugh Cooper, who built the Keokuk Dam, testified as a witness in the case, and perhaps his expert knowledge is as great as any in the world; and he testified that a factory could better be located at Hannibal, Mo., and pay for its power than to locate 20 miles above at Keokuk, Iowa, and get its power absolutely free.

This discrimination was greater than the whole cost of power in manufacturing enterprises; and that discrimination was put upon Iowa for the purpose of holding Iowa as exclusively an agricultural State. It was put there for the purpose of destroying industries, and it had been there for about 37 years, as I recollect the time, before we finally succeeded in removing it in cases before the Interstate Commerce Commission. Then came the Panama Canal, and through its influence to eastern and western points the discrimination has been revived and perhaps even increased.

The great trouble with agriculture in the Middle West, and one of the reasons why it can not be prosperous, is because it is the only major industry. I have been out in the State of Ohio recently. I was in one community where there are no near industries. There was no prosperity for agriculture in that community. Recently I was in another community surrounded by industries, and there was a better story for agriculture in that community. Therefore we are entitled in the Middle West to a development of these industries as well as in the State of Ohio, and I think the Senator from Ohio [Mr. FESS] is taking too much of a local position when he denies us the right of development of industries in the other States equally with that of his own.

I think in the end it is justice and best even for Ohio that the whole country be developed according to its location and according to its resources. There is no greater discrimination against that idea than this policy of putting in a long haul at a less rate than the short haul.

It was my desire to speak especially from the standpoint of agriculture, and I therefore want to put in the RECORD some facts in reference to its condition. A lot of us have been talking about that, and we are generally denounced as bolsheviks and radicals and other disturbers of the peace; so I am going to quote to-day from an authority from a different source—the National Industrial Conference Board (Inc.), 247 Park Avenue, New York. This board is made up of the leaders of the various great industrial organizations of the East, and here is what it is saying now about the condition of agriculture; and this condition of agriculture was built up largely under the beautiful system of transportation so eloquently described by the Senator from Ohio.

It says:

Radical tendencies among farmers, who once were the backbone of the conservative wing of our body politic, curiously contrast with the increasing conservative trend of our urban population and present one of the most significant reversals in the political life of the United States, in the light of the report on the agricultural problem by the National Industrial Conference Board, 247 Park Avenue, New York.

The chief significance of this shifting of political attitudes, the board declares, lies in the fact that it directly reflects a serious economic maladjustment of agriculture and is seen by the board as a warning that a more scientific coordination of all industrial and business activities is needed.

The complaint that the East, absorbed largely in industry, trade, and finance, has been more or less indifferent to the problem of agriculture, which is principally centered in the West, meets with the accomplished fact that one of the greatest industrial economic research organizations, supported by manufacturing, mining, transportation, and public utility industries, has devoted nearly a year in an exhaustive investigation of the problems arising out of the agricultural situation. The conference board is urging business interests generally that the problem of the farmer must be studied and understood by them, because farm production is interwoven with the economic structure of all business life.

WHY FARMERS TEND TO BE RADICAL

With the increase and growth of corporate enterprise in industry and business, the board points out, there has been a diffusion of the ownership of industry among urban populations, by which interest in and understanding of industrial problems has been stimulated among those engaged in or connected with or living on the scene of industrial and commercial life. The large capitalization of modern industrial enterprise, the growing practice of employee and customer stock ownership, increasing investments of savings in corporate securities, all tend to make the urban population more and more conservative. On the other hand, the board points out, the average farm enterprise represents a capital investment of about $12,000, usually individually owned. To a large degree unorganized and isolated, farmers naturally have tended more and more to resort to political pressure to obtain relief from their economic ills, such as dwindling incomes, decline of agricultural production in proportion to population growth, rising production costs on the farm in face of falling markets.

But the agricultural problem, the board emphasizes, is the common problem of all industrial and commercial life as well. It is to no greater extent a question of what will be the consequences for the farmer than it is of what will be the consequences for our entire economic and business life if American agriculture continues to lag behind in comparison with the general economic development of the country.

The board's report notes a distinct tendency of the farming industry and farm production to decline relatively to our population growth, beginning with the year 1900. While farm-land acreage increased faster than the population up to 1860, the acreage of farm land per inhabitant since then has decreased 30 per cent. Improved acreage continued to increase faster than population up to 1880, but per capita acreage of improved farm land has decreased by about 16 per cent since that time. The acreage of harvested crops increased faster than the population up to 1900, but crop acreage since 1900 has decreased about 8 per cent per capita of population. In addition, the yield per acre of principal crops, which had increased rapidly until about 1900, has declined by about 4 per cent since.

FARM PRODUCTION LAGGING

Thus, farm production in proportion to urban population has been decreasing since 1880, and has declined by 20 per cent since 1900 alone. All of these facts indicate, according to the report, that since the beginning of the century the cost of agricultural production, prices and markets have not been such as to make it pay to maintain the same rate of increase of farming production for our growing population as existed before that time.

We do not have far to seek, for at least one of the reasons for this situation, according to the board's report, if we examine agricultural exports and imports. Since 1900 farm exports show a distinct downward trend, while agricultural imports are increasing. Our agricultural exports declined 20 per cent in volume from 1900 to the beginning of the war, and while in 1900 the value of our agricultural imports amounted to less than one-half of that of our exported farm products, our agricultural imports by the time the war began amounted to 83 per cent of our agricultural exports in value. War demands interrupted these trends, and American farm exports, stimulated by diminished foreign production and by foreign purchasing power sustained by American credit, rose again, although not to the level that existed previous to 1900. These facts, the report declares, testify to the increasing effectiveness of foreign agricultural competition both in domestic and foreign markets. Up to 1900 the capacity and production of the farm industry were able to expand more rapidly than the domestic population, because production costs permitted the profitable sale of agricultural surplus abroad. Since then the expansion of our farming industry has not been able to keep step with our population growth, and agricultural imports are increasing despite the fact that tariff protection has been given some branches of domestic agricultural production.

FARMER PAYS MORE, GETS LESS

The farmer's weakened position in meeting foreign competition at home and abroad, the board points out, has resulted from a tendency of his expenses to rise more rapidly than the prices he receives for his products. Overhead capital costs, including all taxes and interest charges of farming, which rose less than 60 per cent from 1880 to 1900, increased about 100 per cent from 1900 to 1910, and nearly 600 per cent between 1900 and 1920. Farm labor costs in the 20 years increased 90 per cent. Operating costs per unit of production, covering all materials and products of other industries purchased by the farmer, practically unchanged between 1880 and 1900, rose 116 per cent between 1900 and 1920. Combined costs per unit of product rose

over 300 per cent in these 20 years. But wholesale prices of farm products increased only 120 per cent during the same time.

HIS INCOME DWINDLES

The return on the total capital invested in agriculture, the board finds, including the value of the food, fuel, and shelter supplied by the farm during the five years prior to the war averaged 5½ per cent, but during the five years since 1920 averaged only 4 per cent, and the net return on the individual farm operator's investment only 2 per cent.

I might digress at this moment to say that in the manufacturing industries in 1923 there was invested about $40,000,000,000 of capital. There were employed less than 9,000,000 workmen, who produced a gross value of $60,000,000,000. In that gross value was thirty-four billion for raw material, and one manufacturer's raw material is another manufacturer's finished product. Every time it was transferred from one manufacturer to another a profit was added, so in this thirty-four million, the total of raw material, there were perhaps several billion of profit. I have no estimate of the amount. Maybe it was four, five, or six billion; I do not know. Subtracting the thirty-four billion and odd millions from the total of sixty billion we have left twenty-five billion and over that the value of the manufacturer's products was increased by the process of manufacture. If we forget about all these profits in the raw material and remember only how much in value that raw material was increased by the process of manufacture, and use that as the gross production, we would then have twenty-five billion as the gross production on forty billion of capital and with about 9,000,000 workmen.

In the same year there were about 11,000,000 workers on the farms. There was about $60,000,000,000 invested in the farms proposition. That was after deflation. It had been about seventy-nine billion before that. This sixty billion of capital in agriculture and about 11,000,000 workers produced a gross of $12,348,000,000, considerably less than half the production of manufacturing industries with only two-thirds the capital and with about three-fourths the number of workers. We find from the report of this board that the net income on this investment was only 2 per cent, and their method of figuring that net income is far more favorable to a larger earning in agriculture than in manufacturing. They do not figure the item of the work of the family, of the wife and children, as they do in figuring the cost of labor in industry. Neither do they figure the depreciation as they do in industry. If those items were considered and figured, as the other industries figure them, I venture the opinion there would have been no income for agriculture during this last five-year period mentioned. There was a deficit.

I have had a little personal experience along that line. It is said that agriculture is getting more prosperous. It got more prosperous with me in this way: The deficit on my farm three years ago was $1,100. Two years ago it was $418, and last year it was only $275.95. So I am getting a lot more prosperous in agriculture all the time.

Mr. KING. Mr. President——

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

Mr. BROOKHART. I yield.

Mr. KING. The Senator referred a moment ago to the net profits of the manufacturing institutions of the United States, the aggregate production of which was approximately $60,000,000,000. I carry the figures fairly well in my mind, and I will say to the Senator that the net profits reported by corporations in 1923—the 233,339 corporations which reported profits—were $9,328,703,239. In addition to these profits, these same corporations earned interest to the amount of $2,375,827,731, paid officers $2,032,710,607, and set aside funds for depreciation, and so forth, to the amount of $2,202,331,457. Other corporations, to the number of 165,394, which reported no profits and paid no income taxes in the year 1923, earned interest to the amount of $901,798,240, paid officers $543,164,579, and set aside funds for depreciation, and so forth, to the amount of $813,912,971. The nearly 400,000 corporations of the country had, in 1923, total receipts approximating $120,000,000,000, equal to $1,000 per capita for every inhabitant of the country. So that the Senator's deductions are entirely accurate when he contrasts the profits made by the agriculturalists and the profits made by the manufacturing institutions of the United States.

Mr. BROOKHART. I am very glad indeed to have that statement in connection with my own. It makes the comparison more full and complete and more accurate. I have no doubt that it was quite as favorable as the Senator has stated.

Now we ask, What has brought about this enormous discrimination against agriculture? I want to say that one of the greatest contributing causes is this wonderful railroad system of ours in the United States, built up for the purpose of developing big industry at big basing points at the expense of the men who toil upon the farm.

Their decree went against Iowa. There is no question but what they determined all these years to prevent the development of manufacturing in that State. They did that after we had granted them more than one-seventh of all the land in the State, after they had had a share of our agricultural land itself in that gigantic proportion.

I met a big financial man not long ago. He was introduced to me as a farmer, but I found out afterwards he was the president of several railroads; and in discussing this proposition, he said to me, "You are unfair to the railroads. I was out in your State of Iowa when land was worth $5 an acre. I built a railroad beside some land, and it was then worth $150 an acre."

I said to him, "Iowa is the best agricultural spot in the big round world. There is not another spot of soil on this earth on which you could lay down the map of Iowa which produces as much, which has as rich a soil, as good a climate, and as great a production, producing one-tenth of all the foodstuffs of the whole United States." I said, "We gave more than one-seventh of that princely domain to the railroads, more than enough, at $150 an acre, to build all the roads in the State. Not only that, but we levied taxes on towns and on townships, we issued bonds on counties, we raised the cash money to build those roads, and after we built them, you owned them back here in New York."

Mr. President, that is what has developed under this system of transportation discrimination. I say that if we had adopted an absolute distance tariff, without any variation whatsoever, and had adhered to it all these years, the West would be many times better off than it is under this system of discrimination. Its development would have been more natural. I do not adhere to the absolute distance-tariff idea. There are many conditions and circumstances that should modify it. Nevertheless, it should be the underlying principle in rate making, and that means it should support the long and short haul bill.

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

Mr. BROOKHART. I yield.

Mr. GOODING. I want to call the Senator's attention to a statement made by Colonel Thom, the representative of all the railroads before the Interstate Commerce Committee when Senate bill 575 was under consideration. Evidently the railroads assumed the same attitude toward the development of Iowa that they have assumed toward the interior territory of the West and the western section generally.

Mr. BROOKHART. I am only citing Iowa as an example.

Mr. GOODING. I think we all know who Colonel Thom is, and this is what he said:

Mr. THOM. Now, the only complaint, it seems, that can be made of the policy of the railroads is that they have not agreed with the intermountain country as to the prospects of developing that country for jobbing or manufacturing purposes. They have believed that they are not in a position to compete with the more favorable situation of the coast in respect to that matter.

All of their freight rates have been constructed along such lines that they have prevented the development of the interior. They propose to let industries develop where they want them to develop, and not where they should naturally develop.

Mr. BROOKHART. I think that is correct. I think the whole railroad policy of this country has been to develop certain points. They used to call them "basing points," and that always gave them the long haul. They wanted to haul the manufactured stuff from New England clear out West, and then all the products of the West to New England. That might be legitimate; but even in the West they wanted to move the packing plants up to Chicago, they wanted to haul our agricultural products up to Chicago to be packed and then back into the State of Iowa to be eaten. The freight rates were so devised as to bring about that situation.

We have not been able to pack our own products in our own State. Since we got some of those discriminations removed we have made a little headway. We have not been able to grind our own flour in our own State out of the wheat that we have raised in Iowa. We are not able to make our own leather into shoes, because of this system, built up throughout the United States by way of transportation discrimination.

Continuing, the report of this conference states:

The average return to the farmer for his labor and management, after allowing a nominal return on capital invested, including the food,

fuel, and shelter supplied him by the farm, in the five years preceding the war averaged $470 a year—

That was preceding the war.

In the five years since 1920, $600 a year.

That was the high prosperity of agriculture.

But taking into account the increase in the cost of living for the farmer, the report finds the purchasing power of his annual income since 1920 about 4 per cent below that earned by him in 1914. This the board contrasts with the average increase of 22 per cent in the "real" annual earnings of workers in other industries, including wage earners and clerks in manufacturing and transportation, ministers, teachers, and Government employees.

WORKS ON NARROW MARGIN

Actual earnings of the farmer in 1924 in return for his labor are computed by the board at $730 on the average as against average earnings of $1,256 per wage earner in the manufacturing industries in the same year; average earnings of $1,572 by transportation workers; $2,141 earned by clerical workers; an average of $1,678 earned by ministers; $1,295 by teachers; about $1,650 by Government employees; and an average of $1,415 per worker in all groups other than farmers.

The trouble is not with the workers. In the $60,000,000,000 of gross reduction, the value at which the farmer had to pay for what he used in manufactured articles in 1923, out of all of it the 9,000,000 workers got only $11,000,000,000 out of the whole $60,000,000,000. So that in the cost of this great production, after all, the big item is not labor, but it is profit depreciation and other matters.

The food, fuel, and housing supplied by the farm the board's report appraised at about $630 per year, which, the report points out, leaves the average farmer a cash income of about $100 out of the $730 earned by his labor during the year 1924.

That includes all of the farmers in the United States. That is the average all over the whole country. It is an appalling situation.

An average return of about $400 is allowed on the capital invested, making the total average cash income per farmer operator about $500 a year. Since the cost of food and clothing purchased by the average farm family during the year runs to about $475, the average farm income, the board points out, is only slightly more than enough to purchase the necessities of life.

Since these figures represent averages, the board's report declares, there must be as many worse cases as there are better ones, and in many instances, therefore, farmers must have had to forego payment of interest on debt, or taxes, to say nothing of repairs, equipment and maintenance, and proper care of the fertility of the soil, in order to pay ordinary living expenses. This situation, the report states, is illuminatingly reflected in farm bankruptcy statistics. The rate of farm failures from 1910 to 1924 shows an increase of over 1,000 per cent in contrast to that of commercial failures, which has remained practically the same per year during the same period.

They give the capital invested in farms, but use the figures which are not right, and I will not put them in the RECORD. They got them from the wrong source. The proportion, however, compares very well with the correct figures.

PER CAPITA INCOME

Striking is the comparison made in the report of the income per capita of the nonfarming population with that of farm inhabitants. While the income per head of urban population in 1919 was $723, $816 in 1920, and $701 in 1921, the per capita income of the farming population was $362 in 1919, $298 in 1920, and $186 in 1921. While this in a measure reflects the larger family usually prevalent on the farms, as compared with the city population, it does not make the feeding of these additional mouths any easier in the view of the authors of the report.

In summing up the causes of the farmer's difficulties, the report declares that while 60 per cent of the farmer's income depends on world conditions of supply, demand, and costs, which are out of his control, most of the elements entering into the expense of operating the farm; that is, the cost of agricultural production, are determined by domestic conditions which place the costs for the farmer on a higher level of values than the world level of values which determines the bulk of the farmer's income. Having to produce at a level of high cost, the farmer must meet competition which, producing at lower cost, limits the market for his surplus in accordance with the abundance or scarcity of world crops.

Mr. President, I think that statement is absolutely true. In reference to transportation under the law we fixed a value on the railroads, by machinery set up by the law, of $18,900,000,000. At the moment that value was fixed by law the market value of the railroads on the stock market of the United States, taking all of their stocks and bonds, was less than $12,000,000,000. The farmer can not get value for his farm products above the market. It is the market that determines what he gets, but this stock market is the greatest market in all the world, and yet the market value was not considered in fixing the value of those roads. Not only did the law fix the value but it fixed the rate of return upon the roads first at 6 per cent and then at 5¾ per cent, and that rate of return was covered not only upon the market value but on the whole inflated value of the roads, so instead of being actually 5¾ per cent it was nearer 8 or 9 per cent on the actual value of the roads at that time.

Now, I want to call attention to the bulletin of Mr. Hoover with reference to national wealth increase, which shows that the wealth of the United States increased from $186,000,000,000-odd in 1912 to $320,000,000,000-odd in 1922.

Mr. KING. That is the tangible wealth?

Mr. BROOKHART. That is the property of the country, not bonds and notes and obligations. It is just the property wealth of the country. That is the production of the American people. That is the production of capital in the United States, of work, of labor, of capital. That is the unearned increment or increase in property value. That is the decline of the dollar, and about 30 per cent of it, as I recollect, was due to the decline of the dollar, because the dollar did depreciate in value during that time, and yet the American people were only able to produce 5½ per cent a year compounded and added in each year.

But the railroads of the United States are given a return upon value more than 50 per cent above the market value of 5.75 per cent. Therefore, as the report said, since there are better cases above the line of average there are worse cases below, and since the railroads get more than 5½ per cent on an inflated value, somebody else had to take less than 5 per cent upon a deflated value below, and that was agriculture principally.

Mr. KING. Mr. President, for information may I ask the Senator what is the aggregate amount of the reported value of the railroads as the basis for this computation?

Mr. BROOKHART. Does the Senator mean what they call book value?

Mr. KING. The value accredited to them by the Interstate Commerce Commission.

Mr. BROOKHART. It started with $18,900,000,000. There have been additions each year since, and it is now up to $21,000,000,000 or $22,000,000,000.

Mr. KING. How do those values which have been given by the railroads compare with the valuations which have been found under the La Follette Act, to ascertain the physical valuation of the railroads? I know they have not yet completed the work.

Mr. BROOKHART. I think the La Follette Act considered the question of market value and also other elements, as pointed out by the Supreme Court; but if we want to consolidate the railroads we can do it by condemnation of those securities, and they would take the value of the securities without all this orgy of expert testimony in determining physical valuations. Some one said the stock market would increase 100, or maybe 200, per cent in one day. I said if they got a different expert witness on the stand they could increase it that much in an hour. They need not take a whole day to it.

Mr. KING. The Senator will recall that in one day, a few days ago when the lambs were ready to be shorn, stock values declined nearly $10,000,000 as a result of the raid on Wall Street.

Mr. BROOKHART. Yes; and there may be some considerable portion of that on the railroads. I think probably, even with boom prices to which they have recovered now, the railroads are not worth on the market now over $15,000,000,000 or $16,000,000,000, although I have no accurate check. I had an accurate check in 1920. Class 1 roads in 1920 were actually worth on market quotations in May only $10,500,000,000, and that is the year in which the value was fixed by the commission at $18,900,000,000. That refers to class 1 roads. There are a few hundred million dollars invested in class 2 and class 3 roads, so it probably would not raise it over $11,000,000,000 for all of the roads in the United States.

Mr. President, whenever we begin the proposal of a bill of this nature that is going to end discriminations of any kind, it immediately excites opposition in the railroad world. The pending bill has excited opposition, and very great opposition, in my State. I have received telegrams and letters from nearly every chamber of commerce in the State opposing the bill, because those chambers of commerce were urged to do so by the

agents and representatives of the railroads. They took their word for the situation and did not figure it out for themselves. Only a few of them have given me any instances whatever whereby anybody in Iowa would be injured, and usually those are cases of some promised favored rate to some point in the future, and not something they are getting now. All tell the story of disaster in what they are getting now.

However, there are two men in the State of Iowa who have studied the question. Mr. E. G. Wiley, traffic representative of the Greater Des Moines Committee and an expert upon the rate question of the highest order, has figured this out, and I think his knowledge and his advice are worth more than all of the general statements combined. As he figures it out, any system of discrimination will hurt Iowa and the Middle West, and ought to be removed.

Another man in Iowa who has figured this matter out is Halleck W. Seaman. He is a vice president of the City National Bank of Clinton, Iowa. He is also a member of the board that is operating the Government barge line on the Mississippi River. He has a very wide knowledge of railroad and inland waterway development. He has a perfect knowledge of conditions in the Middle West. He is of opinion that inland waterway development is absolutely necessary for the development of the Middle West in any proper degree. He is also of opinion that if the railroads are permitted to compete with water points they will destroy inland water competition in the future as they have done in the past.

I remember when we had boats all over the Mississippi River; I have traveled on them myself; but they are about all gone now, because competitive rates put in by the railroads took the traffic away from the Mississippi River and there is now no encouragement for the development of that traffic. After the river transportation is destroyed the competitive rates gradually disappear; the rates climb back somewhat to their old level. The railroads then have accomplished their purpose in destroying river competition. I think that is a short-sighted policy even from the standpoint of the railroads themselves. I think the railroads ought to cooperate with the water transportation, to give it its full share, that the railroads should make no effort to take the freight away from the water transportation. In that way I think they would get back from water transportation a compensation that would be greater than the loss. I believe that to be the natural result of any such development.

The railroad management in the United States, however, all seems to be back in New York. If one buys a ticket this morning to Chicago the money will be remitted to-night to New York. It is true all over the United States that all the railroad management centers in New York. While a railroad may have its hindquarters in Iowa, its headquarters are in New York. The railroads always see the problem from the New York standpoint, and never move out and get anybody else's view of the situation. Hence the railroads are unable to figure out the benefit of a law that would stop this discrimination by charging less for the long haul than for a short haul. They want to retain that power.

Mr. President, I think I can not do better now than to read a portion of Mr. Seaman's address upon this subject. He said:

> There are some 57 varieties of reasons why Iowa is potentially the greatest State in the Union. There are only two or three probable reasons why she is not. Iowa makes a brilliant record of touchdowns with her blue-ribbon achievements in a thousand and one lines of endeavor, yet, for some little understood reason, she has thus far failed to kick the real goal of her opportunity. By and large, Iowa has all the physical, financial, mental, and moral prerequisites for big performance, but lacks in that industrial and commercial symmetry so necessary to make of her a well-rounded figure in the sisterhood of States. It seems to be a plain case of arrested development.
>
> It is my purpose to try to locate the causes for this arrested development, and to suggest constructive ways and means for their removal. I will do the best I can to answer that current and pregnant question, "What's the matter with Iowa?" And in order that you may the more easily follow my line of talk I here and now make the following broad generalizations:
>
> That the trade ambitions of Chicago, coupled with the long haul but shortsighted policy of our granger roads, are the overshadowing and repressive influences that have made of Iowa a vassal State.
>
> That one available and outstanding source of relief to Iowa from this repression lies in a big-scale improvement of the Mississippi channel and its use as a preferential carrier of bulk materials at a price lower than the railroads can profitably meet. Chicago and Chicago's subservient railroads naturally oppose the improvement of the Mississippi above the mouth of the Illinois, for the obvious reason that once in commission much of the eastbound farm and factory tonnage now moving to and through Chicago would be diverted to the Gulf route.
>
> That out of the proven inability of our transcontinental lines to successfully compete with many Panama Canal rates may come an added and voluntary measure of relief from the railroads themselves. In order to recoup their loss of revenue these lines may make an effort to bring about a greater traffic density along their local rails, thus transforming these carriers into a powerful and welcome agency for advancing, instead of as now retarding, the prosperity of the State.
>
> That as we must have adequate and dependable transportation at any cost, but are entitled to have it at the lowest possible cost, consistent with reasonable profits to the carriers, it will probably be necessary for the Government to step in and insist upon a proper correlation and coordination of our rail and water highways, to the end that conflicting interests may be harmonized and rendered workable.
>
> * * * * * * *
>
> Every east and west railroad that serves Iowa has not only its eastern terminal but its executive direction in Chicago. These major roads are the Illinois Central, Milwaukee, North Western, Quincy, and Rock Island. They are termed the "granger roads" because their principal business has been to collect and bring into Chicago the raw farm products of the great agricultural States lying to the west of Chicago. It has been the practice of these roads to put into effect such freight rates as would encourage the long haul from the point of origin at the country station to the point of destination at Chicago, there to be either converted locally or to be turned over to connecting lines for eastbound movement.
>
> If converted locally at Chicago these roads receive 100 per cent of the revenue for their haul. If interchanged with eastern carriers, lake or rail, then the western roads, having originated the business, demand and receive the "lion's share," or not less than a 60 per cent division of the through rate.
>
> As a natural consequence, the "granger roads" do not look with favor upon the location at points along their local rails of industries that use farm products as their raw materials, provided such farm products can otherwise be marketed to advantage at Chicago or interchanged there.
>
> Their weapon, whether freight rate or capital discouragement, has been used to defeat the location of such industries at local points. The influence has been a most insidious one, and the towns in eastern Iowa in particular that have done their "damnedest" to build up or to locate this and that industry never knew what it was that defeated their efforts. But nine times out of ten, if the inside facts were known, it was the long-haul versus the short-haul policy of the railroads that was responsible for their blighted hopes.

Mr. President, in view of this great discrimination in favor of the big basing points against the rural points, I feel that all power and right of discrimination should be taken away from the Interstate Commerce Commission. I do not believe there can ever be justified a less charge for the long haul than for an included short haul, unless it might be in the case of shipments for competition in foreign countries. I do not believe that in the same social family, in the same United States, we have any right to build up one community in that way at the expense of another. I think the very life and union of our Government depend upon that idea. If the policy is going to prevail that all things must be centered at a few great points, then we are in a way to break down the equality and liberty of the American people as it is guaranteed to them under the Constitution of the United States.

Therefore I shall vote for the pending bill, not because it affords a complete remedy for the situation against which complaint is justly lodged, but it lays down a principle that will go far to remove the troubles that have contributed much to the cause of present unhealthy conditions, especially as affecting agriculture in the United States.

CALL OF THE ROLL

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

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

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

Ashurst	Copeland	George	Jones, Wash.
Bayard	Couzens	Gillett	Kendrick
Bingham	Dale	Glass	Keyes
Blease	Dencen	Goff	King
Borah	Dill	Gooding	La Follette
Bratton	Edge	Hale	McLean
Brookhart	Ernst	Harreld	McNary
Broussard	Fernald	Harris	Mayfield
Bruce	Ferris	Harrison	Means
Butler	Fess	Heflin	Metcalf
Cameron	Fletcher	Howell	Moses
Capper	Frazier	Johnson	Neely

Norris	Reed, Mo.	Simmons	Wadsworth
Nye	Reed, Pa.	Smoot	Walsh
Oddie	Robinson, Ark.	Stanfield	Warren
Overman	Robinson, Ind.	Stephens	Watson
Pepper	Sackett	Swanson	Weller
Phipps	Sheppard	Trammell	Wheeler
Ransdell	Shortridge	Tyson	Willis

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

THE WORLD COURT

Mr. REED of Missouri. Mr. President, a telegram has just been received by the press associations, which I think ought to be of interest to the Senate. It reads as follows:

GENEVA, March 18 (by International News Service).—The Council of the League of Nations to-day decided to invite the United States to a conference at Geneva on September 1 to consider the reservations which the United States has suggested regarding her entry into the World Court.

In view of the fact that the American people in two great elections, by majorities of seven or eight million, decided that the United States would have nothing whatever to do with the League of Nations, and utterly, and as they thought finally, repudiated that organization, this telegram is interesting. We are now to be asked to sit down outside of the league and confer with the gentlemen inside of the league with reference to whether we will accept the jurisdiction of the court created, set up, managed, and controlled by the gentlemen inside of the league. It seems to me that we ought to take immediate action on this matter. Is this not a very appropriate time to pass a resolution naming a delegate and to apply cloture to the resolution, so that it can be passed before the American people know anything about it?

Mr. President, this simply illustrates the fact that you can not be halfway in a thing and halfway out of it; that you either have to join the League of Nations and become an integral part of it, or you must stay out of it completely and absolutely.

Lincoln once declared that a nation can not remain half slave and half free; and I desire, with all respect to the immortal dead, to paraphrase that statement: A nation can not remain half sovereign and half subordinate. We can not preserve our national independence and at the same time subject ourselves to the control of any international body. We can not be a nation completely controlling its affairs and at the same time submit any part of our policies to the domination of any foreign organization.

LEAGUE WILL "CONSIDER" SENATE'S COURT ACTION

We were told that this was a world court. The people of the United States were told that it was a world court. Senators pledged themselves to vote for a world court, some of them before they had ever seen the protocol or had been furnished with a copy of the so-called statute of the court. Senators pledged themselves to vote for this so-called world court without understanding that the very word "protocol" means something pasted in, and that this thing that we call a protocol was something to be pasted into the League of Nations compact. Senators voted for this so-called World Court, many of whom two days before had not understood that the documents submitted to us had not been submitted by any sovereign nation but by the secretariat of the League of Nations.

My understanding, based entirely upon newspaper accounts, is that when the Secretary of State received the engrossed copy of the proceedings of the Senate he was in doubt where to send it, and, being in doubt, at least some of the press stated that he had sent the document to the various nations composing the organization of the League of Nations and also had sent it to the secretariat, figuring, I take it, that if he did not hit with one barrel he might with the other.

And so, having started out with the idea, as expressed on the floor by many Senators, that we were entering a court that was a world court, that was not in any way tied to the League of Nations, that was completely divorced from it, we are now invited by the League of Nations to sit down with the League of Nations and discuss with this body which we refused to join the question of whether we have adopted proper reservations and have attached proper conditions to our entrance into this court, which is a league court and never was anything but a league court.

Mr. President, just 22 days ago we were rushed into a ratification of the court of the League of Nations. For the second time in a half century cloture was applied. For the first time cloture was applied before the question under consideration had been fully debated. It is true there had been a discussion of the general proposition of the desirability of a world court. There had been some discussion of the relation of the court to the League of Nations. There was no adequate discussion of either of those subjects, and especially was there no adequate discussion of the so-called statute of the court, or of the relation of the court through the covenant to the League of Nations. Neither was there adequate discussion of the inherent power of the members of the league at will to amend the covenant of the league, and thus enlarge or alter the claimed jurisdiction of the court.

A few hours before the forced vote was taken, five so-called additional reservations were introduced which were never really discussed. To all intents and purposes, they were not discussed at all. The reservations were brought forward to steady the supporters of the court, who were in consternation and threatening to desert.

The influence of the White House was exerted to the utmost to hold the staggering column in line. The last hour of the discussion, except seven minutes, was occupied by one Senator in a speech which is its own characterization.

By these means the result was accomplished. Back of this action, and perhaps accounting for it, was a paid propaganda which had been conducted for months. Many Senators, I am informed, had pledged themselves even in advance of this discussion. Many of them at the time their pledges were executed, I repeat, had never read the statute or the protocol of the court. In a vague and indefinite way they were for a world court, and hence appeared willing to accept any kind of a court. They were like people who are hungry and are willing to eat any kind of a meal of victuals. They resemble gentlemen who want a drink and are willing to drink any kind of moonshine that is offered to them, from any kind of a bottle.

Coinciding with these forces were doubtless two other elements—men who were earnest advocates of the League of Nations and who appeared to have regard neither for the decision of the people rendered in two great national elections, nor for the altered condition of the world, who were willing to support entrance into the court because they believed it intrigued us in the meshes of the league, and they therefore supported the measure. I have no doubt that is true of the greater number of men who sit on this side of the Chamber, one of whom, at least, the distinguished Senator from Maryland [Mr. BRUCE], expressly stated that he regarded the court as taking us practically into the league, and that he wanted us to enter the league. Others who had opposed the league, probably because it had been advocated by a Democratic President, now turned tail, and, under the lash of the present Republican President, went to heel and in principle voted for the very proposition they had formerly repudiated.

THE AFTERMATH OF GAG RULE

All this occurred but 22 days ago. What sincere and candid man is there who does not now regret our hasty and improvident action? What man is there so blinded by prejudice, so warped by preconceived notions, as not to find in the developments of the past six days an absolute demonstration of the falsity of the claims hitherto advanced by the league and for the league's court? We were told that the league was to be an assembly of brothers, inspired by the spirits of love and charity. What man is now so blind and deaf and prejudiced that he does not understand that the league is an assembly of political representatives of the nations, every man of which is controlled by the interests, the ambitions, the hates, and the fears of his own country?

What man is so dull that he does not know that the spirit is that of the gaming table, where each participant plays a selfish hand, thinking only of the emolument and profit to accrue to his own country? Who is there now that does not know that the great nations are playing the old game of balance of power and seeking to employ the league as an instrumentality through which they shall each realize its separate ambition?

Nay, more! Who does not know that when the Locarno pact, which was written and presented to the world as conclusive evidence that at last the spirit of amity and fairness had come to control the affairs of the great nations was made, there were secret and treacherous understandings substantially to nullify the benefits it was pretended were to be conferred?

What American citizen regrets the fact that our country is not involved in this web of intrigue, the threads of which are selfishness, avarice, hate, ambition, and aggrandizement? Who is there who regrets the fact that as this miserable exhibition of trickery, fraud, sham, and shame has been played out, the United States has occupied a dignified and clean position, outside and beyond the artifices, the fraud, the cajoleries, the flatteries, the falsehoods, the false pretenses of this once glorified body, proclaimed as the child of Christian civilization, and inspired by the spirit of Jesus Christ?

Mr. President, I shall prove to those who listen—I can prove nothing to those who having eyes refuse to see, and having ears refuse to hear:

1. That the present condition of the league is due to trickery, chicanery, and an absolute breach of faith.

2. That the league itself is an offensive and defensive alliance, seeking to assert the powers of world government, and that it was intended from the first to be controlled by four or five great, ambitious, and conquering nations.

3. That the President was in error when he declared that the court was divorced from the league, and I shall show, to the contrary, that the court is an integral part of the league, and completely subservient to its dictates.

4. That the so-called reservations which we attached afford no protection whatever to the rights or interests of America.

5. That these reservations are necessarily offensive to every South American country, and will provoke ill-feeling against this country, because, sir, when the United States asserts that no question can be considered by the court without the consent of the United States, when we make that reservation in face of the fact that a number of South American countries have already signed treaties to submit all their controversies to the court, in effect we assume the right to say that the court shall be closed in the face of those nations which have thus signed these treaties. We place them in a position of subservience to our will, which will be offensive to the proud Latin-American countries to our south.

EUROPEAN DECEPTION AT LOCARNO

The Locarno pact has been heralded to the world as an exemplification of the spirit of the millennium. Nearly everyone has accepted that statement as the truth, and not one man in 50,000 in the United States has ever read the document, and with all the respect in the world for my colleagues upon the floor, I question whether one-third of its membership has ever read the document. I do not complain of lack of intelligence on the part of my associates. I do not complain that they are not patriotic. I do complain of improvident action, taking mere newspaper statements for the verity in regard to the contents of important documents, or taking the flamboyant statements of European statesmen at their full face value. What is the Locarno pact, and how has it been treated and used in the last few days?

The Locarno pact between Germany, Belgium, Great Britain, France, Italy, Poland, and Czechoslovakia, among other things, provided that it ratified and approved the separate treaties between Germany, Belgium, France, Great Britain, and Italy.

It provided for arbitration conventions between Germany and Belgium, Germany and France, Germany and Poland, Germany and Czechoslovakia.

It guaranteed the maintenance of the territorial status quo of the frontiers between Germany, Belgium, and France and in substance bound Germany to accept forever the conditions laid down in the treaty of Versailles with reference to her external and her internal boundaries, if we can use the term "internal boundaries" to describe the conditions that were attached to certain parts of the German Empire.

There were reservations made as to Belgium and France, and those countries were permitted, as an act of legitimate self-defense, to make war on Germany in case she should violate article 42 or article 43 of the treaty of Versailles, which forbids military movements or fortifications within 50 kilometers of the left bank of the Rhine.

That is to say, the right was reserved to make war without going to any court, without going to any arbitral tribunal, without even going to the Council of the League of Nations. Who was to decide the question whether Germany had violated or had not violated in the absence of those tribunals? Plainly, that question was to be decided by those nations for themselves. They were to act upon their own judgment and upon their own initiative.

There is a provision for arbitration of disputes, or reference to the council or to the court, but it is expressly reserved that the right of legitimate defense includes resistance to and violation of articles 42 and 43 of the treaty of Versailles. There is also the express provision that in case of their violation it shall be regarded as an unprovoked act of aggression. Therefore the way is open to an attack at any time, because all that is necessary is for those countries to claim that there has been a violation. In such case, of course, Germany would claim there had been no violation, and instead of settling that question before the arbiter, the judicial or political tribunal aforesaid, the right is reserved to at once make war.

What are articles 42 and 43? They relate to the conditions of the Versailles treaty, which not only fixed the boundaries of Germany but particularly fixed the boundaries within which Germany can not move a soldier or move a gun or do any other act covered by the broad language of the treaty. Fifty kilometers on the left bank of the Rhine are marked out as a zone into which Germany can not move a troop, a gun, or any ammunition. Let us grant that that is all right, but when the time comes that any of those nations see fit to assert that there has been a violation they have expressly provided that they are not obliged to settle that question before any court or any tribunal, but that they can at once take up arms and call upon the League of Nations to sustain them under article 16 of the covenant of the league.

Mr. President, Germany gave her consent to these seemingly harsh conditions, doubtless relying upon the protestations of amity and good will and the claim that there was a universal desire to wipe out the bitterness that had theretofore existed between the nations, and in consideration of which Germany was to be given a permanent seat on the council of the league. She was to have full fellowship with France, Italy, and Japan. The permanent membership of the league was Great Britain, France, Italy, and Japan, while Germany was to take her seat beside those four great nations and to occupy and possess the important right of being one of the five great nations having a permanent seat upon the council.

It needs no argument to demonstrate, sir, that a permanent seat is of great advantage and weight. Germany was to obtain this fixed status, and her statesmen undoubtedly felt that under those conditions they would be able to protect the interests of the German people. As she took her seat there she knew, of course, that one of those countries, France, was incensed against her and she had reason to believe that Great Britain, Italy, and Japan were in good faith in their protestations of a desire to receive Germany back into the family of European nations. She had also reason to believe that France would in good faith, if Germany kept her agreement, receive Germany into this little coterie of great nations, which every man of sense knows was intended in the organization of the league practically to dominate that organization. That was the consideration Germany was to receive. Her statesmen undoubtedly felt under those conditions that they would be able to protect the interests of the German people.

But, sir, two things happened. The ink was not dry on the Locarno pact until France and Poland made a separate agreement, an offensive and defensive alliance against Germany, for that is the meaning of the treaty when stripped of all its hypocritical language. It could have been aimed at no other nation than Germany. It was aimed at Germany. To follow the phrase of another, it was a cannon pointed at Germany's heart. At the same time France and Czechoslovakia negotiated an exactly similar treaty, so that the action taken amounts to nothing more or less than an offensive and defensive alliance by three nations against Germany made at the very time that those six nations were sitting down at the table proclaiming that the dawn of a new day had come and that brotherhood and amity and good will were hereafter to control all of their actions toward each other.

It is now openly charged in the press of Europe, it has been charged by European statesmen of high renown, that at the very time the Locarno pact was signed the representatives of Great Britain and perhaps of other countries had secretly agreed with France that at the same time Germany was admitted, France's ally and Germany's enemy, Poland, would be given a permanent seat in the council so as to offset and nullify any influence or vote Germany might acquire.

The press must rely upon the reports of its correspondents, and they in turn must get the best information they can. I do not criticize the press. They have generally been right in these matters. Whether the press is to be trusted or not as to the statements of the fact I have just made, the indubitable truth is that France did demand a seat for Poland and that she was backed in this demand by Mr. Austin Chamberlain.

It can scarcely be doubted that by direction or indirection Mr. Chamberlain had made this pledge to France, and he made it secretly. Also it is manifest that at the very time France was sitting at the table signing the Locarno pact he had in mind a scheme to deprive Germany of the benefits which Germany expected to receive from the Locarno pact by bringing in an enemy of Germany and by giving an additional permanent seat in the council to that enemy, so that always and forever Germany's influence as a permanent member would be entirely different from the influence she had a right to expect when she signed the Locarno pact.

It is impossible to sustain the good faith of that kind of dealing. The incident is a complete demonstration of the fact that in dealing with these European countries, no matter what instrument they may lay upon the table, they are liable to have secret intrigues which modify, qualify, or destroy the effect of the agreement they have openly signed.

When we entered the war to defend our rights we understood that the nations of Europe had disclosed to us the object of the war, and that they would disclose to us thereafter frankly and fully all that concerned the common powers. That was not written in words. It was a conclusion that sprang from the facts and was assumed by the situation.

THE WAR AND EUROPEAN DECEPTION

Yet after we got into the war it was disclosed that there were secret treaties affecting the peace settlement, treaties and understandings between Italy and the allied countries other than the United States affecting Fiume and the Adriatic, secret understandings affecting Chinese territory whereby Shantung was to be cut from the heart of China and transferred to Japan, secret treaties between England, France, and Russia involving the Bosporus and the Dardanelles which would have controlled had the Czarist Government continued in power; and indeterminate agreements or promises affecting the Balkans, affecting Poland, and affecting Greece. So that we now have again a manifestation of the kind of double dealing we can expect in Europe where, as Mr. Wilson said in discussing the Fiume controversy, the old militaristic spirit comes back to control and the old and evil influences are once more dominant. That is not Mr. Wilson's exact language, but that, in my judgment, is a fair statement of it.

Mr. President, I desire to invite the attention of the few Members of the Senate who can still stand it to hear this question discussed, or sit to hear it discussed, to a few other facts in support of the propositions I have just laid down. I propose to undertake to demonstrate that the league itself is an offensive and defensive alliance leveled against the United States of America, and that the court is the absolute feature of that league.

FALSE ISSUES

But first I want to wipe out if I can some false arguments that have been constantly fed to the American people. A lot of people proclaiming themselves the anointed apostles of peace are denouncing all who refuse to accept their views as malicious individuals having a natural affinity for murder and other high crimes and misdemeanors.

Only recently it was, in substance and effect, said again that certain people, including myself, would not get very far opposing this measure until they could bring forward a remedy. Such senseless mouthings have no place in rational debate.

All decent humans would like to see the battle flags permanently furled, the roar of cannon forever stilled. The dispute, therefore, is not between the advocates of war and the advocates of peace. The dispute is between two classes of people, each desiring the peace and prosperity of the world, and let us hope most of them desire especially the peace and prosperity of America.

The one faction declares that the best way to preserve the peace and prosperity of America is, in consonance with the policies of Washington, to refuse to interfere in the intrigues and wars of Europe and to forbid interference with our policies on this side of the ocean; or stated differently, that America shall stay strictly at home, attend to her own business, and forbid foreign governments to trespass upon our rights. The other faction declares that the best way to keep the peace of America is for our Government to interfere in all of the disputes and wars of the world and to permit foreign governments to thrust themselves into the settlement of such disputes as America may have on her own account. In other words, the best way to keep out of the disputes and wars of the world is to get into all of them.

THE DOCTRINES OF WASHINGTON AND MONROE

Summed up, all these questions resolve themselves into one, namely, Shall we abandon the teachings of Washington and the traditional nationalistic policies of the past for the new-fangled doctrine of internationalism?—a poison that is distilling itself through certain channels in America and that is as un-American and as treacherous a doctrine as ever cursed a free people.

Shall we forego the advantages of our peculiar situation? Shall we quit our own to stand upon foreign soil?

Shall we abandon the Monroe doctrine, or at least abandon that important part of the doctrine which was expressed by James Monroe in these words—

> In the wars of European powers in matters relating to themselves we have never taken any part nor does it comport with our policy so to do. * * *
>
> * * * To cultivate friendly relations, * * * meeting, in all instances, the just claims of every power; submitting to injuries from none.

The proponents of internationalism, however, declare that these policies did not keep America out of the World War. That is true, but the other side of the shield is that from the birth of this Nation to our entrance into the World War stretches more than 140 years. In all of that period the United States was not drawn into a single trans-Atlantic war, although over 150 wars were waged in various parts of the world. Thirty or forty were of the first magnitude, notably, the Napoleonic conflicts which saturated the Old World with blood from the deserts of Egypt to the steppes of Russia.

During all these cataclysms the United States enjoyed complete immunity. Nay more. We acquired the vast domains of Florida and Louisiana and laid the foundations and built the walls of an impregnable empire in which life, liberty, and property are secure.

But then, sir, the captains of our fate were the profound Jefferson, the wise Madison, the brave Monroe, the heroic Washington—Americans all. They thought only of America. They rendered an undivided allegiance. Their feet were planted on American soil. They did not attempt to straddle the Atlantic Ocean.

But, say the internationalists, "nothwithstanding the policies of Washington, we were once in 140 years involved in a conflict between European powers, therefore you must now abandon his policy of nationalism and accept our doctrine of internationalism."

Say these gentlemen, "we assert"—and all we have ever had is their assertion, not one of them has backed his assertion with any logic or sound reason—"we assert that our internationalism will prevent wars and disasters not only in America but in all the world. Unless, therefore, you can propose an infallible remedy for war, you must accept our nostrum; and, if you do not do it, you had better not open your mouth in this country to utter a protest, for you will meet with condemnation and contempt."

They cry aloud, "What have you to propose?" We answer, "Adherence to the wise policies of Washington, which, it is true, did not infallibly prevent war, but which reduced embroilment in European wars to 1 in 140 years."

We admit that our policy is not infallible; but we assert that it does not follow that we must accept your proposed remedy unless you can propose a new policy which will certainly prevent future wars. We decline a doctrine which assumes that we can keep out of trouble in Europe by engaging in all of the troubles of Europe.

THE LEPROSY OF INTERNATIONALISM

Let me illustrate the idiocy of the argument of the proponents of the World Court. Leprosy has existed throughout the ages. It is the "white curse" of the Orient. Our policy has been to guard ourselves against its contamination by keeping away from leprosy-infected districts and colonies, and by guarding our gates against the entrance of its victims. Nevertheless occasionally an individual in the United States is afflicted with the disease. Our policy, therefore, has not been entirely successful.

Suppose now some imbecile were to declare that the way to exterminate leprosy is to turn the lepers loose on the community and for everybody to visit the leper colonies and purify the lepers by fondling their diseased flesh, and we were to reply that we declined the experiment. Would it lie in the mouths of the proponents of the new doctrine, therefore, to declare that we were in favor of leprosy and that we must accept their imbecilic proposition unless we could invent a nostrum absolutely guaranteed to exterminate the dread disease? We would answer that, although the present methods have not entirely wiped out the curse of leprosy, the proposed remedy would contaminate the world; that our people would lie along the highways rotting with the awful disease. We would say that, although we could not produce a perfect remedy, we nevertheless declined to abandon a method which had confined the disease and lessened its ravages for the foolish and deadly scheme proposed.

War is an evil. It has cursed the world through the centuries, but it is brought about by the voluntary actions of nations. Europe and Asia have been its two hotbeds. Their governments and peoples have, for their own reasons, resorted to the force of arms. They still pursue these policies. Even, sir, as I speak the cannon of Spain and of France are hurling their deadly projectiles into the patriotic columns of the Moors, who are defending their fatherland from invasion and exploitation. They are referred to here as tribes and people with no fixed habitat. That is not true; but it is true that most of them, like Abraham, are following their flocks and their herds from pasture to pasture, and most of them were civilized when our ancestors were wearing the skins of wild beasts. France has no more business in that country and Spain has no more right in that country than any other pair of freebooters have to invade the peaceful valleys of any

nation and to rob and despoil them of their homes and their property and their liberty. For my part my sympathies cluster around every bullet that is fired by those people in defense of their native land.

The dictator of Italy is massing armies and invading the Tyrol, or a few days ago was preparing to do so. The latest news is that he is still further increasing his armies. The further news is that he has declared that the legislative bodies now existing shall remain in perpetual session until 1928 or 1929, and that then none but Fascists, those of his own clique and crowd, will be allowed to take seats. This dictator of Italy, who assumes the power of life and death over the people, who attacks them for their religion, is one of the gentlemen whose representative will sit on the World Court to decide the rights of America. There are enough applications for admission to the United States now from this tyrant-cursed country so that if they could all come here we would not be able to absorb them during the next 20 years.

The British sea lord is declaring that England will, by her war fleets, keep the dominance of the seven seas. And, sir, at the Geneva convention one great British statesman, when they were discussing the question of an armed force to support the league, volunteered the statement that Great Britain would be quite willing to take over the policing of the seven seas; that is to say, he wanted the league to grant Great Britain the dominance of those waters that wash every shore of the world. She wanted the right to have her navy in fact what she has always sought to make it, the complete master of the oceans, and thus to become master of the trade and commerce and controller of the destiny of every nation. It was boldly stated at the councils of the league.

France appears holding in an extended hand the hat of the mendicant, unable to pay her international obligations to us; but back of that mendicant stand the serried columns of the greatest army on earth, and her soldiers are embarking to foreign lands to rob foreign peoples of their God-given and inherent rights.

Japan grips in a clutch of steel large portions of China and vast dominions belonging to Russia, and senselessly we conceded to her the dominance over islands in the North Pacific, every one of which in her possession is a menace to the United States, or may be at any moment.

The ingenuity and resources of the nations are strained to the utmost in the production of war planes and submarines, deadly explosives and poison gases. All these preparations are for exploitation, in part to hold the vast territories that were seized at the close of this war, when Great Britain took over at one time a domain greater than the eagles of the Cæsars encompassed in the proudest days of Rome's dominance. These preparations, I repeat, are for exploitation, for the glutting of national ambitions, for the engorgement of the stomach of rapacity; and all of the nations thus arming to the teeth are members of the League of Nations. Substantially all of them are represented by the gowned judges of the court. Such a court, created by such nations, is but an artifice to conceal the deadly purpose of its creators and to lull stupidity into a false sense of security.

THE COURT IS THE ARM OF THE LEAGUE

Mr. President, the court is the creature of the league. The purposes, powers, and dangers of the creature can not be appreciated without an understanding of the purposes, powers, and dangers of the creator. What is the League of Nations? What is its claimed jurisdiction? What are its policies? To what control is it subject? When we have answered these questions we shall have discovered the real jurisdiction and the real menace of a league of nations and of its creature, the court.

The league is composed of 55 or 56 nations, embracing every character of race—black, brown, and yellow—every kind of government from dictatorship to democracy; every sort of religion from voodooism to Christianity; every degree of progress from cannibalism to civilization. These 55 nations have formed a combination amounting in fact to a supergovernment. They have created two governing bodies—an assembly, composed of the representatives of all the member nations, and a council, composed of the representatives of 10 of the greater nations. They have declared the purposes and powers of this supergovernment in an instrument by them jointly signed. The league covenant expressly declares:

> That the assembly or the council may deal with any matter "affecting the peace of the world." (Art. 4.)

Any matter affecting the peace of the world!

That when there is war, or even threat of war, the league may take any action it sees fit; that any member of the league may invoke the jurisdiction and powers of the league as to—

> any circumstance whatever * * * which threatens to disturb * * * the good understanding between nations. (Art. 11.)

That if any nonmember state goes to war with a member state, or if two or more nonmember states go to war with each other, without first submitting the dispute to the league, all the members of the league will make war upon and destroy the state going to war; and this is true regardless of the justice of the cause. That is written in article 17; and the man who can read that article and not find that doctrine there is intellectually blind, deaf, and dumb.

In order to enforce this insolent and usurped authority all the members have formed an alliance and have directly agreed to make war upon the states not yielding obedience to their imperious demands. (Art. 16.)

Go and read it. Bear in mind, the United States is not exempt from the pains and penalties of this arrogant and bloody compact. Should we have a dispute with Mexico or any other country which in the opinion of the foreign gentlemen who officer the league threatens to disturb the "good understanding between nations," the league asserts the right to interfere, and if "war is threatened" these foreign gentlemen may summon the armies and navies of the criminal copartnership to destroy the United States of America. At the Geneva convention this doctrine was baldly and nakedly stated by Benes, of Czechoslovakia. It was accepted, and finally failed for lack of the one vote of Great Britain. That vote will come whenever British statesmen, who are wiser than the statesmen of any other country, looking down the course of time, observe that Great Britain's sun will shine brighter because they accept it. This attack upon us under the very terms of the league can be made and must be made unless we humbly accept the decrees of the league and prostrate ourselves to its sovereign commands.

I assert, therefore, that the league is a villainous conspiracy against the liberties of the nations of the world. It impudently asserts a world-wide jurisdiction. It boldly announces its purpose to enforce its pretended authority by "sanctions." But what are sanctions? No criminal ever says, "I murdered a man." He says, "I bumped him off." No thief ever says, "I stole the article and hid it." He says, "I stashed it." And so the language of diplomacy, largely devised along similar lines, uses unusual terms.

But what are "sanctions"? Sanctions, sir, are war. Sanctions are fire and sword, famine and plague, battle fleets of the sea, the atrocity of bursting shell hurled from the skies, the horror of poison gases that creep like innumerable serpents along the surface of the ground to put out the lives of men. Such are the indisputable facts; and if this league covenant had been signed in Europe without having been sugar-coated with the hypocritical pretenses that it was done in the name of humanity, of God, and religion; if the naked fact had been presented to the American people that 55 nations had signed a compact of this kind and proposed to back it with armed force, there is not a county in the United States in which American citizens would not have been drilling within 24 hours.

What is this lethargy that so envelops our souls? What is this fog that so obscures our vision? What has happened to the American people that compacts of this kind can be signed, and we not only sit supinely by, but we find men who would have us enter into this unholy compact and bind our Nation to accept the decrees of foreigners who constitute the membership of the league? And yet there are those who would lull us into a false sense of security by the siren song of universal peace!

That cry, sirs, was heard when the British armies were marching against the Colonies. There were men then who declared there was nothing to fear. There were men then who were talking amity and good will and loyalty to our sovereign, George III. There were men then who would blind the eyes of the American people and stop their ears; but there was one clarion voice that reverberated through the forests of America:

> Gentlemen may cry peace, peace, but there is no peace. Why stand we here idle?

Ah, if ever this country needed a Patrick Henry to arouse in it once more the spirit of independence; if ever this country needed a fagot from the altars of the Revolution to light once again the fires of national patriotism, it is at this hour. As I hear the league's pious protestations for peace, and then read this crimson compact, and witness the preparations of its members for war, there comes to me Tom Moore's description of the Saracen—

> One who could pause and kneel unshod
> In the warm blood his hand had poured
> To mutter o'er a text to God
> Engraven on his reeking sword.

I, sirs, am not an advocate of war. I hate and abominate war and all its evil brood. Hence I protest that the individuals who temporarily fill these positions shall not involve the United States in all the disputes of the world; that they shall take no action which will send America's sons to die in foreign lands, in foreign wars, created by foreign nations, and perhaps subject our sons to be under the command of foreign generals.

Hence also I protest that Uncle Sam shall not be soothed to sleep in the lap of an international Delilah, and so, shorn of his locks, awake only when the Philistines are upon him.

Such, sirs, is the League of Nations. Men may deny the truth, as they have denied it on platforms all over this country. Men may seek to cover up the facts, as they have done; but it is time for honesty of speech, for frankness of expression; and it is time for lying to cease.

Such is the League of Nations. What of its agent, the court?

1. There is no such thing as a world court. There is a league court. It was created under the authority of article 14 of the league compact. The protocol and statute of the court were adopted by the assembly and council of the league and sent out by the secretariat of the league only to members of the league and the states named in the annex. When signed by the several states it is returned to and filed with the secretariat.

3. Its so-called judges are nominated by the members of the league and by the members of the league only, and the members of the league may nominate even though they have not signed the statute of the court. That is statute 5.

4. From the men so nominated the assembly and council of the league elect the judges. They may also increase the number of the judges. That is statutes 1 and 14.

5. Vacancies are certified by the secretariat of the league to the league members. That is statute 18.

6. Salaries, expenses, and pensions for the judges are fixed by the council and assembly and apportioned among the members of the league. That is statutes 32 and 33.

7. Notices of all cases are sent to the members of the league by the secretariat. That is statute 40.

8. Notices of injunctions and mandates which the court directs against any nation to preserve the status quo upon a final settlement are transmitted to the council for such action as it may wish to take.

Is there anybody here who wants to say that when the court writes a decree and sends it to the council, and the council then is to take whatever action it pleases in the enforcement of that decree, that that court and that council are not Siamese twins, absolutely inseparable? The man who would deny that is not honest with himself, or else he has an intellect that travels in a very different manner from that in which mine travels. Perhaps that will explain some of my peculiar views.

The reasons given by the advisory committee and solemnly recorded in the records of the league are—

> That the measures, once they have been suggested by a court of the league, indicate the council of the league as the body most competent to suggest that the measures be carried out which are calculated to insure the effect of the sentences pronounced by the court.

Yet there are men who will say—the President has said—that the league was divorced from the court. I wonder who is advising the President just now.

In plain language, the judges decide and the league enforces. How they enforce is laid down in the league compact, article 16, which provides for the employment of every instrumentality of war, provides for cutting off commerce on the sea, for laying an embargo upon ports, for the employment of every method and means of bloody war, such war as has turned the soils of the world crimson, filled her valleys with bones, and made widows and orphans in every land since time began. What wonder is it that M. Lapradelle, of France, declared in the league:

> The court, being the judicial organ of the league, can only be created within the league.

THE LEAGUE COURT A FOREIGN TRIBUNAL

Who are the men to whom the propagandists and hired agents of somebody would have us submit the interests of America? Who are the members of this court to whom you rush with the fate of America in your hands?

Max Huber, president, of Switzerland.
Rafael Alamira y Crevea, of Spain.
Charles Andre Weiss, of France.
Dionisio Anzilotti, of Italy.
Antonio Sanchez de Bustamante, of Cuba.
Robert Bannatyne, Viscount Finlay, of Great Britain.
Bernard Cornelius J. Loder, of the Netherlands.
John Bassett Moore, of the United States.
Didrik Galtrup Gjedde Nyholm, of Denmark.
Yorozu Oda, of Japan.
Epitacio da Silva Pessoa, of Brazil.

DEPUTY JUDGES

Frederick Valdemar Nikolai Beichmann, of Norway.
Mikhailo Jovanovitch, of the Serb-Croat-Slovene State.
Dumitriu Negulescu, of Rumania.
Wang Chung Hui, of China.
[Laughter.]

To these men you propose to submit questions in which America is concerned. A few days ago I read this list of names, and at once offense was taken. It was said I was appealing to a low sentiment when I was asking for consideration of the names. Then it was asserted that there were a large number of men with foreign names, or with peculiar names, in our country, and that some of them had served in the war. I do not call this list of names to create laughter because of their strangeness to our ears.

I call them to emphasize the fact that they are a body of foreign gentlemen representing foreign nations, many of them representing nations utterly different from ourselves, representing codes of law utterly different from our codes of law, representing systems of religion entirely different from our systems of religion.

Of this group, Charles Andre Weiss and Dionisio Anzilotti represent nations challenging our right to collect honest debts and insisting upon at least partial repudiation.

Yorozu Oda represents Japan, with which country we have an acute controversy regarding immigration; likewise he represents the nation whose spokesman in the league declared that the judges ought to be "deified."

Antonio Sanchez de Bustamante, of Cuba, is the gentleman who overruled the decision of Chief Justice White, declared that that eminent jurist had violated his duty by going beyond the limits of his jurisdiction, and who blandly advised Panama to disregard the judgment rendered by Justice White.

Rafael Altamira y Crevea, of Spain, represents a country which we recently deprived of its colonies and in which distrust, fear, and hatred of the United States is deeply seated.

Robert Bannatyne, Viscount Finlay, represents Great Britain—always devoted to the policy of destroying its great rivals upon sea and land.

John Bassett Moore performs the contemptible office of decoy, placed by foreign nations on the international pond in the hope that American geese may be induced to light.

Which one of you would be willing to submit your own fortune or liberty or life to such a tribunal?

I cast no imputations upon these men. I do not care how exalted they may be in their respective countries; and I respect the countries of the earth. I do not care how earnest they may be in the laws of their lands. They are not bone of our bone; they are not flesh of our flesh; they are not wedded to our systems of law. They do not think as we think.

It is to this body you propose to consign the fate of the United States; or are you playing battledore and shuttlecock with words and setting up a shadow and telling us that shadow will produce peace in the world and stop all wars?

THE JURISDICTION OF THE COURT

Mr. President, let us examine the jurisdiction, or claimed jurisdiction, of this court. The court, being the creature of the league, it necessarily follows that the league can confine its jurisdiction and enlarge or contract that jurisdiction. To deny that is to deny the plain rules of common sense and of all experience. This the league may do by the simple process of amending the covenant of the league. Indeed, the league compact has been recently amended in the most important particulars, so as to enlarge and define the jurisdiction of the court. I have not time to go into that to-day, but on an appropriate occasion I shall show exactly how that was accomplished.

Under the covenant and statute as they now exist, the court has jurisdiction, as follows:

1. It is the sole judge of its own jurisdiction (art. 36), and its judgments, not only as to jurisdiction but as to all matters, are final and without appeal (art. 60). That is another one of the statutes many of you gentlemen did not read.

2. It has jurisdiction of all cases referred to it by the parties. Such reference may be, however, by general treaty stipulation. In cases of such treaties the court can exercise a compulsory jurisdiction. (Stat. 36.)

3. It has jurisdiction of all matters specifically provided for in treaties and conventions in force between the members of the league. (Stat. 36.)

4. Any member of the league may force its opponent before the court by refusing to arbitrate, and thus obtain a decision interpreting any treaty, or as to any question of international law, or as to any breach of international obligation, or as to the extent and nature of reparations to be made for such breach.

This is true, because under article 13 of the league covenant as amended all of the members have agreed that such disputes are cognizable by the court unless arbitrated, and, as I have said, arbitration can be prevented by any one nation refusing to arbitrate.

Clearly, therefore, substantially all disputes between France and Germany, or between France and England, or between France and Belgium, will be cognizable by the court as soon as Germany is admitted to the league, and before she is admitted to the league, the league assumes the right to take jurisdiction over nations outside the league, under the articles I have already read. Clearly, also, all other treaty disputes between the 55 members constituting the league are cognizable by the court.

5. A court may give advisory opinions upon any dispute or question referred to it by the council or the assembly. I have shown that the league asserts the right to interfere in any dispute of any character arising in any part of the world, whether between members or nonmembers, which the league thinks will even disturb the good understanding. It follows from what has been said that there is no conceivable question which is not justiciable by the league if it arises (a) between members under a treaty signed by the members; (b) there is no limitation whatever upon the advisory opinions which may be asked by the council, and when such opinions have been asked, or even without them if the league asserts, I repeat, the right under articles 16 and 17 to make war in order to enforce its will.

EXCUSES OFFERED BY LEAGUE COURT ADVOCATES

Our opponents present certain objections which, while they interfere with the course of my argument, I will take up at this time. They say, first, that the court is an innocuous body, having no jurisdiction except by consent of the parties, and that it is totally without power to enforce its decrees. Have we not heard that argument on this floor? Did we not hear it about the time we were to have cloture?

I have shown by the records that that argument is not true. I have shown it by literal quotations from the league compact, as amended. If that were true, if this league were an innocuous body without jurisdiction, then the entrance of the United States into the court would be merely a stupendous fraud, an unspeakable farce. In such case nine judges would be nine judicial ciphers inclosed in a vacuum.

Second. It is claimed that reservation 1, which provides that—

adherence to the court shall not be taken to involve a legal relation on the part of the United States to the League of Nations or the assumption of any obligation by the United States under the treaty of Versailles—

protects the United States. Mr. President, the reservation is purely idiotic, for if a legal relation is in fact established, any declaration that the fact does not exist is utterly futile. So also if no legal relation has been established, any declaration to that effect is mere surplusage. Upon that construction I could pile authorities until even those patient souls who listen to me to-day would abandon the Chamber.

But, sir, the legal relation is in fact established when we take our seat upon the court and participate in its deliberations and join with the other members in the rendition of decisions. A fact can not be expunged by a recitation that it is not to be regarded as a fact. Abe Lincoln once asked a chap, "Suppose I say that a dog's tail is a leg, how many legs will the dog have"? This stupid fellow said, "Five." Abe said, "Oh, no; you can not make a tail a leg by calling it a leg." [Laughter.]

Third. We have provided that—

no advisory opinion shall, without the consent of the United States, be given touching any dispute or question in which the United States has or claims an interest.

Let us examine that a minute. A broad construction of this language results in the court being unable to move in a single important instance without first expressly gaining the permission of the United States, for there is no question great enough to produce war or international strife in which the United States does not have and may not justly claim to have an interest. Such an absurd construction therefore will never be entertained.

It follows that the language will be construed to cover only those disputes in which the United States has a direct and immediate interest, separate and distinct from the general interest which all or a majority of the nations have in the question to be decided. Indeed, I think our interest must be that of a party to the dispute. That, Mr. President, is the construction we follow in every one of our statutes. We provide that a judge must not be interested in a case, and yet we allow him to sit if there is a taxpayer's suit, although he be a taxpayer, because his interest is the interest that the community has in common with him. All judges are interested in law and in order, and if we were to say that that sort of interest disqualifies, no judge could be found to try a case. So in this instance, if we say that the United States can bar any claim in which it has an interest and give it the construction that any interest the United States may have that is not direct can operate as a bar, then we close the door of the court permanently, for we are interested in all of these questions in an indirect way. With this limited construction of the language, the reservation affords us little or no protection, as I shall proceed to show a little later.

Fourth. It is provided in the reservation that—

the settlement of differences between the United States and any other State can be had only by agreement thereto through general or special treaties concluded between the parties.

As to that reservation, it may be said that if the United States asserts such a reserved right for itself it must concede similar rights to all other nations, so that the court in no instance would have jurisdiction, even at the request of its creator, the league, except by mutual consent of the parties. Thus, the court is reduced to the same jurisdictional standard as The Hague court, and becomes a useless and superfluous piece of international machinery. It is merely a fifth wheel for the international cart. Besides, such a doctrine brings the court to be a mere arbitral body to which nations willing to settle can resort, and, as I have said, has practically no advantage over The Hague court. It has numerous disadvantages not attaching to that body and not attaching to the ordinary arbitration. It is not comparable with the established process of arbitration, for arbitral courts can be selected with reference to a particular case, and may be fairly free from prejudice in a special instance, whereas the court is composed of permanent judges, nationals of important countries certain to have interests in the question in controversy.

Fifth. In the debates in the Senate the two leading proponents of the court were forced to admit (a) that they never would consent and that the United States never would consent to submit to the court any great question of international policy or any question vital to the United States; (b) that if the United States claimed such immunity, a similar immunity could and would be claimed by all other nations; (c) that nations only go to war over great questions of national policy or those which vitally affect their interests; (d) having been driven thus far those gentlemen in this Chamber were further compelled to admit and did solemnly admit of record that the league court would not prevent war. Thus they conceded and admitted away the entire arguments advanced by the proponents of the courts. Thus they dispelled the cloud of subterfuge and of sophistry and of falsehood which has been put before the American people, to wit, that they were told that the league court meant peace to the world and the settlement of all great questions by judicial arbitrament. They conceded away the argument advanced by the proponents of the court. Both of those gentlemen denounced as foolish the idea that wars would not recur in the future. The most they claimed for this marvelous court, as it has been presented to the American people by the judicial vanguard of the millennium, was that in some instances it might serve to smooth out the smaller wrinkles, to appease any minor irritation. What a pitiable situation in view of the fact that those gentlemen have themselves helped put forth the propaganda to which I have just referred.

THE LEAGUE COURT POWERLESS TO PREVENT WARLIKE PREPARATIONS

While I am on that subject it is said, "Oh, the court is a cooling-off place." How often have we heard that miserable, silly twaddle about a cooling-off place. These gentlemen talk as though nations went to war like two men with their fists. When somebody calls a man a vile name, he hits him before he has time to think. Not a single war of history ever began that way. Nations go to war over great questions that they have thought of for years. There may be a spark that lights the powder magazine, the spark may be small, but they have

been gathering that powder for years and for a purpose. The man who does not know that does not know much of anything.

Let us take the last war. Does anyone suppose anybody acted there without knowing what he was doing? About two hundred years ago the King of Prussia began forming the nucleus of the Prussian Army. He starved himself and his family and dressed like a peasant in order that he might gather silver through means of taxes wrung from the people. Having no place else to store it, he made solid silver balustrades for his palaces. All the people wondered at him wearing wooden shoes and peasant's clothes, and placing silver balustrades in the palaces; but when his son, afterwards Frederick the Great, was called to the bedside of the father just before he expired, he whispered in his ear, "My son, you will go to war with Austria. Then you will melt the silver balustrades into dollars." They had been accumulated through the years. The army had been building, built to carry out a policy of enlargement.

Out of that policy, operated by the King of Prussia nearly two hundred years ago, grew Prussia and from Prussia sprang the great German Empire. The German Empire pursued those policies. She drilled her men; she opened her schools to study every art of war. Chemists were busy night and day devising instrumentalities of destruction.

And England? Was she not acting with full knowledge of those policies? Years before the war she made an offensive and defensive alliance against Germany. She made it secretly. It is contained in two scraps of paper, not even a formal treaty—letters that passed. Two or three years before the war began the minister of the navy prepared for it, as Winston Churchill said in his own book of and concerning himself, preparing for the eventuality. He had placed or prepared to place 16-inch guns on vessels that once were armed with 12 and 14 inch guns. He was in such haste that they took the chance of the guns not working. They mounted the guns and for a year before war was declared the British Navy was mobilized at the point of vantage and practically stripped for action so that it could move upon a few hours' notice.

France was enforcing her universal draft; France was training every one of her gallant sons to be ready for the day; France had the numbers of the automobiles, and knew where she could instantly call them in order to rush her troops to the front. All this was prepared; all this was in readiness for the day when it came, as they all knew it would inevitably come.

England had served notice upon Germany months before the war that she must quit building warships and had told Germany that if she dared pursue that policy, England would build three vessels to her one. If England had told us that, if we had had a real, red-blooded American for President, he would have told England that we would build six vessels for each of their three, and we would have been getting ready just as those countries were getting ready.

Gentlemen talk about "a place to cool off," as though somebody had sat beside a hot stove and got into a sweat and needed to open a window a little while to cool off. It is part of the tommy-rot that has been fed to our people—absolute, sheer drivel. The place for nations to cool off is in their council chambers before they get ready to gather the instrumentalities of war. The way for nations to cool off is for them to cultivate the spirit of decency and quit the policy of robbery, for I say to you, Mr. President, that practically every war of modern times can be traced to one thing—the insatiate desire of nations for territory; the ruthless willingness to invade the homelands of other people and to take that which others possess. Sirs, that desire is as rife to-day as it was in the days of Nebuchadnezzer, of Rameses, of Alexander the Great, of Cambyses, of Xerxes, of Darius, of Attila, and all the other monsters who have cursed God's footstool. It is part of the modern foreign policy.

I repeat that Great Britain took as a result of the World War more territory than Rome occupied in the greatest day of her power, and what she did not take, France and Belgium and Italy took. They took that territory by secret treaties which were all made in advance and made Almighty God witness their sacred and holy purpose of loot.

SENATE RESERVATIONS DO NOT PROTECT UNITED STATES

Mr. President, I now invite the attention of Senators to the fact that the reservations are wholly ineffectual to prevent the United States from being seriously hampered and perhaps tragically injured by the decisions of the court by our participation therein. It would, sir, require a volume fully to develop this theme. No mind can be projected into the future far enough, no eye can see clearly enough down the course of the years to come, to divine or visualize the particular circumstances that may at any moment confront us. In what I say to-day I shall only refer to two or three very patent conditions which lie immediately across our path.

I assume, sir, now that the individual representing the United States shall take his seat upon the court. What questions may be presented for decision? It is absolutely certain that the court has jurisdiction of all disputes arising under treaties which provide that the disputes under the treaties shall be submitted to the court. That brings in every nation that signed the League of Nations covenant, for under the terms of the covenant they have all agreed to submit their controversies to the court since the league covenant has been amended.

Besides that, 15 separate treaties have been made embracing the express provision that any disputes arising under the treaty shall be submitted to the court. A large number of these 15 nations are South American countries. It follows, therefore, that all the disputes between such South American countries can be brought before the court. The disputes may in a sense be local in their character; yet they may, in the opinion of the United States, impinge upon the Monroe doctrine. We then are placed in this situation: If we take part in the decisions we must abide by the majority vote of the judges; if we do not take part, the United States is placed in the dilemma of denying to the South American countries the right to submit a question to a court which we have recognized and on which we occupy a seat.

Let me digress for a moment to consider that situation. We take a position upon the court; two South American countries have a dispute, and we veto, or try to veto, the court's passing upon that dispute—the very court on which we have a seat. What will our attitude then be? How will we then appear to the proud countries to our south, when we say to them, "You are so inferior to us that you can not come and present your claims to the very court that we have recognized and on which we have a seat"? Sir, if I were a South American statesman, I would die in my tracks before I ever would vote to allow the United States to enter the court with a reservation that the court could decide no question without the consent of the United States. I would say, "That means that the United States could employ the court at will, if it could control the court so as to gain a decision that suited the United States, and, if the court were not so constituted, she could refuse my country entrance to the court and set up the Monroe doctrine in place of the decision." I would say, "I would never submit to my country being placed in such a humiliating position." Yet that very condition is likely to arise at any moment of time.

While I am speaking of South American countries let me touch for a moment on Brazil. Brazil vetoed the scheme for the rape of the compact with Germany. Some people say that Brazil was a pawn; that she acted for other nations. So some people say Sweden was a pawn, and she acted for other nations, but, sir, as I turn my eyes across the ocean, I see in Sweden a people of wonderful vitality, of wonderful intellect, and wonderful courage, and I think the good sense of Sweden acted in this case. And as I contemplate the great nation to the south of us, Brazil, and visualize as nearly as I can the wonderful future that lies before her, I think she had a statesman who towered above us, who, looking into the future, truckling to no president, obedient to no propaganda, chained by no cowardly fear of a sentiment created at home when none had the courage to meet that sentiment and destroy it, stood for his country and his country's rights, and I pray God he will still continue so to stand. For my vision of the future is that Europe has a set of interests peculiar to herself, problems of her own, masterful statesmen to meet them; and if they can not meet them, surely we amateurs, 3,000 miles away, who would get lost in a London fog in four minutes and would not know how to find a police station, can not very well advise the great European statesmen.

This miserable conceit of America! I give place to no man in the exaltation of my country. I believe our people in the aggregate are a wonderful people. I think that the future holds in store for them a glorious prospect, but I am not foolish enough to think that we Senators, picked from all trades and professions, called together temporarily, unacquainted with Europe and European affairs, can go over there and solve European problems. I know that the blessed, sweet-faced, saintly old ladies who meet in these clubs can not advise Chamberlain; they can not advise Benes; they can not advise Briand; they can not advise any of these statesmen how to run their countries. We might just as well understand that there is no monopoly of brains or virtue on this side of the Atlantic Ocean.

I would not want most of these people who want to run the world to manage my backyard. I would not want them to manage my life or tell me how I could live, because then

I would have to live just as they do. They have a right to live their way, and I have a right to live my way, but God knows I think my way is the best, or I would live their way. I do not want their advice on how I am to live. So instead of repeating this silly stuff "America has a great duty to the world," would we not better wait until we can take care of our own affairs?

We can not conduct our own business here in a businesslike way. We can not keep our own Government pure. The vile and loathsome leprosy of fraud creeps into the very Cabinet of one of our Presidents. An Attorney General declines to answer questions touching his official conduct upon the ground that it would tend to incriminate him and involve others who shall be nameless here. Our public domain is granted away, and we must go into the courts to gain it back. Poverty and privation exist in the very shadows of the palaces of the wealthy. Crime is rampant. Officers of the law, decorated with a badge and armed with bludgeon and revolver, hold up and shoot down citizens upon the highways. One of our own Members is condemned, I fear—I pray not—to the life of an invalid by the wild shot of a wild man turned loose with a certificate as an officer. The doors of homes are battered down by irresponsible villains. Men soaked with whisky go out upon the highway and stop citizens as they pursue their course of duty or go to their places of business or their homes. Assaults are perpetrated upon women. Education is in a shameful condition, some of the States having illiteracy mounting to an alarming degree. And yet, in the face of these conditions, we propose that we shall sit here, without any knowledge of the facts, and regulate Europe.

Why, if we went over there we would be in worse shape than any innocent old farmer who comes to town for the first time in his life, who gets acquainted with a gentleman who knew him and all his relatives, and buys a gold brick in the next 30 minutes. We have been gold-bricked once, sir, in the city of Washington, when we destroyed our chance to have a great Navy and control the seas. We are to-day in a position where we can not meet on equal terms the fleets of Great Britain, and will even be at a disadvantage, in my opinion, in a contest with Japan.

We have some tasks of our own. Let us get out of our heads the idea either that God Almighty appointed us to run the world—it is a mistake—or that we would have sense enough to run it if God had appointed us, unless He had given us a new set of brains.

Mr. President, that is a slight digression. I want to return now to these illustrations.

All of these disputes under the Versailles treaty, under these other treaties, under any treaty that may be made, go before the court. The court is as inseparable from the league as the Supreme Court of the United States is inseparable from the scheme of the Federal Government. Indeed, the relation between the court and the league is much more intimate than that between the Supreme Court of the United States and the other branches of the Government of the United States, because in many instances the council of the league and the court have concurrent jurisdiction over the same subjects, and can be considering them at the same time.

ONCE IN, THE UNITED STATES CAN NOT ESCAPE RESPONSIBILITY

Mr. President, once we have accepted a seat upon the bench we can not escape responsibility. We immediately begin, through our representative, to intermeddle in all of the conflicts of the whole world. We take part in the decisions, and if we exercise the power we must accept the responsibility.

Let us see how far that responsibility extends.

A dispute of a grave character arises, threatening war. It is submitted to the court. We sit in the case. We join in the decision. One of the nations refuses to obey. Immediately the council, under the provisions of the amended covenant, takes action to put down the offending party. Under the authority of article 16 it calls upon all the league members to contribute men, money, and arms. Is there anyone so foolish as to think that the United States will not be requested to contribute its quota?

Having entered into this scheme for the preservation of the peace of the world by joining the court, have we not morally bound ourselves to stand by the decision we helped to make? Is there, sirs, any obligation resting upon a nation except a moral obligation? Treaties are only moral obligations, for there is no authority to enforce them unless it be this new supergovernment of the world. Are we not just as much bound as though we had agreed in advance to furnish our share of the international posse comitatus?

What is the United States to say? Is it to appear with the contemptible plea, "We entered into your scheme for compelling the peace of the world; we took part in the execution of that scheme up to the point where money had to be contributed or blood had to be shed; and now we will turn our backs upon our associates and flee like cowards from the field"?

America never will do that. When she has a population capable of doing that, then the stars will have faded from the flag, its red stripes will have disappeared, and the white banner of cowardice will float over the land to which Washington and his soldiers fought to give birth.

Again, regardless of the reservations, the statute of the court affords us little if any protection. First, the league covenant is really the constitution of the court. Get that into your minds, please. The league covenant is the constitution of the league and the court. It can be amended, I repeat, at any time by the league members; and they have amended it, placing among the questions that are to be decided by this court questions which Mr. Wilson expressly reserved from decision.

Under the covenant the court was created. The jurisdiction of the court has been extended, as I have said, over cases previously subject to arbitration. The league covenant can be further amended at any time by the members of the league, and upon such amendments we have no vote, because we are not members of the league.

IT WILL BE TOO LATE TO WITHDRAW

It will be replied that in this case, if unsatisfactory, we can withdraw. That is to say, the gentleman sitting on a keg of powder blandly explains that he is going to get off as soon as something happens. When something has happened it is too late to withdraw.

We entered the World War because Germany had warned us off the seas and had sunk some of our vessels. That was the reason. That is the reason solemnly written in the records; and yet, almost the hour after we had entered it for those reasons, we were told that we were to democratize the world, and we were told that we were to establish the liberty of small peoples. We were told that we were general crusaders everywhere; and yet the fact was we were none of those things. If we had been starting out to democratize the world, we would not have enlisted three or four kings as our side partners in the enterprise of destroying monarchies and setting up republics. If we had started out to establish the liberties of small nations, we would not have united our arms with the nation whose chief historian boasts that England has always been the great conquering nation, for we would have had to lop off India; we would have had to break the chains of Egypt; we would have had to cut the shackles from the limbs of more than 150,000,000 people who are held in subjection by British bayonets and kept from freedom by British machine guns.

We would not have gone into partnership with France. I hardly think we would have gone into partnership with Belgium, for I remember that it is only a few years since one of the horrors of the world was the condition of the natives in the Congo, a Belgian Province, where it was said they were treated with an atrocity indescribable and unbelievable. We would not have formed a partnership with Italy as a kingdom or Italy held in subjection by a dictator.

But we went into the World War; and I remember that as I sat in my seat there sat beside me a great Senator from a Southern State, a man of fine intellect. When the British delegation came to this Chamber and asked us to send troops across the seas, and send them quickly, this Senator said to me: "My God! are we to send our boys across the sea? I never would have voted for war if I had thought we would come to that." He had hugged to his breast the delusion that many then entertained that the mere declaration of war by America would stop the war. That sort of foolish stuff had been talked to our country until many wise men believed it.

We went across. Our troops fought gallantly and well. We loaned these nations ten thousand millions of dollars. We did not wait even to conform to the statute and take from them their bonds in the form provided by the law. We took their note of hand, their obligation that they would thereafter give their bond. We poured our treasure into their lap. We sent the boys from our homes across the sea to defend their cities, and to die upon their soil. Yet they charged us for the very land on which our troops stood when they beat back the German Army in its almost triumphant movement toward Paris. They rendered bills to us for a bridge which an American Artillery officer blew up because German troops were moving across to attack the American Army.

The war ended. Were we able to get our boys home at once? Not so. They said, "Keep at least enough to help us hold the territory we have taken from Germany." So we kept them there and quartered them beside the black troops which had been put in to control the German people. I do not remember how long it was afterwards before our boys returned, although

I offered the resolution myself to demand that the President call those troops home, but it seems to me it was a year and a half, but at last we got our troops back.

Then what? Then, sir, we were met with the outrageous statement that we had not done our share in the war; that in some way or other it was our duty to have anticipated the war, to have had our troops already in Europe to fight the battles of France and of England and of Belgium, not our own; and that having failed to do that, we ought to forgive the debt they had contracted, the debt that went for clothes for their soldiers, for shoes for their soldiers, for powder and shell for their soldiers, for food for their people, their armies, and their civilians; that they did not owe us anything, and that we ought to forgive them. They are over here to-day substantially repudiating their debt. When our boys went over they met them at the docks. "Vive les Americains!" was upon every lip, and there were kisses for every American boy, but now curses and imprecations. The name of America is hissed in every theater of France. Officially, diplomatically, we are still pleasant and agreeable, but deep-seated hate exists among the masses of the people toward the fathers and mothers of the American boys whose blood enriched the soil of France with the holiest tide ever poured from human hearts.

With all this before us, we propose to do what? To enter a court that decides cases by a majority of votes, and we will have 1 vote out of 9. There will be eight foreigners, everyone of whom loves his own country, everyone of whom would send his boy to die to-morrow in a war against America, everyone of whom responds to the impulses of a life that is rooted, through its ancestry, deep in the soil and history of his land, everyone of whom will sit there on that court to guard the interests of his own country. We propose to submit America's interests to such a tribunal.

JAPAN AND THE MONROE DOCTRINE

What cases can arise? I say the reservations do not prevent this sort of case arising: Japan makes a treaty with Mexico. Under that treaty Mexico grants to Japan the right to have her war fleet in Magdalena Bay, and we protest. Where shall we protest? Shall we go to this court? If we do, we acknowledge its jurisdiction. When we have entered that court, acknowledging its jurisdiction, we have gone into a court from whose decision, by express terms, there is no appeal. We plead the Monroe doctrine; and they say to us, "The Monroe doctrine? What is it? Where is it written in international law? Where is it recognized in international law? Per contra, it has been universally repudiated as a part of international law, and there was a fellow named REED over there in the Senate, who, when you were debating your reservations, asked you expressly to provide that the Monroe doctrine should be admitted as a principle of international law, and you would not put it in. Now, how are you going to plead the Monroe doctrine?"

Then they proceed to decide the case on international law, and what is the decision? That Japan is a sovereign country; that Mexico is a sovereign country; and that one sovereign country, under every principle of international law, has the right to cede its territory to another sovereign country. Are we saved in a case of that kind? We are not, sir. We are entangled and humiliated.

Extend the illustration, if you please. Haiti, this country which our marines now hold in a condition of semipeace, is a member of the League of Nations, and if we entered the league to-morrow Haiti would have just as big a vote as we would have. Suppose Haiti were to make a treaty with Great Britain, conceding Great Britain rights in the harbors of Haiti, from which the British fleet could in a few hours' time attack our coasts. Suppose Haiti and England have a dispute, or suppose they fix up a moot case and take it to the League of Nations, England claiming that she has certain indestructible rights in those waters under a treaty. Suppose we sit on the court, and the case comes there. What are we to say? A sovereign nation granted to another sovereign nation rights in the waters of one of those nations. Then we say, "The Monroe doctrine!" Ah, but there is no Monroe doctrine that is a principle of international law, and the decision goes against Haiti, and the British fleet moves into those waters. Then we assert the Monroe doctrine, and what happens? We have to assert the Monroe doctrine against the decision of a court which we recognized and on which we had a judge. What else happens? The court decides against us. Fifty-five nations that have signed the compact of the League of Nations have solemnly agreed to make common cause against us with fire and sword, with shell, with airplane, with poison gas, with all the hell of war.

THE LEAGUE OF NATIONS IS AN OFFENSIVE AND DEFENSIVE ALLIANCE

Somebody says, might they not do that now? I grant you that. The League of Nations is to-day a great menace. It is an offensive and defensive alliance. It does repudiate the Monroe doctrine, and if Great Britain or any other nation—I am not singling out Great Britain invidiously, let it be understood—if Great Britain or any other nation were to seek rights which violate the principles of the Monroe doctrine, all this great combination of power, this trust of arms, might hurl itself upon us, but at least we could say, "We have never acknowledged your authority. We have not bound ourselves to the conditions of your compact. We stand where we have always stood, upon our rights as a great and puissant power, charged with the duty of the protection of this hemisphere. By the living God, we will protect it to the end." We will be entangled in none of their infamies. We will have proved the way twice over.

I stand here as James Monroe stood when he faced the Holy Alliance, with all its power and prestige, with only a little scattered population of frontiersmen and a few men in a few small towns to back him, and declared to all the world, "You shall not conquer, subjugate, and enslave any of the nations of this hemisphere."

Mr. President, it is hard to preserve the mask of hypocrisy far enough. "Though the mills of God grind slowly, yet they grind exceeding small." At last the selfish individual must expose his purpose. The seeker after power must display his object. The trickster will eventually make a mistake, and so the truth comes out. It came out at Geneva in the last four or five days. There was no good faith there. I do not speak in defense of the German people. If the same thing had been done to any other nation, I would have equally spoken. I am employing these facts because they tell the story and that only. When the nations met at Geneva good faith required that they should meet with clean hands and receive Germany as a permanent member of the council. That had been the condition of the pact. But they had been playing a game behind the curtain. Their real purpose had been concealed. They wanted to bring Germany in and at the same time they wanted to fix Germany so that she would have no influence when she was in. I care nothing, I repeat, for the question so far as it concerns the German Nation, but I care everything for it because it exposes chicanery, trickery, fraud. It demonstrates that once more in Europe there is the old battle for the supremacy of the great powers. There is the question of the balance of power. There is the same situation that has existed in the past, and for that I say, in God's good name let America keep free from such things as that. Let us stand aloof. Let us pursue the course of the past, and that is not a selfish course, for the example of America has broken the chains of other peoples. By example we have led them where by power we could not have forced them.

THE EXAMPLE OF AMERICAN LIBERTY

It was the spark that came from the flintlock of Washington's soldiers that lighted the fires of the French Revolution. It was from the fires of the French Revolution that the night of bigotry and intolerance and tyrany of all the world was gradually illumined. The English commons rose, and by peaceful means destroyed the prerogatives of the Crown and established the right of the masses of the people, until to-day an Englishman can stand before all the world and declare himself a free man.

This spirit of liberty that was born anew here in America has entered into the hearts of the people of all nations. It is felt in Egypt where the brown hordes are seething with the desire to obtain their independence. It is felt in China, whose dead charnel house seems to be bringing forth the living spirit of a race of men who may yet reassert themselves upon this earth.

It is felt in farthest India, where men willing to take the hand loom in order to keep their oppressors at bay, that trade will not be cut off. It is felt there where the brown hordes stood outside the prison in which the English incarcerated the great patriot who taught his people the horrid doctrine that they had the right to weave their own clothes in their own homes as their fathers and mothers had done. It is felt in all of Europe where tyranny has relaxed its grip. And so as we look back over the years that have gone, the recent century and a little more of time, the Bourbons have toppled from their bloody throne and France has risen upon the ruins of that tyranny and erected a republic.

It is felt in Germany where the Hohenzollerns have relaxed their grip of steel so long fastened upon the throats of the people. It is felt in Russia where the iron thraldom of the Romanoffs has been broken and the royal family exterminated, a cruelty we all deplore, but nevertheless as we deplore it let us think of "bloody Sunday" when the Czar turned the machine guns upon 30,000 men, women, and children, who, headed by a priest, were presenting a petition for redress.

It is felt around the world, and all of this because America established the fact that men were capable of self-government. So if we will but proceed down the path of the centuries, holding aloft the torch of freedom, inviting other nations to profit by our example, we can bless the world; but if once we join with those in power and authority to force our way, force our policies upon any nation, then America's name will become anathema, and curses of hate will follow where blessings now are bestowed, and America will lose her proud position in the vanguard of the march of civilization.

THE PROHIBITION LAW

Mr. BRUCE. Mr. President, I am in a position to offer the Senator from Missouri [Mr. REED] a much more useful field for the promotion of the public welfare than that which he has been occupying this afternoon. I have just received a letter from a citizen of Tennessee. It is inspired by the speech that was delivered by the Senator from Tennessee [Mr. MCKELLAR] a few days ago. The writer says this:

> Folks sharing my views, along with lots of others, are so numerous that I believe, should we have the Sam Marshall ballot, we would show a majority favoring modification.
>
> Being without a voice, save giving expression through some one in authority, I take this method of giving you the benefit of my personal views. It seems that Mr. MCKELLAR has gotten out of touch with the folks back home.
>
> You may make Mr. MCKELLAR this proposition, which I in turn will execute for you, with the reservation that I shall not be persecuted other than prosecuted by his enforcement gang, viz, I will meet him in any town of 5,000 people that he may name in Tennessee, he divesting me of all things save the money to pay for it, and if I can not buy him something to drink in three hours and deliver it to him, I will make acknowledgment over my signature that he is right, knowing of no greater sacrifice I could make.

This is the particular language to which I wish to call the attention of the Senator from Missouri if he will give me his attention for a moment. The writer, after those observations on prohibition, adds this, which I feel bound duly to communicate to the Senator from Missouri:

> Should you ever be in Tennessee, I would like you to make me a visit—

And then he adds—

> and bring JIM REED with you.

Mr. NEELY. Mr. President, inasmuch as the Senator from Tennessee [Mr. MCKELLAR] is absent, I venture to express the hope that before the Senator from Maryland and the Senator from Missouri accept the invitation just read to "licker up" in Tennessee they should, as a matter of senatorial courtesy, consult Senator MCKELLAR about the proposed violation of the Constitution and the statute in his State.

INTERIOR DEPARTMENT APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6707) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1927, and for other purposes.

Mr. SMOOT. Mr. President, the pending amendment is found on page 84 of the bill. I understood that my colleague at the close of the session yesterday desired that the amendment be not acted upon but go over until to-day. As this is the only amendment pending that is to be offered by the committee, I would like to have it disposed of first.

Mr. KING. Mr. President, the Senate is now considering a bill making appropriations for the Department of the Interior for the next fiscal year. When the bill was laid aside yesterday, the amendment found on pages 84 and 85 had not been disposed of. This amendment is of considerable importance, not only intrinsically but because of the precedent which it establishes. It carries an appropriation of $500,000 for the fiscal years 1927, 1928, and 1929, to be expended by the Secretary of the Interior in connection with the settlement and development of existing Federal reclamation projects or units thereof, to be selected and designated by the Secretary of the Interior.

The Secretary is to withdraw from entry such area as he shall designate as a settlement unit, or a project of sufficient size to create therefrom not less than 100 farms, and not less than 10 fractional farm allotments on each of such projects or units, and to "aid and direct settlement" of such lands, including their disposition.

As stated, the measure before us is an appropriation bill, and under the rules of the Senate it can not contain provisions changing existing law or enacting what is called general legislation. Appropriation bills are to supply, for the following fiscal year, such funds as Congress regards as necessary to meet the requirements of existing departments, agencies, and governmental institutions.

General legislation does not originate with appropriation committees. There are appropriate committees charged with the duty of framing general legislation. The reclamation act, sometimes called the Newlands Act, was general legislation. The amendment which we are now considering radically modifies and changes the reclamation act and is, in a parliamentary as well as in a legal sense, general legislation.

Feverish anxiety to secure legislation has, upon various occasions, driven Congress from safe paths, and the result has been that upon appropriation bills there have been engrafted injudicious, unwise, and sometimes dangerous provisions. Theoretically, at least, substantive law and measures dealing with general public matters, cognizable by the legislative branch of the Government, are dealt with in committees which are supposed to carefully consider all matters and questions involved, and to report to the House and Senate, respectively, such bills within the jurisdiction of the Federal Government as they regard as necessary for the public welfare.

The Appropriation Committees of the House and Senate neither jointly nor separately considered the so-called Newlands Act. It originated in the House and was considered and reported upon by a committee empowered to deal with public lands and particularly with the questions of reclaiming public lands of the United States.

Under the rules of the House and the Senate the following committees are provided for each branch of Congress: Irrigation and Reclamation, Public Lands and Surveys, and Agriculture and Forestry. Unquestionably the amendment which is now before us should have been considered by the Committees on Irrigation and Reclamation of the House and the Senate. It deals with a subject embraced within the term "general legislation," and should have had the careful scrutiny of these committees.

If the proposed legislation embodied in the amendment under consideration is wise, it should have been offered as a separate bill, either in the House or the Senate, and referred to the Committee on Irrigation and Reclamation. That committee should have considered the question involved in the most careful manner. Hearings should have been had and full opportunity given to the proponents and opponents of this new policy to present their views to the committee and through the committee to Congress. Unquestionably the amendment which I am now discussing is an innovation upon existing law and a radical departure from the policy which has been adopted by the Government in dealing with reclamation projects.

The Appropriation Committees, under the rules of the Senate and the House and under the theory of parliamentary procedure, are limited in their activities to an ascertainment of what appropriations are called for by existing law and to report bills carrying sufficient amounts to meet the exactions of the law and the needs of the Government departments, as those needs are determined and defined in existing statutes.

The Appropriation Committees may not enter into new fields of legislation and new policies for the Government or its agencies to follow. Vigorous protests have been made in both the House and the Senate when appropriation bills have gone beyond their authority and sought to incorporate within bills reported by them general legislation. Unfortunately, Congress has sometimes ratified their improper acts and approved of riders which have been attached to appropriation bills and which dealt with new subjects or provided new or general legislation.

Senators have had no opportunity to consider this important measure, which makes such a radical change in the Newlands reclamation law. As a rule, the attendance in the Senate when appropriation bills are under consideration is not large, unless some important and controversial item is being considered. Many Senators are occupied in their various committee activities or in other important public duties.

They assume that the appropriation committees have performed their duty and have not constituted themselves committees to prepare new legislation or legislation changing existing law. It is obvious that it is an unwise and indeed dangerous policy for appropriation committees to assume to deal in appropriation bills with matters of the character of these now under consideration.

Mr. President, I had the honor of serving in the House of Representatives when Senator Newlands first offered the bill which bears his name. I was a member of the committee to which it was referred, and the committee reported it back to the House with a favorable recommendation. It did not pass at that session of Congress, but at a later Congress when I was not a Member of the House, Senator Newlands had the gratification of seeing his measure enacted into

law. Some persons opposed the measure because they doubted its constitutionality. Others opposed it because of it paternalistic features. Its proponents defended it upon the ground that the Federal Government owned large areas of arid lands which, without irrigation, would never be occupied or disposed of. In order that the Government might find purchasers for portions of its domain, and in so doing, furnish homes for thousands of American citizens who desired to engage in agricultural pursuits, it was insisted that the Newlands Act was not obnoxious to the Federal Constitution.

In the discussions preceding and attending the passage of the act attention was challenged to the large areas of public domain which could not be reclaimed and made habitable and productive, except through irrigation, and that in order to supply the necessary water for irrigation, dams and reservoirs and canals must be constructed at a cost which could not be met by those who were seeking homes and who would be glad to pay a reasonable amount for the land to be reclaimed and the water for its irrigation. It was believed that the Government should go no further and that there was no constitutional warrant for it to exceed the limits prescribed in the reclamation act. It was conceded that the bill was paternalistic, and unless wisely and properly administered, and with due regard to the limitations upon the Federal Government, the latter would become an oppressive landlord or would develop a bureaucratic system which would administer the law, and under oppressive rules and regulations would subject the settlers upon the various projects to irritating and tyrannous control for an indefinite period of time.

The drafters and supporters of the bill were sincere in their desire to reclaim the arid wastes of the West, and to provide lands which could be made productive and fruitful for courageous men and women who were willing to undergo the hardships and privations incident to pioneer life, and to give their efforts to the conversion of raw lands into fertile fields. Moreover, as I have indicated, they believed that the Government under the provisions of the bill would be able to dispose of thousands of acres of land which without irrigation were of but little, if any, value, and that by so doing it would be repaid for all moneys expended, and would also provide opportunities for settlers to secure homes and create wealth for their own and the Nation's benefit.

There was no thought during the discussions that the Federal Government, after building reservoirs and constructing canals and conveying water to the lands to be irrigated, should continue indefinitely in control of the lands reclaimed, or that it should act the part of a guardian to those who entered into contracts for the purchase of land and water. Nor was it even suggested that the Government should control the actions of the settlers, determine their conduct, prescribe their movements, and become a sharp-eyed policeman to enforce its will and direct the conduct of those to whom it was selling land and water.

But the measure before us expands the Newlands Act and introduces features never contemplated by the framer of the bill and those who actively aided in its enactment. Before analyzing the provisions referred to let me briefly refer to what has been accomplished under the Newlands Act. There have been many criticisms of the Reclamation Service, and charges have been made from time to time that those intrusted with the administration of the law were incompetent and inefficient. It has also been charged that there has been waste and extravagance upon the part of the officials of the bureau, and that projects have been entered upon, constructed, or in process of construction which never will be successful.

Mr. President, in my opinion the Reclamation Service is not free from fault and has made mistakes. The unsatisfactory condition of the Reclamation Service resulted in a demand for an investigation of its activities and its accomplishments. Accordingly the Secretary of the Interior appointed a special advisory committee of six members to study reclamation and make a report to him. This committee made a searching investigation and submitted to the Secretary a report, in which they stated:

> The situation that has developed on the Federal reclamation projects is serious. Three projects have been abandoned, and unless remedial measures of a permanent character are applied, several more of the projects will fail, and the Federal reclamation experiment conceived in a spirit of wise and lofty statesmanship will become discredited.

In their report they further state that—

> The net construction cost of the projects, subject to repayment as of June 30, 1923, is, in round numbers, $143,000,000. Of this amount about $101,000,000 are covered by active water-right contracts; $30,000,000 are unsecured by water contracts. The water users, holding water-right contracts, have repaid, during the existence of the Reclamation Service, 10.9 per cent of the total construction cost subject to repayment. On June 30, 1923, of the construction charges then due, 14.2 per cent, or $2,537,222.46, remained unpaid, and of the operation and maintenance charges then due, 17.6 per cent, or $2,423,649.06, remained unpaid.
>
> We believe it possible, without departing from the intent of the reclamation act, and by using the results of the experience of the last 21 years, to correct conditions on the projects so that impending disaster may be replaced by lasting success.

The report further states that the law required expenditures to be made in the 16 States mentioned, in proportion to the sales of public land therein. However, projects were considered without—

> sufficient accurate information regarding agricultural and economic feasibility—

With the result that—

> Some projects were authorized which should not have been undertaken. The simultaneous construction of more than 20 projects, involving the expenditure of nearly $150,000,000, provided no background of experience for the construction of the projects, such as would have been acquired by a more gradual and orderly program of development. This huge construction program soon exhausted the reclamation fund and made necessary a loan of $20,000,000 from Congress to keep the work moving.

The report further states that—

> The delayed construction and the irremediable errors in the original locations increased the project costs and the burden of the water users, who were to repay construction costs from crop incomes.

The costs in nearly every instance were larger than stated, and in some cases several times more than the original estimates. The report also states that the Reclamation Service has retained the full management of all of the projects but two, and that this course has not been satisfactory, as a result of which the management of the projects, as well as the Washington office, have become targets for criticism.

This significant statement of the commission should be emphasized in connection with the measure now before us:

> A dependence on Federal paternalism has settled down upon nearly all the projects, and a corresponding bureaucratic tendency has grown up within the Reclamation Service. The water users have come to look upon themselves as wards of the Government, a specially favored class with special claims upon governmental bounty; and the Reclamation Service has been tempted to accept this definition of the water users. Nothing could be more detrimental to the progress of a venture which demands, first of all, individual courage and independence of the people concerned. The extension act provides that the operation and maintenance of the project may be turned over to the water users. This should be done at the earliest possible date. Whether the water users organize as an irrigation district or as an incorporated water-users' association is of little consequence. Any benefits that may be devised for the aid of the water users should be contingent upon their willingness to take over the responsibility of operating and managing all but a few of the less-settled projects. When this is done, a large proportion of Federal reclamation difficulties will disappear.

I shall not take the time of the Senate to discuss this important report which was submitted by the committee of special advisers on reclamation. I might add in passing that the report covers in a comprehensive way each of the projects undertaken by the Reclamation Service. The members of the subcommittee are former Gov. Thomas E. Campbell, of Arizona; James R. Garfield; Oscar E. Bradfute; Clyde C. Dawson; Elwood Mead, of California; and Dr. John A. Widtsoe, of Salt Lake City, Utah.

From the report it is apparent that radical changes were necessary in the administration of the Reclamation Service to prevent past mistakes. It is impossible at present to determine what losses will be sustained by the Government and the reclamation fund. That it will be many millions of dollars there can be no doubt. Nor can it be determined what additional hardships and losses have been sustained by the settlers upon the various reclamation projects by reason of the maladministration of the service and the faulty, inaccurate estimates of the cost of construction prepared and furnished to settlers by the engineers and officials of the Reclamation Service.

I hope there will be reforms wrought. They are greatly needed in this important direction. Mr. President, notwithstanding that the report condemns the paternalistic policy which has been followed and which it declares—

> has settled down upon nearly all of the projects.

and that a corresponding bureaucratic tendency has grown up, the Reclamation Service and the water users have come to look upon themselves as the wards of the Government, who are to be regarded as a "specially favored class and with special claims upon governmental bounty," the measure before us seeks to perpetuate a paternalism which the report condemns, and to intensify and strengthen its grip. One would suppose that with this report before the Reclamation Service and the Secretary of the Interior they would recommend policies which would free the service from the charge of paternalism and permit greater independence and individualism upon the part of the settlers and water users.

I regret to say that the Interior Department has from time to time sought to extend its authority far beyond the provisions of the Newlands Act. Officials of the Reclamation Service a few years ago urged the passage of a bill prepared by them, which made the Reclamation Service a national land reclaiming and land selling agency.

Its services were to be at the disposal of any person or corporation having land to be reclaimed, whether swamp or cut-over or arid land or other kinds. When this was done, projects were to be executed and the sale of the land, under such restrictions as the Reclamation Service might prescribe, were to be exclusively under its control. As a governmental agency it would have morally bound the Government to guarantee its contracts and support its activities. It would have added many thousands of employees to the personnel of the service and would have placed the United States in the position of a powerful real estate operator, if not a perpetual landlord.

The spirit which prompted this fantastic scheme has not been entirely exorcised from the Department of the Interior. It manifests itself in a demand by officials of that department for the Federal Government to expend from $100,000,000 to $150,000,000 to construct dams in the Colorado River and to erect power plants and supply water for municipal purposes and build canals for the irrigation of private lands; and it reappears in a diluted form in the measure which we are now considering, which, as I am informed, was prepared by the head of the Reclamation Service, with the approval of the Secretary of the Interior.

Apparently the Interior Department has determined to project the Federal Government into activities which belong to private endeavor and to extend paternalistic policies and strengthen the power of Federal bureaus.

If one reads the newspapers and the magazines published in the United States, he can not fail to be impressed with the persistent, unflagging, adroit, and subtle propaganda carried on by executive agencies and officials in executive departments to influence legislation and to so heat the atmosphere in which the public dwell that winds of public opinion will be produced to force the adoption of measures which will increase the power of the Federal Government and enlarge the jurisdiction of executive departments and agencies and multiply the number of Federal officials who will find lifetime jobs therein.

Mr. President, the provision under consideration confirms the statement so often heard that many Government officials are attempting to increase the power of the Federal Government at the expense of the rights of the States and the freedom and independence of the people.

There are many pink socialists and various other forms of socialists and paternalists in the Government service, and they doubt the capacity of the people to govern themselves, or the ability and competency of the States to discharge the responsibilities resting upon them. They devise and earnestly labor to promote schemes to increase the authority of the Federal Government and, of course, to magnify and make more important the departments, bureaus, and agencies with which they are identified, and thus increase their own jurisdiction and power. There are many fantastic, ill-advised, and socialistic principles and policies originated by Federal officials, and some of them spend much of their time lobbying to secure their adoption or in writing articles and carrying on propaganda to develop a public sentiment in their behalf.

It is not difficult to convince some people that aid from the Federal Treasury and supervision by Federal agencies will prove helpful. Robust individualism and undaunted courage to face local and difficult problems, social, economic, and political, are not the attributes of all persons, and millions of American citizens take but little, if any, interest in political matters and are indifferent to the forces which direct, modify, or change conditions in the social, economic, and political fields of life.

In some States considerably less than 50 per cent of those qualified to vote either register or cast their ballots. With this lack of interest in political and governmental problems, it is not to be wondered at that active and militant minorities may introduce radical and dangerous policies and attempt to secure legislation, State and National, at variance with the spirit of democracy and the ultimate best interests of the people.

A review of the mountain of legislation enacted in States and by Congress during the past 50 years will justify the statement that the greater part of it was unwise and a very large proportion positively injurious and destructive. There is tremendous centripetal power operating in all governments, and this power becomes greater as the number of employees and bureaus and agencies and departments increase. It has been the history of governments that the officeholders in executive departments are ever alert to extend their jurisdiction. Executive departments and bureaus and agencies multiply much in the same manner as multiplication is found in the biological world. Cells divide and these divisions still further divide. A department is formed, and it organizes bureaus and agencies, and these bureaus and agencies divide and still others form, and so the work of development continues. And it is natural that these departments and bureaus and agencies which are formed and become a part of the government structure should seek to exalt their positions and the executive agencies with which they are connected. It is therefore to be expected that they will try to justify any movement which will lead to the creation of other departments and agencies.

This rivalry exists between various departments and executive instrumentalities. Each is jealous of its power and each seeks to extend its authority. But they are immortal; they do not die; they are constantly before the people, always exerting pressure and pushing forward and endeavoring to fasten themselves more securely into the very foundation of the Government.

With life positions there comes a feeling of security to employees of the Government, and too often a sense of proprietorship and ownership of the Government, and a feeling that the official class is somewhat better than the great mass of the people. The Government to them is the symbol of authority. It is an enduring and unchanging organism. It is the central orb around which the people of the States, as little satellites, revolve. It is only natural, therefore, that bureaucracy should develop and that it should become more and more oppressive as well as aggressive and arrogant. It seeks to dictate legislation, frame domestic and national policies, and superimpose its views upon the people.

Washington is becoming the headquarters for hundreds of organizations interested in defeating or in procuring legislation. Some of these organizations serve a useful purpose and their motives in maintaining representatives in Washington are entirely proper. But there are some persons in Washington representing organizations which seek legislation of a doubtful character, and indeed in many instances, the enactment of measures which are unconsitutional and unwise. Representatives of various organizations form contacts with bureaus and representatives in departments of the Government, and work through them for the purpose of promoting legislation, and securing appropriations from the Federal Treasury.

As stated, legislation is sought which infringes upon individual rights, and attacks local self-government and the rights of the States. Measures are proposed to create new Federal agencies or to extend the authority of existing Federal bureaus. It is obvious that proposed measures of the latter character meet with a cordial reception from many Federal officials, and they, too often, actively cooperate with the representatives of the organizations to which I have referred in drafting bills and in asking for their approval before committees of Congress.

Most of the legislation enacted by Congress does not originate with the people themselves—with the thinking, earnest, and faithful Americans who are discharging their duties and bearing upon their backs the burdens of the Government. Many of the bills which are enacted into law are drafted by hired lobbyists and organizations, oftentimes in cooperation with Federal executive agencies. The technique of originating and securing legislation is understood, and the manner of obtaining support for such legislation in the various States and congressional districts, where possible recalcitrant Congressmen and Senators reside, and the methods to be adopted in securing such legislation are clearly comprehended.

Oftentimes the impression is created in the Capitol corridors that the people are for certain measures, when the fact is that not one in a hundred thousand know about the measure and care less. Much of our legislation is the result of propaganda, and too often false and misleading propaganda. But, as I have stated, Federal executive departments and bureaus seldom turn a deaf ear to the importunities for new laws and the creation of new organizations when it means additional employees and the augmentation of Federal authority.

I regard this growth of paternalism and bureaucracy as one of the greatest menaces to the perpetuation of our institutions and the preservation of this Republic. But it must be conceded that oftentimes a relentless majority of the people will support measures which are unconstitutional or assaults upon local self-government and individual rights. We should never forget the words of Lincoln in his first message to Congress:

To maintain inviolate the rights of the States to order and control under the Constitution their own affairs by their own judgment exclusively is essential for the preservation of that balance of power on which our institutions rest.

Mr. President, I confess that what I am saying now is not new. It has been better said by others upon many occasions. Since I have been in the Senate I have repeatedly criticized the aggressions of the Federal Government and the tyranny of executive organizations and have lamented the growing indifference upon the part of the people to Federal usurpations and to the subsidence of that fine spirit of State pride so essential to the preservation of the States as well as the independence of the people.

Upon various occasions, when measures have been proposed which sought to project the Federal Government into spheres of activity which belong to the States and to individuals, I have protested. I have insisted that the contest now was not the preservation of the Union, but the preservation of the States. It is somewhat paradoxical that whereas most nations are decentralizing authority, and local self-government is becoming more virile and militant, centralization in the United States is moving forward with increased rapidity. Russia, Turkey, Italy, and the United States are the outstanding examples of political and governmental centripetal forces. We are weakening the States, enervating the people, and building a strong and powerful bureaucratic government. We are forgetting what Professor Thompson, of the faculty of political science, University of Wisconsin, said:

But democracy is more than a form of government. It is an ideal. The feeling among the citizens that the government is their government in which they have a vital interest is the soul of a democracy. Where the government becomes too far removed, the interest of the people in their government begins to wane because other interests nearer to them take precedence in their minds. It is difficult to see how democracy in government can remain a vital thing unless the individuality and autonomy of local governmental institutions is retained in which people can take an interest, where they can have personal contact with the leaders, and where they can see the actual results of democracy. Without this the demos becomes disinterested, and a democracy with a disinterested demos is probably less fortunate than a despotism with a benevolent despot.

Professor Thompson refers to the nonadaptability of large states to meet the requirements of the people, and refers to Great Britain's dominions, which have been given home rule and, indeed, almost complete independence. Centralization in business may prove injurious not only economically and industrially but socially and politically. The same is true of government. In some European countries "functional devolution" is being advocated; and wise statesmen, and publicists like Mr. Laski, are demanding real local autonomy as necessary in order to arouse interest in local government and to secure the highest results.

Mr. President, the States, I repeat, must be preserved, and they can not be preserved if the Federal Government continues its paternalistic policies and its interference in domestic and local affairs as it is now doing. The States must be respected and their sovereignty must not be challenged. "The General Government," as stated by Madison, "could not extend its care to all the minute objects which fall under the cognizance of the local jurisdiction." There should be a renaissance of the spirit of State's rights and of local self-government. The people should feel that the States are their States and their government. Professor Thompson refers to the fact that the Federal Government—

in attempting to handle innumerable minute things, becomes mechanical; and the more mechanical a government becomes, and the less able it is to deal directly with the people, the more danger there is of its becoming entangled in a mesh of red tape. It is not accidental that red tape is notorious in large States where central control of local interests is practiced. The governmental functions become so numerous that personal supervision is hopeless, and in their efforts to forestall corruption, administrators bring on a complicated procedure that makes prompt and direct action impossible.

The interstate-commerce clause has, in my opinion, been perverted and is being used as a weapon to batter down the citadels of personal freedom and State sovereignty. We seek socialistic countries for precedents, and obtain from Madame Kalonti, one of the Bolshevik leaders, arguments to support some Federal legislation which has been enacted. Federal officials are absorbed in local and domestic matters which belong purely to the States, and fail to deal with national and international affairs with that wisdom and vision necessary in this important period of our Nation's history.

Mr. President, I have felt constrained to make these remarks because of the character of legislation almost daily presented to Congress by departments and bureaus and lobbyists who have the support of bureaucratic organizations of the Government.

Returning to the measure before us, I repeat that the Newlands Act is to be materially modified by an amendment to an appropriation bill—an amendment which represents a bureaucratic scheme and a paternalistic policy. In my opinion there are no valid reasons for it, and it will be provocative of difficulties and troubles in the future. Notwithstanding the criticisms contained in the report of the committee, from which I have quoted, the Newlands Act has accomplished a vast amount of good and has entirely justified its enactment. The report shows that in 1922, 1,202,130 acres had actually been irrigated under the projects constructed by the Reclamation Service, and that the projects were prepared to supply water for 1,692,700 acres additional.

It is true the net construction cost is considerably in excess of the original estimated cost; but many conditions not anticipated account in part for the increase in the net cost of water to the settlers. The report further shows that in 1922 there were 34,000 irrigated farms under the various projects and that the value of the agricultural crops raised thereon totaled hundreds of millions of dollars. Notwithstanding the difficulties encountered and the mistakes made by the Reclamation Service, President Coolidge in his message to Congress dated April 21, 1924, states that—

The sum total of beneficial results has been large in the building up of towns and agricultural communities and in adding tremendously to the agricultural production and wealth of the country.

Under the Newlands bill the Government constructed dams and impounded waters for the irrigation of its arid lands. It also constructed canals to the lands to be irrigated and then made contracts with proposed settlers under the terms of which they were to receive title upon payment of the amount agreed upon. These payments were to be made annually over a series of years. In the meantime the settlers were to go upon the land and irrigate and reclaim the same.

Undoubtedly, many of the settlers encountered hardships and vicissitudes. That has always been true of the pioneer and it was true of the settlers of the public-land States. The pioneers who settled Utah were the first Americans to develop a sound and scientific system of irrigation. They constructed dams and diverted the water from the natural channels, reclaimed extensive areas of arid lands, and founded towns and cities and a great and prosperous Commonwealth. They encountered many hardships, the Indian tribes harassed them, and starvation often beset them; but notwithstanding their privations, they achieved success and merit the gratitude not only of their descendants, but of all who love this Republic and appreciate fidelity and courage and devotion to duty.

The pioneers of the West had no paternal government to build their dams or canals or to finance them. They were remote from railroads and were a thousand miles from settlements. But the Interior Department, now impregnated with paternalistic views, conceives it necessary to change the reclamation act and to have the Government become the guardian of the settlers upon reclamation projects. This morning I read an article written by Doctor Mead, the head of the reclamation service, and published in one of the magazines of the country, in which he advocated this new-fangled idea (new to independent and robust Americans) which finds expression in the measure before us. His plan, as I understand, is something after the socialistic plan of New Zealand, and provides for the Federal Government to finance persons who settle upon reclamation projects.

Of course, the measure before us, which was prepared by the Reclamation Service and by the Secretary of the Interior, is not as broad and comprehensive as is desired by the proponents of this new policy. Doubtless they believe that the plan, as desired, would frighten Congress, and therefore the dose which is to be administered finally is to be taken now in a diluted form. But it is the way of bureaucracy. A small appropriation is asked for, as an "experiment," or for some apparently insignificant purpose, and it becomes the lever which is later used to move mountains. A few hundred thousand dollars are sought for some apparently altruistic or proper purpose, but it becomes the precedent for large appropriations and the crea-

tion of an executive agency, and finally the foundation of a permanent Federal bureau costing perhaps millions of dollars annually.

An examination of many of the paternalistic activities of the Government reveals that they were mere experiments in the beginning, the camel's nose which was thrust into the tent, and now the camel occupies the tent. I repeat, this amendment is thoroughly paternalistic and offensively bureaucratic.

The committee to which I have referred criticized the Reclamation Service for its indisposition to turn over to the settlers, to manage and control, the projects with which they are severally identified. The plan seems to be to have the Government hold them indefinitely; and this amendment seems to strengthen the grip of the Reclamation Service, and to give it greater paternalistic authority. The appropriation asked for in the pending amendment is not for an experiment alone. It is the beginning of a policy which will make bureaucracy more triumphant.

My colleague, Mr. SMOOT, in the discussion yesterday, inferentially, if not directly, indicated that it is best to try it out as an experiment; but if I correctly interpreted his attitude, it was that the experiment would soon bring condemnation to this new policy and lead to its complete abandonment. My colleague remarks, sotto voce, that this is the cheapest way to demonstrate the infirmity of the scheme, if not its complete fallacy.

From what I can learn of the attitude of Senators, there is no sentiment for this measure. If it is adopted it will be the result of apathy and indifference and not because of any faith in it or any conviction that it is a wise or sound policy. Indeed, I am led to believe that the amendment is supported by some as a foil to defeat the House provision, which requires the States to provide aid for those who settle upon irrigation projects. Regardless of the causes which have brought forth this scheme, it does not commend itself to my judgment, and, therefore, I can not give it my support.

An examination of the amendment shows how skillfully and adroitly it has been drawn, and it reveals the strategy of this apparently innocent advance. The Secretary is to select a number of farms upon such projects as he deems proper, and is to provide "aid" to those who enter upon such allotments and to "direct" the settlement of the same. Of course, the allotments selected will be upon the best projects and those which will be made to succeed, if success is possible; and undoubtedly the allottees will be persons of experience and who, without any aid, will achieve success. In other words, the so-called experiment will be conducted under the most favorable conditions so that the possibility of failure is reduced to a minimum.

A few years ago a plan was suggested by officials in the Post Office Department which contemplated the establishment by the department of automobile-truck routes between the farms and the cities. It was urged that if the Government would permit the department to buy trucks and transport farm products from the producers to the cities it would help agriculture and be of benefit to the public generally. The experiment was to be conducted at a few places where modern highways had been constructed and where the farms were near large cities, and the products of the farm were in great demand in the near-by markets. Manifestly, a plan to get the cream of the traffic and under the very best of conditions would result in a favorable balance sheet, at least temporarily.

The promoters of the project did not think of what the results would be if farms remote from centers of population were to be provided with automobile-truck transportation, nor did they take into account if the scheme became nation-wide the effect upon railroad transportation, upon interurban electric roads, which have been used so much to aid the farmers and to bring rural communities in touch with urban centers, nor the enormous cost to the Government in operating thousands of trucks with the necessary drivers, and employees, garages, shops, and so forth, and the enormous expense incident to conducting an enterprise so vast. But the scheme had supporters, and on its face was alluring.

But to return: After the most favorable lands have been selected for the experiment, then the Secretary is to make his selection of the persons to whom the lands shall be sold. The amendment further provides that—

> The Secretary shall require each applicant for a farm or fractional farm allotment to show that he has had actual farming experience and is possessed of capital in money or farm equipment, or both, of not less than $1,500 when a farm is entered or purchased, and $200 when an entry or purchase is made of a fractional farm allotment.

I wonder what the Secretary would do with some of the hardy pioneers who builded the West if they could be reincarnated and should seek to build homes and acquire farms upon reclamation projects, if this scheme is to constitute a part of the reclamation act? The purchaser under this plan—

> shall maintain his actual residence upon the land following the year of his entry or purchase and until he shall have made full payment of all moneys advanced to him * * * together with the then accrued and unpaid interest thereon, and shall have also paid or provided for the payment of all State, county, and local taxes and irrigation district assessments which at that time constitute liens on his improvements.

The settler is to be under the watchful eye of the Secretary of the Interior, and may, under such rules as the Secretary may prescribe, in his discretion, obtain a "leave of absence" from his land. In other words, the Government, through the Secretary of the Interior, is to be a father with a birch rod in his hand, to tell the settler where to live and when, if at all, he may get leave of absence from the farm.

But that is not all. The entryman or purchaser shall have no right to sell his land, except with the approval of the Secretary, and then only upon condition that his grantee shall assume and discharge all obligations and burdens of the grantor as to the lands. But an important provision of this new plan is that the Secretary, in his discretion, may advance for permanent improvements and for the purchase of livestock not more than $3,000 to an entryman and not exceeding $800 on account of any one fractional allotment. The advance shall not exceed 60 per cent of the value of the permanent improvements of livestock, and then only upon the purchaser having provided in cash 40 per cent additional, or shall have provided its equivalent in value and any improvements made at his sole cost.

These advances shall constitute a first lien on the improvements and on the livestock and shall be paid with interest at the rate of 4 per cent in amortized installments, as may be authorized by the Secretary.

But that is not all. The Secretary—

> shall provide such supervision as in his opinion may be necessary to insure the use of all advances for the purposes for which made.

If all reclamation projects were to be treated in the same way—that is, without any discrimination—and all settlers were to obtain the same privileges, it is manifest that an army of supervisors would be required. The improvements are to be appraised and the assets of the purchaser are to be valued. Then each settler is to be supervised and the supervisor must make reports to other officials, and they to still other officials, until, finally, the information will reach the secretary, who is to act. It means, of course, an endless amount of red tape, a labyrinthine maze of bureaucracy and an army of additional employees.

Then the entryman or purchaser must insure the property and the policies "must be made in favor of the secretary or such official as he may designate." This will require insurance agents upon the part of the Government, or at least insurance supervisors, who are to ascertain whether this provision of the contracts is carried out, and whether the insurance companies are responsible, and whether the policies are in proper form and for a proper amount, and also determine with which insurance companies the settlers shall deal.

But this does not end the supervisory authority of the Interior Department. The Secretary shall, by regulation or otherwise, require the entryman or purchaser to cultivate the land in a manner to be "approved by the Secretary."

Senators who know something of the thousands of regulations of Federal departments and bureaus will have some conception of the significance and effect of this provision. There will be employees and officials to draft regulations. Assuming them to be competent, they must visit the land and determine just how it should be farmed, what crops should be raised, how it should be cultivated, and generally what the purchaser or entryman should do. If they are incompetent, or lack knowledge concerning the land and its qualities, such regulations would be harmful if not disastrous. The Secretary shall estimate the number of additional employees and the mass of machinery which will be required to execute this provision if this plan should be applied to the various irrigation projects.

But we have not yet reached the end of the chapter. The entryman or purchaser must keep in good order or repair the buildings and fences and other permanent improvements, in conformity to regulations, and, of course, in such manner as will meet the cynical and meticulous views of agents and petty officials of the departments. Those who live in the West and have to do with the various departments and agents of the Government, in connection with public lands, will have some idea of just what these provisions mean. In my opinion they are tyrannous and autocratic, and will prove burdensome and

offensive. They will be a constant irritant, resulting in resentment which will retard the reclamation of the land, if it does not lead to its abandonment by the settlers.

But the measure before us provides that if the entryman or purchaser is guilty of any default or fails to comply with any of the terms of the contract, or any rules or regulations promulgated by the Secretary, the latter shall have the right after a year's notice to cancel the contract, the original entryman or purchaser forfeiting all rights thereto and all payments made.

I need not say that these provisions are harsh and place tremendous power in the Secretary of the Interior. Of course, he can not exercise personal supervision and must rely upon the army of employees and agents of the Reclamation Service. The report of some minor employee that a regulation has been violated, may work a forfeiture of the rights of the settler and result in his expulsion from the land which he has undergone hardships to reclaim.

Mr. President, this whole scheme is unwise. It assumes the incapacity of the people to manage their own affairs and the superiority of Federal officials, big and little, to determine the lives and conduct of individuals. It subjects persons dealing with the Government to surveillance and control, that self-respecting persons will resent. It puts an unlimited number of Federal agents and petty officials into the home and upon the land of every settler, and compels him to submit to such control and directions and orders as may be given, under penalty of forfeiting his contract, and losing all that he has put into the enterprise, including, perhaps, years of arduous toil.

It may not be argued in support of this scheme that it calls for only $400,000 and is to be applied for the time being to a limited number of selected allotments. This plan is like many others that are entered upon by the Federal Government at the instigation of Federal bureaus and Federal officials, or active propagandists who are seeking to have the Government usurp the functions of the State or intrude into the field of endeavor belonging exclusively to individuals. The propaganda in favor of this measure is directed toward a radical change in the Newlands Reclamation Act, and the application of its provisions to all reclamation projects and those who become settlers thereon. If the scheme is feasible or meritorious, then it must be applied to all reclamation projects; it would manifestly be unjust and improper to discriminate and to apply it to one project only or to a limited number. If applied to all reclamation projects, then enormous drafts will be made upon the reclamation fund, and indeed upon the Public Treasury. If $3,000 may be obtained by every settler upon projects, it is obvious that the reclamation fund will soon be exhausted and no further reclamation projects can be undertaken, at least for many years.

Can there be any doubt as to what the result will be if this plan is adopted? As soon as the Secretary of the Interior selects a few farms which are to come within the provisions of this amendment, and makes advances to the settlers upon such farms, demands will come from all other projects that $3,000 be loaned to each settler thereon; and it will not be a satisfactory reply to those making demands if it shall be said that their situation and conditions are to be distinguished from the situation and conditions of those to whom the advances are made. If the Secretary attempts to show that those to whom the loans are made are better farmers or have more capital or that their lands are more favorably situated or are nearer to markets, or that soil conditions are superior, his answers will be that those very conditions compel the granting of larger loans to settlers less favorably situated. Any discrimination will prove repugnant and hateful to all settlers on irrigation projects.

If loans are made to one settler, they must be made to all, otherwise there will be controversy and confusion and resentment. Pressure will be brought if loans are extended to a few settlers to compel advancements to be made to others. And if one section is favored, Congress will be appealed to; investigations will be demanded; additional legislation will be asked for, and the whole Reclamation Service will be the subject of controversy which may endanger its existence. And if advancements are made and success does not attend the debtors, further loans will be requested, and if those who are in default are sufficiently numerous, organized efforts will be made to obtain additional advancements.

Mr. President, I have not overstated the consequences and the evil effects of this proposed legislation. Indeed, I have not presented many objections which could be urged and other consequences which inevitably must follow this unwise and injudicious plan. Senators from the West should remember that there are sections of the United States other than the public-land States that are concerned in legislation relating to reclamation projects. If further appropriations are sought, opposition may be developed in quarters heretofore negative but not sympathetic. If the reclamation fund is exhausted, it may be impossible to secure further appropriations. It would seem the part of wisdom for those who reside in public-land States not to reduce this fund to the vanishing point or pursue any course that will prevent the construction of other reclamation projects.

In my opinion the wise course to pursue is to adhere to the Newlands Act to carry out the suggestions, in the main, found in the report of the fact-finding commission and to replenish the reclamation fund as rapidly as that can be done without any injustice or oppression to the settlers upon the various reclamation projects. Each of the existing projects should be examined carefully, with a view to making such adjustments between the settlers and the Government as would be just. The settlers should be fully advised as to what their obligations are, and the Government should know just what it may expect from the settlers by way of payment under the contracts entered into between them and the Reclamation Service. In other words, there should be a settlement and a liquidation. The losses sustained by the reclamation fund should be ascertained and charged off; and after an adjustment and balancing of all accounts, there should be greater efficiency and competency and economy in the administration of the Reclamation Service.

In my opinion there has been too much rhapsodical and flambuoyant talk by reclamation officials; too much boasting of its accomplishments and achievements. There have been too many advertising artists who have not accurately stated the facts in regard to the work of the Reclamation Service and who have too often misled the public and brought sorrow and financial ruin to many persons who settled upon the lands to be reclaimed.

The Reclamation Service needs competent engineers, efficient administrators, and men of executive ability; and above all, officials who possess a large fund of common sense and a knowledge of the problems involved in converting the raw lands of the West into producing farms.

In my opinion, there have been too many impractical and visionary schemes suggested by persons in the Interior Department, as well as individuals not in the public service. There have been too many fanciful and fantastic pictures drawn as to the ease with which public lands could be brought under cultivation and become the homes of thousands of ex-service men as well as others who desired to engage in agricultural pursuits. I repeat that many have been mislead by the untruthful, fictitious, and fanciful statements put out, and pictures drawn in regard to the reclamation of public lands. To develop the various reclamation projects requires men and women of courage and ability and patience, but the rewards which follow will bring full compensation.

There is no reason why any reclamation project should be a failure. If the Government does its duty, if competent persons are selected to carry out this important governmental work, if proper economy is practiced; in other words, if the right men are selected to administer the law as the law now exists, all reclamation projects will be completed and others will be undertaken and successfully completed. Not only the public-lands States but the entire country will be benefited by these expenditures and by the large areas of lands which will be brought under cultivation and which will give homes to tens of thousands of people and add annually millions of dollars to our national wealth.

The agriculturists have for a number of years met with many reverses. Their foreign markets have been restricted and the prices which they have received for their products have not compensated them for their labor. Many farms have been abandoned in various parts of the United States, and the heavy hand of debt and disaster has been laid upon thousands of American agriculturists. It is not to be wondered at that farmers upon reclamation projects have suffered, and in some instances have been unable to meet the conditions of their contracts with the Government.

Even in agricultural States like Iowa farms have been abandoned and thousands of rural inhabitants have taken up their residence in the cities. In traveling through the State of New York some time ago I observed hundreds of abandoned farms. Dwelling houses were falling down and valuable improvements were in ruin. But this situation it is to be hoped will not long continue. With the increase in population there will be greater demands for the products of farm and field.

Mr. President, the West has undeveloped resources—its mineral wealth has scarcely been touched—and its millions of acres of land, if reclaimed, will produce abundant crops and furnish homes for tens of thousands of people. If the Government will abolish many of the rules and regulations which departments

and bureaus promulgate, and if the States are not continuously assailed by Federal officials and harassing and annoying measures which impede development and interfere with the legitimate activities of the people, the growth of the West and the uninterrupted happiness and prosperity of its people will be assured.

Mr. President, the defeat of this amendment will, in my opinion, be of advantage to the people of the West. It will not only not impair but it will strengthen the present reclamation act. It will bring assurance to some Senators and Congressmen who are apprehensive of the purpose and ultimate effect of this policy that there is no desire to make further demands upon the Treasury of the United States or to project the Federal Government into experiments which some regard as either socialistic or paternalistic.

I believe the path of safety to be followed by those who desire to preserve the Newlands law and to get the full benefits which it will bring to the West is to defend it and protect it and, particularly at this time, to not seek fundamental changes in its provisions.

The PRESIDING OFFICER (Mr. MCNARY in the chair). The question is upon agreeing to the amendment of the committee on page 84, beginning on line 20.

The amendment was agreed to.

Mr. BRATTON. Mr. President, on yesterday during my absence from the city the Senate passed upon two committee amendments in which I am interested. They appear at page 94 of the bill, on lines 7 and 8, and relate to the appropriation made for topographical surveys. I ask unanimous consent that the votes by which those amendments were agreed to be reconsidered at this time.

Mr. SMOOT. Mr. President, I am sure that after an explanation I shall make to the Senator from New Mexico he will not deem it necessary to have a reconsideration of the votes. The facts in the matter are as follows:

The Department of the Interior appropriation bill passed the House carrying a provision—

> For topographic surveys, * * * including lands in national forests, $525,000, of which amount not to exceed $300,000 may be expended for personal services in the District of Columbia.

Congressman MADDEN, chairman of the Committee on Appropriations of the House, agreed with Doctor TEMPLE, the Congressman who has this particular appropriation so near at heart, that in order to carry the work on it would be necessary to make an appropriation in the first deficiency appropriation bill. They came to the Senate and stated that if we would allow the first deficiency bill to carry the amounts by which these two items have been reduced, then, when this bill came to the Senate, we could deduct those amounts from those printed in the bill as it passed the House. That we have done. We only carried out the agreement made with the chairman of the Committee on Appropriations of the House and Doctor TEMPLE, who has the topographic surveys in charge in the House. I will say to the Senator that every dollar has been given for the surveys that was estimated for.

I have received at least 50 or 60 letters on this very subject matter, and I wrote to each of my correspondents calling attention to the facts as I have stated them. Each of my correspondents took the position that we had decreased the appropriation from the amount that was estimated for. That seems to be true, if we take the figures given in this bill, but the writers of the letters did not know of the amount that was carried in the deficiency appropriation bill. It was put into that bill because of the fact that it was desired that the appropriation be immediately available. I assure the Senator that every dollar has been given for the topographical surveys that was estimated for.

Mr. BRATTON. I understand that to be the fact; but by the act approved February 27, 1925, known as the Temple Act, which provided for the completion of this survey covering a period of 20 years' time, an appropriation of $950,000 was expressly authorized. May I inquire of the Senator from Utah if any appropriation has been heretofore made carrying that law into effect?

Mr. SMOOT. The law provided an authorization of that amount; but I say again that the author of that law, known as the Temple law, agreed to have this plan carried out and said it would be perfectly satisfactory to him.

Mr. BRATTON. A few days ago I attempted to and did oppose, as best I could, a provision appearing in the urgent deficiency appropriation bill relating to the reimbursable feature of two certain acts concerning two bridges. It was urged then that the committee was compelled to make the appropriation in that sum and in that fashion, because it was carrying out the provisions of an existing law passed at the last session of Congress. Here we have an act which expressly authorizes the appropriation of $950,000 to continue these surveys, and I should like to inquire why an act of that sort carries compelling force in one instance and not in the other.

Mr. SMOOT. I can not say as to the bridges, because I have not looked that up.

Mr. BRATTON. As I recall, the Senator from Utah urged upon the floor during that discussion——

Mr. SMOOT. I heard the discussion.

Mr. BRATTON. And the Senator, as I recall, took part and said that the item must go in the bill, because it was yielding to existing law. If this provision was yielding to existing law, why does it not yield in amount the same as it does in purpose?

Mr. SMOOT. An authorization is not the same as an appropriation. In other words, the Congress may in its wisdom make an appropriation of the amount authorized in one, two, or three years, or however they may wish to make the appropriation, up to the amount of the authorization. I have here the statement before the committee of Dr. George Otis Smith, whose department has charge of this survey work, and I read from his statement as follows:

> Senator SMOOT. What else have you, Doctor?
>
> Doctor SMITH. On page 86, under the topographic appropriation, as I understand, the arrangement has been that you will include the $73,300 which was to be immediately available in the deficiency act.
>
> Senator SMOOT. That was understood and agreed to by Congressman TEMPLE and Congressman CRAMTON with myself—that that $73,300 was taken care of in the first deficiency bill.
>
> Doctor SMITH. You mean the omission of those words at the conclusion of that paragraph?
>
> Senator SMOOT. That is what I say. It is understood that it goes out, and the appropriation is to be increased by that amount. What we have to do, Doctor, is to take the $73,300 off of the $525,000——
>
> Doctor SMITH. Making it $451,700.
>
> Senator SMOOT. And then reduce the $300,000 here. It is understood, of course, that we are going to follow out that agreement that we made, and we will make that change unless there is something else you want to call attention to. The changes will be made according to the agreement.
>
> Doctor SMITH. I will give the clerk the amount that that $300,000 should be reduced. Of course, it should not be reduced the full $73,300.
>
> Senator SMOOT. It ought to be the percentages between the $500,000 and the $300,000.
>
> Doctor SMITH. I have that figure worked out.
>
> Senator SMOOT. Have you got it here?
>
> Doctor SMITH. Yes.
>
> Senator SMOOT. You had better let us know now, because I am going to change this.
>
> Senator PHIPPS. That does not include very much under the provisions of the Temple Act, does it, Mr. Chairman? I know that the States are expecting much larger appropriations than that by reason of the passage of the Temple Act.
>
> Senator SMOOT. They have the $73,300 already, and that is available only for cooperation with States or municipalities. I think this is quite satisfactory to all concerned.
>
> Senator PHIPPS. I had some correspondence which I omitted to bring over here with me.
>
> Senator SMOOT. No doubt I received the same.
>
> Senator PHIPPS. Probably you received the same thing. I will look mine up.
>
> Senator SMOOT. But those letters were all written before the agreement was made between Congressman CRAMTON, Congressman TEMPLE, and myself.
>
> Doctor SMITH. The limitation, instead of being $300,000, should be $267,000. That was as calculated.

There never was an agreement I ever knew of that was carried out more literally than the one to which I have referred was carried out by the Members of the House and the Senate.

Mr. BRATTON. It resolves itself into Congress doing simply what one of the bureaus says should be done. It is substituting the judgment of a bureau for that of Congress. At the time Congress passed this act it must have contemplated that $950,000 was needed as an emergency fund to start this work, and I know of nothing which has intervened since then to change that situation. Congress spoke upon the subject in that way.

I may say that the people in my State think that the appropriation is wholly inadequate. I have a letter from the department of geology of the State University of New Mexico inclosing editorials from a number of papers criticizing this legislation as bearing injuriously upon the Western States, where the completion of this survey is needed. About one-third of the area of New Mexico, or a little more than that, is

Government land, and a great number of the maps are inaccurate and incomplete and need completing. The amendment I have in mind simply goes to the question of amount. I ask unanimous consent to have inserted in the RECORD the letter from Doctor Ellis, of the State University of New Mexico, with the attached editorials which he has transmitted.

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

The letter and the editorials are as follows:

THE STATE UNIVERSITY OF NEW MEXICO,
DEPARTMENT OF GEOLOGY,
Albuquerque, February 9, 1926.

Hon. A. A. JONES,
United States Senate, Washington, D. C.

MY DEAR SENATOR JONES: You see that I am again calling your attention to the condition of the Temple bill. I am inclosing photographs of several editorial comments on the action of the Director of the Budget in recommending a serious reduction in the appropriation for the work of the United States Geological Survey. It is the opinion of many State geologists and others who realize the importance of the topographic work that the whole amount of the $950,000 can be economically and effectively used by the topographic branch of the United States Geological Survey.

Much of New Mexico, about one-third of the area of the State, has already been mapped. A great number of the present topographic maps are inaccurate, not on a scale sufficiently large to be of much use; and those areas should be remapped. In addition to this it is needless for me to reiterate the many advantages that would follow a complete mapping of the State.

With regards,

Very truly yours, ROBERT W. ELLIS.

[From the Mining and Metallurgy, January, 1926]

As anticipated, the Budget Bureau at Washington has not allowed the Director of the Geological Survey even to present to Congress for consideration an estimate for the making of topographic maps prepared in accordance with the Temple bill passed by Congress last session. There are other unexplainable matters connected with the Budget, but the data so far available to the public successfully conceals the detailed facts. Ask your Congressman. Meanwhile we wonder if the Army officer who directs the Budget has read anything of the English history relating to the effort of the executive to control the purse as against Parliament.

[From the National Petroleum News, January 6, 1926]

THE MONEY SHOULD BE SPENT

The Budget system of the Federal Government has commanded general approval since it was inaugurated, but there are times when there is a too rigid paring of expenditures. Such an instance is now at hand in the attitude of the Director of the Budget on the appropriation for the completion of the topographical survey of the United States.

Topographic maps are widely used in the oil industry whenever they are available. A good start has been made by the United States Geological Survey, but it is at best a start. Limited by funds in the past the survey has been unable to do more than map the areas of greatest economic importance. The oil industry is constantly pushing into the other areas and finding, when it gets there, that no Government maps are available.

The Temple bill (H. R. 4522) was an act to provide for the completion of the topographical survey of the United States in 20 years. It provided for a cooperative agreement between the Federal and State Governments and authorized an appropriation of $950,000 for the coming fiscal year. The Director of the Budget has ignored the provisions of this bill and has asked, on this score, for $477,000—about half what was considered necessary, and the original sum was arrived at after most careful consideration had been given to the project in hand.

The Director of the Budget is clearly overstepping his authority and is acting as a supreme court in nullifying an act of Congress. Besides, knowing the value of this topographical survey, we have no hesitancy in saying that he is wrong on his conception of what this bill means. Men of the oil industry should call to the attention of their Congressmen the necessity of seeing that the provisions of the Temple bill are carried out.—L. E. S.

[From the Engineering and Mining Journal-Press, January 2, 1926]

TOPOGRAPHIC SURVEY OF THE UNITED STATES

The topographic maps of the United States which are being made by the United States Geological Survey are universally recognized and praised as the best and most useful type of maps possible. They are adapted to the use of all engineers, and are by them used as a basis for all engineering plans in the first stage, whether the engineer be of the mining or civil type, or has to do with irrigation or power plans. But they are used and appreciated by other people as well; indeed, they constitute one output of Government engineering which is highly popular. The only criticism which is voiced is that the list of maps is not complete. In a given section the maps of certain rectangular areas are available; but near-by and not less important areas are missing. The reason is, of course, that such a colossal undertaking as a large-scale topographic map of the United States takes time and money. The project, begun many years ago, has been persistently carried on; the primary triangulation and control are by the United States Coast and Geodetic Survey; the detailed mapping is by the Geological Survey.

Feeling that the industry of the country demanded the systematic carrying out of this project, a bill was introduced and passed to this end by the Sixty-eighth Congress, by a record vote. This act—the Temple bill (H. R. 4522)—authorized a regular appropriation for this purpose, which funding would in 20 years accomplish the completion of the map. The yearly amount provided for—beginning July 1, 1926—was $950,000, of which $750,000 was for the Geological Survey part of the work and $200,000 for that part of the job which belongs to the Coast and Geodetic Survey.

One of the consequences of the President's most laudable campaign of economy, as carried out by the energetic Director of the Budget, has been a move to nullify this bill; for the Budget Director has ignored its provisions, and has in his Budget asked for $477,000 for the coming fiscal year, instead of $950,000, as provided. Great as sympathy is for the reduction of Government expense, engineers and the public will hardly sympathize with this reduction, believing that it will not save money for the country in the long run; they may, indeed, be reminded of the case of the engineer who sent in to his board of directors specifications for material for bridging a river. The directors, having embarked on a campaign of cutting expenses, reduced his estimate in half; and sent him material which he discovered would go halfway across.

[From the Coal Mine Management for the month of January, 1926]

TOPOGRAPHIC MAPS

Mining men have been assisted on many occasions by the topographic maps issued by the United States Geological Survey. Probably on an equal number of occasions have they damned the survey because the particular quadrangle they wanted had not been mapped. In any event the value and utility of these maps is well known, and they are doubly valuable when obtainable.

For years this mapping has been going on, but appropriations have been so small that progress has been slow. Finally some one became impressed with the desirability of speeding up the work, and the so-called Temple bill (H. R. 4522) was introduced in the Sixty-eighth Congress, and passed with a record vote. It was approved on February 27, 1925. In brief, this bill provided for the completion of the topographic surveys within 20 years, and authorized an appropriation of $950,000 for the current fiscal year.

However, in an endeavor to carry out the economy program, and apparently regardless of the need for the immediate completion of our topographic mapping, the Director of the Budget has recommended the sum of only $477,000, thus cutting in half the authorized appropriation and in effect nullifying the 20-year goal set by the Temple bill.

We believe that every coal-mining official, every engineer, every citizen interested in things geographic or geologic should write to his Congressman and to Congressman MARTIN B. MADDEN, chairman of the Appropriations Committee, urging upon them the great desirability of carrying out the provisions of the Temple bill by increasing the Budget estimate to $950,000.

Never before has Coal Mine Management suggested to its readers that they express their feelings to their Representatives in Washington, but this is a case of interest to the entire country and in which our readers can offer expert testimony, for they know full well just how important topographic mapping is.

"Topographic maps," an editorial on page 33, should be read by every coal-mine executive in this country. Consider the case as applied to you and your operations, present and future.

Do you feel that this is an important service, and that it should be stressed, or are you satisfied with a half-way job in the mapping of coal fields? Write to your Representative at once, if you believe in a thorough system of topographic mapping.

Concerted action will secure a complete and up-to-date set of maps for instant use by you, and you should never again want "the one map that they haven't supplied."

[From the Illinois Engineer, January, 1926]

THE TEMPLE BILL ENDANGERED

The recent Federal Budget submitted by the Director of the Budget Bureau includes a reduction of nearly 50 per cent in appropriations for topographic mapping.

This would virtually nullify the 20-year program involved in the Temple bill.

Both Houses of Congress last year passed the Temple bill (H. R. 4522) "An act to provide for the completion of the topographic mapping of the United States" with a record vote. This legislative achieve-

ment was in a large part due to the urgent request of the engineers of this country.

The bill as passed recommended an appropriation of $950,000 beginning July 1, 1926, the initial year in the 20-year program by which the topographic mapping of the United States could be completed. Of this, $750,000 was to be allotted to the United States Geological Survey for topographic mapping and $200,000 to the United States Coast and Geodetic Survey for the necessary primary control.

If the recommendation of the Budget Director is followed in reducing the appropriation to $477,000, the Temple bill is defeated before it has even had a trial. Topographic mapping in the United States will be reduced by half, and this reduction will be felt in innumerable branches of the Nation's industries. The engineering industries will feel it keenly.

Wire and write your Congressman and our Congressman, MARTIN B. MADDEN, who is chairman of the Appropriations Committee of the House. Bring the matter to their attention before the bill is lost. Immediate action only will save the Temple bill.

Having passed the bill with a record vote, it is believed that Congress will not break faith with the engineers, but Congress needs to be informed.

[From the Western Society of Engineers, December, 1925]

Resolutions on national defense and topographic mapping

Whereas the Western Society of Engineers has previously expressed a favorable opinion as the advantages of an early completion of the topographic survey of the United States, and by resolution dated September 20, 1921, indorsed the original Temple bill; and

Whereas the society has endeavored to secure the adoption of this plan during the succeeding sessions of Congress; and

Whereas the society believes that the provisions of the Temple bill as passed represent the concurrence of judgment of the engineering profession as represented by the action of various societies, both local and national, and as presented before the committees of Congress; and

Whereas the recommendation of the Director of the Budget to the present Congress is such as to practically nullify the judgment of the engineering profession and postpone completion of this important work; and

Whereas the recommendation of the Director of the Budget provides a much larger proportional reduction in the funds for topographic surveys compared to the provisions of the Temple bill and the recommendation of the Director of the Geological Survey than other recommendations for appropriations: Be it

Resolved, That the opinion of the Western Society of Engineers be, and is, that economy as represented by the recommendation of the Director of the Budget is not true economy; and be it

Resolved, That the society urge Congress to make an appropriation for the next fiscal year at least equal to the provisions of the Temple bill.

Approved, board of direction, December 21, 1925.

EDGAR S. NETHERCUT, *Secretary*.

[From the Pit and Quarry, January 15, 1926]

THE TEMPLE BILL

While the program of economy being attempted by our Federal Government is a laudable endeavor, there is a tendency to carry such a program too far. There are certain fundamental items in our Government program which do not lend themselves to any further reduction in expenditure. Responsibility belongs with the people as well as the Government departmental heads.

The Director of the Budget Bureau, in presenting the Government's Budget to Congress, has reduced the appropriations for making basic topographic maps by nearly 50 per cent. This action conflicts with the program adopted by Congress last year to complete the topographic mapping of the United States within 20 years. This provision by Congress was included in what is known as the Temple bill (H. R. 4522), an act to provide for the completion of the topographical survey of the United States. This act authorized an appropriation of $950,000, beginning July 1, 1926, for the initial year in the proposed 20-year program. The Budget Director has ignored the provisions of this bill and has asked for an appropriation of $477,000.

Mr. BRATTON. I ask unanimous consent that the votes by which the amendments were agreed to may be reconsidered merely for the purpose of enabling me to move to substitute certain figures.

Mr. SMOOT. I have no objection to that course, but I say to the Senator that I shall have to make a point of order against the amendments.

The PRESIDENT pro tempore. Without objection, the votes by which the amendments were agreed to is reconsidered.

Mr. BRATTON. I send to the desk two amendments to the committee amendments and ask that the first one may be stated.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The READING CLERK. On page 84, line 8, strike out "$451,700" and insert in lieu thereof "$876,700."

Mr. SMOOT. I am compelled to make the point of order against the amendment. Under paragraph 1 of Rule XVI, it is provided that "no amendment shall be received to any general appropriation bill not proposed in pursuance of an estimate submitted in accordance with law." There is no estimate submitted for this amendment, and therefore, under Rule XVI, I make the point of order that it is not an appropriate amendment on an appropriation bill.

The PRESIDENT pro tempore. And it has not been moved by a standing committee?

Mr. SMOOT. No; it has not been submitted by direction of a standing committee of the Senate.

Mr. BRATTON. I understand that the point of order relates to section 1 of Rule XVI, which provides that—

> All general appropriation bills shall be referred to the Committee on Appropriations and no amendment shall be received to any general appropriation bill, the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law.

We have a statute expressly authorizing an appropriation up to $950,000, with authority to continue for a period of 20 years. The amendment clearly is not subject to the point of order, because it is to carry out existing law.

Mr. SMOOT. That is only an authorization; it is not an appropriation. Aside from that, if there is an authorization it must be estimated for by the Budget. For instance, in the Agricultural appropriation bill the House cut an item to $23,800, with an authorization of $75,000. Unless this amendment has been estimated for by the Budget, under paragraph 1 of Rule XVI, it is clearly out of order on an appropriation bill.

The PRESIDENT pro tempore. Will the Senator from New Mexico cite to the Chair the statute to which he refers?

Mr. BRATTON. It is chapter 360 of the act approved February 27, 1925. I have a copy of it, which I send to the desk.

Mr. SMOOT. I have not the act before me, but I think it is an authorization.

The PRESIDENT pro tempore. Section 3 of the act reads:

> The sum of $950,000 is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated.

The point of order is not well taken.

Mr. SMOOT. Does the Chair overrule the point of order?

The PRESIDENT pro tempore. Yes. The question is on agreeing to the amendment proposed by the Senator from New Mexico to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. BRATTON. I ask that the second amendment to the amendment may be stated.

The PRESIDENT pro tempore. The second amendment submitted by the Senator from New Mexico to the amendment of the committee will be stated.

The CHIEF CLERK. On page 94, line 8, strike out "$267,000" and insert in lieu thereof "$438,350."

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question now recurs on the amendment of the committee, on page 94, line 7, to strike out "$523,000" and insert "$451,700."

The amendment was agreed to.

The PRESIDENT pro tempore. The question recurs also on the amendment of the committee on page 94, line 8, to strike out "$300,000" and insert "$267,000."

The amendment was agreed to.

Mr. GOODING. Mr. President, I send to the desk an amendment which I ask may be stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 72, after line 25, insert:

> Hillcrest project, Idaho, $450,000.

Mr. SMOOT. I am informed that there is an estimate for this amount on the way from the Budget Bureau. With that understanding I am perfectly willing that the amendment shall be agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Idaho.

The amendment was agreed to.

Mr. SMOOT. I move that the clerks be authorized to change the totals in the bill in accordance with amendments agreed to so that we shall not have to take formal action wherever there has been an increase or decrease made.

The motion was agreed to.

Mr. McNARY. Mr. President, on page 51, lines 21 and 22, I move to strike out the following language:

For remodeling school plant at Umatilla Agency and converting same into a sanitarium, $40,000.

I desire to have the item stricken from the bill.

Mr. SMOOT. Yes; I remember the item.

Mr. McNARY. It is a unique situation. I am asking to strike from the bill an item which is carried in the House text and apparently confirmed by the Senate Committee on Appropriations.

Mr. SMOOT. That is the item which nearly caused me to faint when the Senator told me he wished to have it stricken out.

Mr. McNARY. I am very glad the Senator held his poise. In connection therewith and as a part of my remarks I desire to have inserted in the RECORD certain telegrams which I send to the desk, as explanatory of my motion to have the item eliminated from the bill.

The PRESIDENT pro tempore. The question first is on agreeing to the amendment submitted by the Senator from Oregon.

The amendment was agreed to.

The PRESIDENT pro tempore. The telegrams submitted by the Senator from Oregon, without objection, will be printed in the RECORD.

The telegrams are as follows:

PENDLETON, OREG., *March 17, 1926.*

Senator CHARLES L. McNARY,
United States Senate, Washington, D. C.:

Please have tubercular-sanitarium item stricken from bill. Sentiment in Pendleton and with Indians very bitter against proposal. Indians resent using their historic meeting place for treatment patients from outside reservations bringing contamination. Indian agent says only few local Indian children need treatment. We suggest they be sent to Lewiston Sanitarium, near by. No need new institution. Indian Bureau poorly informed about conditions. Pendleton people unanimous in view sanitarium would be menace. Tom Thompson joins in request that item be killed.

E. B. ALDRICH, *Editor East Oregonian.*

PENDLETON, OREG., *March 16, 1926.*

ROBERT N. STANFIELD,
United States Senate, Washington, D. C.

Immediately upon being advised an appropriation for changing Indian schools on Umatilla Reservation into Indian tubercular hospital was pending in Senate I personally investigated entire controversy and find that entire Indian population is bitterly opposed to such a hospital and all interested white population determine it a serious detriment to this community. Not more than six tubercular Indians on Umatilla Reservation at present and importing more from different tribes highly objectionable. My personal concern is for you to defeat this bill when it comes up for passage.

THOMAS THOMPSON.

PENDLETON, OREG., *March 17, 1926.*

Hon. CHARLES L. McNARY,
Senate Office Building, Washington, D. C.:

Reference your wire regarding sanitarium Umatilla Agency. I am directed by the board of managers to inform you that the majority of the citizens of Pendleton do not desire this appropriation for sanitarium purposes or any other appropriation that will in any way prohibit the reestablishment of an Indian industrial school at the agency. The citizens and Indians residing in this community, while not wishing to appear dogmatic, feel that they are in a position to judge better the educational facilities offered by the public schools for the benefit of the Indians. The situation has been thoroughly analyzed and we know that the present methods adopted by the department toward Indian education are not bringing the results claimed. It is the intentions of this association to use their every effort in bringing about a change of the present educational system followed at the Umatilla Agency by the reestablishment of an industrial school in an effort to educate the Indians in a manner which will make them an asset to the community and provide them means of livelihood in lieu of the present system which will eventually make them charges of the county and the State. For that reason they desire that the appropriations providing for a sanitarium be stricken from the bill and urge that you use your best efforts to bring about the reestablishment of an industrial school.

GEORGE C. BAER, *Executive Secretary.*

Mr. McNARY. On page 19, line 18, speaking for the Senator from Oklahoma [Mr. HARRELD], I propose the following amendment in the provision relating to expenses of tribal attorneys: After the numerals "$4,000" insert the word "each."

Mr. SMOOT. I have no objection to the amendment. The word "each" expresses what was intended by the House, no doubt.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Oregon.

The amendment was agreed to.

Mr. WALSH. Mr. President, on yesterday the Senator from Nevada [Mr. ODDIE] addressed an inquiry to the Senator in charge of the bill concerning the abolition of land offices in the Western States which occurred a year ago. At that time an order was issued, a sweeping order of the President of the United States, abolishing a large number of land offices. Without going into the question of the wisdom of the measure as a whole, I rise to state that it operates most oppressively upon the people of my State and is so discriminatory in its character, as far as the State of Montana is concerned, that I am sure that the revelations which I am going to make will startle this body.

I took occasion, upon the issuance of the order, to address a communication to the President of the United States in which the facts were particularly set forth, and for the purpose of the RECORD I wish to read from it, as follows:

MARCH 26, 1925.

MY DEAR MR. PRESIDENT: On the 17th day of March, 1925, an Executive order was issued abolishing a large number of land offices in the public-land States, including 8 of the 10 offices in the State of Montana, namely, Bozeman, Glasgow, Havre, Helena, Kalispell, Lewistown, Miles City, and Missoula, retaining only those at Great Falls and Billings, the State being redistricted accordingly. A copy is herewith attached for your information.

I believe you will be forced to the conclusion, upon further consideration of the subject, that the order is entirely indefensible, whether the subject is considered (even assuming that the drastic reduction is necessary in consequence of the limited appropriation) from a comparison of the importance of the various Montana offices as among themselves or with the number of offices retained in the other public-land States. The hardships to which the order will subject a multitude of our most deserving citizens who, through the staggeringly adverse conditions against which they have been obliged to contend in recent years, are endeavoring to establish homes on the frontier can scarcely be conceived by one not intimately familiar with the conditions. Any reduction in the number of offices now existing greater than three would be in the nature of a disaster to our State, seriously retarding its development.

I freely admit that 3 of the 10 land offices in the State of Montana might very appropriately have been abolished.

It is true that there are in Montana an unusually large number of land offices, but it is to be remembered that in respect to area it ranks second among the public-land States and first in the amount realized from its sales of public lands, as shown by the receipts going into the reclamation fund. (Report of Commissioner of the General Land Office for 1924, p. 59.)

Bear in mind, California stands first. The State of Montana stands second in area of public lands, and stands first in the amount of money contributed to the reclamation fund.

I do not trouble you with a comparison of entries during the last 15 years as between Montana and the other public-land States, but for a considerable part of that period more than 25 per cent of all the homestead entries were made in Montana. I know how difficult it is to appreciate the extent of our territory, and it may be a revelation to you to be informed that under the order referred to some settlers will be required to travel in the neighborhood of 500 miles to transact necessary business at the land offices. The city of Westby, in the new Great Falls land district, is approximately 500 miles to the northeast of the city of Great Falls, a distance greater than that from Boston to Washington, while Yaak, to the northwest, is 394 miles. Populous sections, in which nearly every adult transacts business at the land office, are 300 miles distant from Billings. If the condition of the Treasury, however, or the paucity of the appropriation made by Congress renders imperative the general abolition which the order effects, I beg to call your attention to the figures showing that Montana has been most unfairly dealt with by it. Colorado, which had nine land offices, retains six, while its area of unappropriated land and unperfected entries is substantially equal to that in Montana, the aggregate in the case of Colorado, as shown by the report of the commissioner for 1924, page 64, being 11,816,690 acres, in Montana 11,076,124 acres.

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

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Utah?

Mr. WALSH. I yield.

Mr. KING. Did the Senator from Montana receive any reply from the President or any information from the Interior De-

partment as to the reason for this apparent discrimination against Montana?

Mr. WALSH. The President replied very courteously that he had referred the matter to the Secretary of the Interior and would await a communication from him. Later the President communicated with me and stated that the Secretary of the Interior thought the order ought to stand. I waited upon the Secretary of the Interior immediately upon my return in the fall, and called his attention to this discrepancy. His answer was that there were too many land offices in Colorado——

Mr. KING Why did he not make the reduction in Colorado?

Mr. WALSH. Wait until I get through with the comparison. I compared Montana with every other State in the West to show that discrimination existed against Montana not only with reference to Colorado but with reference to every other State in which land offices are located.

Mr. SMOOT. Mr. President, let me say that if the department had taken one more land office out of the State of Utah we would not have any, for we now have only one.

Mr. WALSH. I understand that.

Mr. SMOOT. The Secretary of the Interior could not do any more than he had done as to Utah without removing the only remaining land office in that State.

Mr. KING. Mr. President, I should like to ask the Senator if the order abolishing the land offices in Montana synchronized with the suits brought by the Government against the junior Senator from Montana [Mr. WHEELER]?

Mr. WALSH. It followed shortly after the indictment of the junior Senator from Montana here in the District of Columbia. I exceedingly regret that the two Senators from Colorado appeared to be absent from the Chamber. Perhaps if present they would be able to assign some reason why there should be six land offices in the State of Colorado and only two in Montana. I myself am unable to conceive of any, but I have instituted a comparison between the area of public land in the State of Colorado and the area of public land in the State of Montana. I continue:

> The number of applications filed in Colorado in the same year were, however, less than in Montana—4,558 in the former and 4,807 in the latter. The acreage embraced in original entries in Colorado amounted to 546,598; in Montana, to 508,590. In Colorado, the area for which final proofs were made—that is, for which entries were perfected—amounted to 670,525 and in Montana to 722,767. The area for which patents were issued in Colorado totaled 808,034, but in Montana 2,290,849. The total receipts from the Colorado land offices amounted to $227,382.99; from the Montana land offices, $479,559.18.

Mr. PHIPPS entered the Chamber.

Mr. WALSH. I see the senior Senator from Colorado is now present.

Mr. PHIPPS. Does the Senator from Montana desire to direct a question to me?

Mr. WALSH. Yes; I was calling attention to an order issued upon the 17th day of March last, abolishing land offices throughout the West, as a result of which 3 of the 9 land offices in the State of Colorado were abolished, leaving 6 land offices in the State of Colorado, and 8 of the 10 land offices in the State of Montana were abolished, leaving only 2 in the State of Montana; and I desired to know if the Senator from Colorado could assign any reason for that?

Mr. PHIPPS. Mr. President, that may have been the situation under the order issued as of that date, but, as a matter of fact, to-day Colorado has only three land offices, one in the capital city of Denver, one at Grand Junction, and the other at Pueblo. The land offices at Leadville, Del Norte, Montrose, and Durango are four of the six which were abolished last year. The other two were at Sterling and Lamar, which were very small offices.

Mr. WALSH. When was the subsequent order made?

Mr. PHIPPS. The Senator from Montana will recall that it is optional with the President to issue an order on the recommendation of the Secretary of the Interior.

Mr. WALSH. Yes.

Mr. PHIPPS. And the Durango office, the last office which was abolished, was abolished as of January 1 last, while the Leadville office, I believe, was closed at the end of September. The other offices, as I recall, were closed as of July 1.

Mr. WALSH. There was a general order made abolishing them all as of the 17th day of March last. I know I awaited upon the Secretary of the Interior immediately upon my return here last fall and called his attention to the discrepancies to which I am now inviting attention, and apparently he abolished three more land offices in Colorado.

Mr. PHIPPS. May I say to the Senator from Montana, Mr. President, that I do not think the conditions as to land offices in other States influenced the Secretary in his determination. There were a number of cases pending in these various land offices, and I know that his policy, going back to before the issuance of the order to which the Senator has referred, was to discontinue land offices as rapidly as arrangements could be made for consolidation and for winding up their business.

Mr. WALSH. He retained the land office at Denver, the capital of Colorado?

Mr. PHIPPS. That is true.

Mr. WALSH. Can the Senator assign any reason why he abolished the land office in the capital of Montana?

Mr. PHIPPS. No; the Senator from Colorado is not familiar with the conditions in the State of Montana. I do know, however, that in——

Mr. WALSH. I was going to try to advise the Senator by showing him that the land district of which the capital of Montana was the seat is one of the most important in the State from every point of view.

Mr. PHIPPS. I regret that I have not been previously informed as to conditions in Montana. I think I am reasonably familiar with those in the State of Colorado. The business of the office at Sterling and the business of the office at Lamar, embracing a very large district and widely scattered territory, were consolidated and are now under the supervision of the Denver office.

Mr. WALSH. Does the Senator think that three land offices are needed for the purpose of transacting the business in the State of Colorado?

Mr. PHIPPS. I believe it is the intention of the department to watch the situation as it develops and eventually to consolidate the business into one office.

Mr. WALSH. I was asking for the opinion of the Senator.

Mr. PHIPPS. As to my own opinion, I believe that eventually that can be done without very great inconvenience to the residents of the State. We have not found any great complaint—in fact, the complaints have been very few, indeed—because of the discontinuance of the other offices, although they were in widely separated districts of the State.

From Durango, for instance, quite a journey is necessary to reach Grand Junction, the nearest office; and that is likewise true of the Montrose district. It means practically a day's journey by automobile or five or six hours by rail to reach the office; but the business has been cared for through the county courts and the United States commissioners, with whom filings may be made. We find that a large percentage of the business in these land offices has for some years past been conducted through correspondence rather than personal visits. I know that the department kept tally of the number of visitors in the various offices over a period of months to determine just how much counter business was transacted by the different offices.

Mr. WALSH. If the Senator will pardon me, in respect to that the law for many years has required certain data to be furnished in order to apprise Congress of the amount of business. Those data include the area of public lands, the number of entries, the number of final proofs, the number of patents issued, and the amount of money received. All those items are in the official reports. When I called the attention of the Secretary of the Interior to the discrepancies to which I am now inviting the attention of the Senate, he told me that he had gone outside of those reports and had gotten some kind of a report as to the number of callers that came to the various offices, the result of which was satisfactory to himself, but, so far as the regular official returns are concerned, the facts are given here from the reports.

Mr. PHIPPS. I will say to the Senator I happen to know by personal visit to the land office in Denver that that check of visitors was being kept and a record made right along.

Mr. WALSH. I continue, Mr. President:

> I inquire very respectfully, Mr. President, upon what basis or in accordance with what principle six land offices may be maintained in Colorado and only two in Montana.
>
> Take the State of Oregon, which, having seven land offices, is to retain five. There is within its bounds a greater acreage of unappropriated land and unperfected entries than in Montana, approximately 15,000,000 as against 11,000,000, but the number of entries in 1924 in that State were only 2,941, against 4,807 in Montana. The Montana acreage in the original entries was 508,590, as against 250,960 in Oregon. The average for which final proofs were made in Montana is 722,767, as against 358,948 in Oregon. The acreage for which patents were issued in Montana is 2,290,849, as against 390,862 in Oregon. The receipts in Oregon were far in excess of those in Montana, $1,105,028.45, as against $479,559.18. This signifies, however, no additional work of consequence for the Oregon offices, the heavier receipts coming from the sale of valuable timberlands in Oregon.

Bear in mind, I make no complaint whatever because Oregon has seven land offices; not the slightest. I dare say they are necessary; but, Mr. President, I should like to have some one rise and tell us why the number of land offices in the State of Montana should be reduced to two and the number in Oregon kept at seven.

California suffers almost but not quite so badly as Montana, having eight offices, four being abolished. The area of public land in that State still undisposed of is approximately twice that of Montana, but in 1924 Montana exceeded California in the number of applications filed, in the number of acres embraced in original entries, in the number of acres embraced in final proofs and in lands patented, but not in total receipts, the oil leases in California yielding heavily.

Idaho, having five land offices, retains three. Its area of public lands undisposed of is approximately equal to that of Montana, but its applications during 1924 were but 1,760, as against our 4,807. The area covered by the original entries was but 218,656, as against our 508,590. The area embraced in final proofs was but 219,137, as against 722,767 for Montana, and the area embraced in patents was 260,872, as against our 2,290,849. The Idaho land offices produced a total of $97,882.45, the Montana land offices $479,559.18.

Wyoming, having six offices, retains four. No such disproportion as is exhibited by the above comparison in the case of other States, but still the order is, even as to Wyoming, unduly discriminatory.

For convenience of reference I am sending herewith a table showing clearly the comparisons above made.

As suggested above, I find no theory upon which the Montana offices to be preserved were retained if but two are to continue. If the importance of the offices now existing is to be judged on the basis of the unappropriated and unreserved public land within the various districts the order would be as follows.

Not only is the discrimination entirely obvious and entirely indefensible as between the State of Montana and the other States, but the two land offices retained rank among the lowest in the State of Montana.

I do not know what significance it has, but they are both in the eastern district of Montana, represented in the House by a Republican. The western district of Montana, represented by a Democrat, has no land office at all.

Here is the order in which the importance of these offices ranks, judged by the area of public land in them:

Helena, the capital of the State, where was located the first land office in the Territory of Montana, and continued ever since, has the greatest area of public land within the district.

1. Helena.
2. Miles City.
3. Glasgow.
4. Havre.
5. Lewistown.
6. Billings.
7. Missoula.
8. Bozeman.
9. Great Falls.
10. Kalispell.

The land offices are retained at Billings, standing sixth in that order, and at Great Falls, standing ninth.

If by the number of unperfected entries, the order would be as follows:

1. Miles City.
2. Glasgow.
3. Helena.
4. Havre.
5. Lewistown.
6. Great Falls.
7. Billings.
8. Bozeman.
9. Missoula.
10. Kalispell.

If by the area patented, the order would be as follows:

1. Miles City.
2. Glasgow.
3. Helena.
4. Havre.
5. Lewistown.
6. Great Falls.
7. Missoula.
8. Bozeman.
9. Billings.
10. Kalispell.

On the basis of the relation of expense to revenue, the order is as follows:

1. Lewistown.
2. Glasgow.
3. Billings.
4. Miles City.
5. Helena.
6. Bozeman.
7. Havre.
8. Missoula.
9. Great Falls.
10. Kalispell.

Let me remark, Mr. President, that Helena happens to be my home, and the statute gives a preference to the land office located at the capital of the State, as it properly should.

The sections of the statute applicable to the case are sections 2248, 2249, 2250, and 2252. Section 2248 provides that a land office may be abolished whenever the area of public lands within the district is less than 100,000 acres; and then the succeeding section provides that although there is less than 100,000 acres of public land in the land district the seat of which is at the capital, the President may retain it, notwithstanding there is not the required number of acres of public land in that district; and there is abundant reason for that, as I shall show a little later on.

A table fixing the order upon each basis as above indicated is submitted herewith. It might be remarked in this connection that both Billings and Great Falls are in the second congressional district.

I now call your attention to the fact that it was evidently the purpose of section 2249 to give to the land offices located at the seat of government of a State a preference when the state of public business suggested the abolition of land offices.

The order, so far as Montana is concerned, must be justified under the provisions of section 2252. Sections 2248 and 2250 contemplate conditions not present or impose restrictions not observed in the order. It is authorized, however, by section 2252 on the recommendation of the Commissioner of the General Land Office, approved by the Secretary of the Interior. I am advised that the commissioner, after giving the matter careful consideration, recommended the retention of four offices in Montana. I assume that the official approval required by the statute was given by him, but after consultation with that efficient and painstaking officer, I feel sure he will recommend to you, Mr. President, a modification of the order to conform to his original conception of what is due to the settlers in our State and to a proper regard to the public interest. I am looking confidently to you for a reconsideration of the subject dealt with in the order.

I am transmitting herewith copy of a letter addressed to the Secretary of the Interior by the Hon. J. D. Scanlan, register of the land office at Miles City, a gentleman of high character, who has had a prominent part in the public life of our State, a valuable contribution to the problem before you, which I commend to your considerate attention.

With assurances of my high esteem, I am,

Respectfully yours,

———.

THE PRESIDENT,
The White House.

Area patented land in Montana land office districts

	Acres
1. Miles City	259,995
2. Glasgow	164,415
3. Helena	116,225
4. Havre	109,990
5. Lewistown	68,286
6. Great Falls	49,004
7. Missoula	45,593
8. Bozeman	41,431
9. Billings	30,811
10. Kalispell	14,516

Unperfected entries in Montana land office districts

1. Miles City	1,635,357
2. Glasgow	694,433
3. Helena	483,880
4. Havre	461,149
5. Lewistown	299,316
6. Great Falls	286,882
7. Billings	207,689
8. Bozeman	165,452
9. Missoula	66,843
10. Kalispell	20,837

Unappropriated and unreserved public land in Montana land office districts

	Acres
1. Helena	1,668,380
2. Miles City	1,606,741
3. Glasgow	1,381,006
4. Havre	761,957

	Acres
5. Lewistown	535,545
6. Billings	253,570
7. Missoula	236,920
8. Bozeman	181,156
9. Great Falls	146,392
10. Kalispell	32,620

Basis of the relation of expenses to revenue in Montana land office districts

	Per cent
1. Lewistown	5.58
2. Glasgow	12.69
3. Billings	18.84
4. Miles City	32.27
5. Helena	44.63
6. Bozeman	77.59
7. Havre	77.98
8. Missoula	85.37
9. Great Falls	91.98
10. Kalispell	92.00

I said that I would not trouble the President with the compilation being a comparison of the business done in the land offices of the State of Montana with those of other States during the last 15 years; but I have here such a compilation, Mr. President, which I ask may be inserted in the RECORD as a part of my remarks.

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

The matter referred to is as follows:

States	Average of unappropriated lands, 1911–1925	Number of applications	Original	Final	Patented	Receipts
Montana	2,720,892	308,788	40,543,081.66	27,274,975.37	38,791,112.56	$12,100,076.79
Colorado	2,511,188	182,450	22,357,142.23	17,025,535.33	17,104,092.17	5,815,044.24
California	4,033,850	83,909	10,443,751.36	4,019,439.99	6,537,066.48	5,983,820.04
Utah	6,183,465	28,584	4,924,518.25	1,599,642.52	5,015,533.99	3,166,024.42
Oregon	2,288,308	77,163	8,403,980.79	5,063,223.84	8,395,465.86	7,365,180.56
Wyoming	3,000,701	131,601	21,861,587.90	11,630,613.31	11,756,387.04	24,677,193.31
North Dakota	3,135,132	61,216	3,101,849.73	5,672,157.79	7,484,718.40	2,329,660.82
Idaho	2,710,044	93,668	11,072,772.67	6,054,310.52	7,719,767.04	3,762,567.49
Washington	2,657,570	34,025	3,388,987.28	2,003,951.84	4,209,079.56	2,102,610.37
Nevada	10,850,784	12,548	2,602,826.54	560,628.21	2,169,469.13	847,691.27
South Dakota	313,513	81,979	6,577,929.42	7,359,187.31	12,228,303.14	6,936,597.24
New Mexico	4,585,580	148,055	26,411,376.07	11,612,558.44	15,211,543.33	3,471,545.54
Arizona	4,977,168	43,592	13,314,072.95	2,221,492.92	10,557,038.63	1,637,572.19

Mr. WALSH. I have here another table showing an immediate comparison between the State of Montana and the other public-land States, which I ask may be printed in the RECORD as a part of my remarks.

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

The matter referred to is as follows:

States and dates	Average of unappropriated lands	Number of applications	Original	Final	Patented	Receipts
1911–1915:						
Montana	24,806,055	139,954	21,934,237.31	7,654,126.26	11,751,952.00	$6,660,948.60
Colorado	19,067,416	74,795	8,561,094.00	5,183,612.40	5,080,297.42	2,757,286.49
		65,159	13,373,173.31	2,470,513.86	6,671,554.58	3,903,662.11
1916–1920:						
Montana	9,976,490	125,842	13,735,870.15	13,662,875.25	17,045,048.53	3,716,575.90
Colorado	10,817,112	71,243	9,326,939.21	7,034,579.20	6,381,560.44	1,859,994.09
		54,599	4,408,940.94	6,628,296.05	10,663,488.09	1,856,581.81
1921–1925:						
Montana	6,030,839	42,992	4,872,974.20	5,957,973.86	9,994,112.03	1,722,552.20
Colorado	7,783,306	36,412	4,469,139.02	4,807,343.73	5,642,134.31	1,197,763.66
		6,580	403,835.18	1,150,630.13	4,351,977.72	524,788.54
1911–1915:						
Montana	24,806,055	139,954	21,934,237.31	7,654,126.26	11,751,952.00	6,660,948.60
California	21,754,122	35,232	4,750,581.14	1,005,917.35	1,956,276.89	2,038,804.49
		104,722	17,183,656.17	6,648,208.91	9,795,676.89	4,622,144.11
1916–1920:						
Montana	9,976,490	125,842	13,735,870.15	13,662,875.25	17,045,048.53	3,716,575.90
California	19,977,205	28,525	3,071,779.04	1,446,366.76	1,811,462.10	1,032,293.82
		97,317	10,664,091.11	12,216,508.49	15,234,586.43	2,684,282.08
1921–1925:						
Montana	6,030,839	42,992	4,872,974.20	5,957,973.86	9,994,112.03	1,190,169.53
California	18,776,228	20,152	2,621,391.18	1,567,155.88	2,769,327.49	1,722,552.20
		22,840	2,251,583.02	4,390,817.98	7,224,784.54	2,912,721.73

Mr. WALSH. The way this matter is regarded in my State is indicated by a large number of letters I have here, only a few of which I shall refer to.

I wrote to every lawyer in the State of Montana asking him to indicate to me his view of this order and how it affected the convenience of the people in the State of Montana having business with the land offices, and particularly what effect it would have upon the future development of our State. I have taken pains not to ask your attention to any of these letters that come from lawyers in the cities in which the land offices have been abolished. I am going to ask, however, that there be inserted in the RECORD a letter from Mr. Joseph Binnard, of the city of Butte. Butte had no land office. It was within the Helena district. Mr. Binnard is able to speak upon this matter. For a long time—some three or four years at least, and perhaps longer than that—he was the register of the land office at Helena, Mont., though his residence was in Butte. He was a very efficient officer. He shows that the contention that because a good share of the business is now done before court commissioners the land office may be very conveniently abolished is altogether a fallacy. He concludes his letter with this paragraph, which I desire to read for the information of Senators who do me the honor to listen:

Since Territorial days the Helena Federal land office has been recognized by homeseekers as being the principal land office in the State of Montana. This impression has gained universal recognition, doubtless from the fact that Helena is the capital of the State. Much confusion and annoyance has already arisen concerning the change in the location of the Federal land office, and I have no doubt that endless annoyance and confusion will result from this fact. People

will go to Helena looking for the land office, not being able to distinguish in many instances between the State land office and the Federal land office, only to be informed upon their arrival that they must go to Great Falls in order to secure the desired information or to make the necessary application for public lands or enter a desired contest against agricultural and mineral applicants for the infraction of the public land laws.

I ask unanimous consent that the entire letter may be printed in the RECORD in connection with my remarks.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

The matter referred to is as follows:

BUTTE, MONT., *December 7, 1925.*

Hon. JEREMIAH J. LYNCH,
Butte, Mont.

MY DEAR JUDGE: The following would appear to be reasons why the people of Butte are discommoded by the closing of the Helena land office:

(1) The closing of the Helena land office compels an applicant for public lands to travel substantially double the distance and consumes double the time in acquiring the information necessary to making (a) an application for filing on public lands, (b) an application to enter a contest for the violation of public land laws, (c) for the consultation of the necessary township plats, serial registers, commissioners' letters, and innumerable other public records for ascertaining the status of agricultural and mineral entries, together with kindred and correlated questions, all of which requires a personal examination of these records, (d) the inspection of maps, plats, drawings, field notes and charts in the office of the surveyor general.

(2) The Great Falls land office is approximately 172 miles from Butte, and owing to the present railroad schedules citizens of Silver Bow County can make the round trip to Helena and back in one day, when it would require approximately three days to accomplish the same and make the round trip from Butte to Great Falls. There was approximately 5,717,790 acres of surveyed public lands in Montana at the close of the fiscal year, June 30, 1925, and approximately 363,960 acres of unsurveyed land or an aggregate of 6,081,750 acres in all of public lands in the State of Montana. Before an application can be made it is necessary for the applicant to familiarize himself with the lands upon which he desires to file by making personal inspection of the land and before he can do this he should consult the register and receiver of the local land office for the necessary information in order to enable him to properly proceed to the acquisition of lands desired.

(3) All information as to Federal reclamation and irrigation projects, as shown from the plats, records, drawings, commissioners' letters, etc., are on file in the local land office in which the project referred to is located, and it is necessary to consult these records, likewise to determine questions involving reclamation and irrigation projects.

(4) Helena is the capital of the State of Montana, in which the State land office is located and it often occurs that questions involving State lands and Federal lands are questions which must be considered together. There are innumerable questions which would require traveling to Helena for the purpose of ascertaining the status of the lands belonging to the State, such as school land, before one would be justified in filing on lands belonging to the Government. Therefore if the Helena land office is discontinued it would require going to Helena for information relative to State lands and making an additional trip to Great Falls for information relative to Federal lands.

(5) The vast mineral zones immediately adjacent to Butte, and which is showing additional activity at the present time, will be impeded by the change in the office from Helena to Great Falls.

Since Territorial days the Helena Federal land office has been recognized by home seekers as being the principal land office in the State of Montana. This impression has gained universal recognition, doubtless from the fact that Helena is the capital of the State. Much confusion and annoyance has already arisen concerning the change in the location of the Federal land office, and I have no doubt that endless annoyance and confusion will result from this fact. People will go to Helena looking for the land office, not being able to distinguish in many instances between the State land office and the Federal land office, only to be informed upon their arrival that they must go to Great Falls in order to secure the desired information or to make the necessary application for public lands or enter a desired contest against agricultural and mineral applicants for the infraction of the public land laws.

Yours truly,

JOS. BINNARD.

Mr. WALSH. I desire to submit, Mr. President, several letters from attorneys at Baker, Mont., which is in the remote eastern section of the State, from which the people who have business to transact at the land office must travel more than 300 miles to Billings.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

The matter referred to is as follows:

BAKER, MONT., *November 23, 1925.*

Hon. T. J. WALSH,
United States Senate, Washington, D. C.

MY DEAR SIR: I thank you for your letter of the 20th instant, and am glad to have the opportunity to write you concerning our present land-office situation.

Just recently my attention was called to an individual living about 75 miles south of Baker. He was very much interested in filing on a certain piece of land, but had been informed that a prior filing had been made and the filing had not been completed. Inasmuch as he was anxious to find out whether or not the particular piece of land could be acquired by relinquishment he wanted the information at once. This he could not get, due to the location of his nearest land office, which is now Billings, Mont. Billings is located on the Northern Pacific Railway and Baker, his nearest railroad station, is on the Chicago, Milwaukee & St. Paul Railway. Either mail service or personal appearance at the land office would have necessitated considerable delay as well as great expense. Could this party have obtained land service at Miles City he would have had daily train service. That is to say, he could have gone to Miles City and attended to his business and returned the same day and at a small expense. I might mention that in actual dollars and cents he would have had to pay twice as much in car fare to Billings, to say nothing of the additional hotel expense. I can say this policy of the department has seriously affected the settlement and appropriation of public lands. Numerous other cases might be mentioned. Not only in the filing of homestead entries has there been inconvenience caused, but also in the matter of application for oil and gas prospecting permits. Carter and Fallon Counties both are in prospective oil-bearing territories. Further than this, we must realize that it is the portions of Garfield, Custer, Powder River, and Carter Counties where the greatest amount of vacant lands are still located and Miles City is the logical center for a land office.

I have had in mind what you say concerning parties appearing before local court or commissioners, but I can not see where this should have any bearing on the matter, because anyone familiar with the situation knows that no clerk of the district court, nor any local commission, has the adequate records nor information which would be of any value to any individual having business with a land office.

It is my opinion that the economy step taken in regards to land offices in this locality was false economy, for, while the Government may be saving money, it is costing the prospective settler so much more that the comparison in plainly to be seen.

Thank you for writing me and should there be any further information I shall be glad to write you on the matter.

Respectfully yours,

AL HANSEN.

BAKER, MONT., *November 23, 1925.*

Re: Consolidation of land offices, Montana.

Hon. T. J. WALSH,
Washington, D. C.

MY DEAR SIR: Your favor received this morning. I asked the land commissioner about extended powers and he says he has none. Inasmuch as there are now not so many entries on public lands as formerly, the inconvenience is not so much emphasized. It requires a trip covering about 600 miles to consult the land office at Billings. It practically gives the inside track to those nearer the Billings office. There is widespread discontent with the consolidation in this portion of the State. It hits us lawyers, of course, but then we are of no consideration with the dear people. I have a suggestion to make, to wit:

Could it not be arranged to have the land office at Billings send out a sort of an abstract of filings each day—that is, those that relate to new filings and moves on old filings? This would be like the abstract that is made and reported each day of the filings with the clerk and recorder in each county. If that could be done I would be willing for this county to receive them and give the people interested access to them. I think that such a plan carried out would allay much of the discontent that now exists. I am inclined that the stated change rather impedes the development or settlement here but the effect is not so apparent as it would be if interest in land were to be revived. As it is now there are very few new settlers. I think, but with the coming in of oil (which I confidently expect) there will be a move to the State. It certainly is considerable of an impediment when one has to travel 600 miles and incur the necessary expense of such a trip. It really puts a sort of damper on the matter of dealing in public lands in eastern Montana. I am writing this

without the least bit of an idea as to your attitude on the matter, but I know that I am honest in this and I know, too, that you are honest and sincere in making the inquiry. You have, and always have had, my utmost confidence.

Thanking you for looking into the matter,

I remain,

Yours very truly,

J. A. WILLIAMS.

BAKER, MONT., *November 23, 1925.*

Hon. T. J. WALSH,

United States Senate, Washington, D. C.

DEAR SENATOR: In reply to your favor of November 20, I would state that the people in this county and Carter County are very greatly inconvenienced by the fact that the land office is located at Billings and that there is no longer a land office at Miles City. The removal of this land office will certainly retard the development of this section of the State. It is true that proofs may be made before local commissioners; also they have authority to accept homestead applications; but as to the latter they have no record of the vacant land as distinguished from the land which has been appropriated, and no information can be had from the commissioners on the many matters that public land claimants desire to know. The only place this information can be had is at the land office. The settler very frequently can not write such a letter as will enable an attorney at the land office to look up the items he desires to know. It is only by a trip to the land office and a full explanation of his difficulties that any satisfaction can be obtained. To get from this county or Carter County to the land office it is necessary to travel over two railroads a considerable distance, and if the party is a resident of Carter County he must take a long automobile journey as well.

I am sure that the people of this entire territory feel that no more serious injury could have been done them than by reason of the removal of the United States land office from Miles City. I am very pleased to express my views upon this matter and thank you for your consideration in writing me.

Very sincerely yours,

C. J. DOUSMAN.

BAKER, MONT., *November 24, 1925.*

Re: United States land-office situation.

Hon. T. J. WALSH,

United States Senate, Washington, D. C.

MY DEAR SENATOR: Yours of the 20th instant at hand. In reply would say that the people in this section of the State, particularly to the south of Baker, in Carter County, are seriously inconvenienced by the fact that the nearest United States land office is at Billings. It is generally conceded that the larger bulk of Government land which is still open to entry is contained in southeastern Montana, particularly in Carter, Powder River, and Garfield Counties, all of them contiguous to Miles City. Very frequently situations arise where men of small means would like to file on homesteads in one of these counties, but owing to the distance to the land office and the expense of a trip to Billings, together with the uncertainty as to the results of their trip, they give the matter up rather than go to the extra expense and loss of time.

It is true that much of the business can be handled before a local land commissioner. However, this is very unsatisfactory, since the land commissioner can not be in close touch with the actual situation as to lands still open to entry. Many of the filings are made directly through the land office, and a person coming from Carter County, for instance, might travel from 50 to 125 miles to get to Baker, the nearest railroad point, for the purpose of filing. So far as the commissioners' records would show, the particular piece of land which he had in mind might be available for filing. He thereupon makes his application for an entry, and the same is forwarded to the land office at Billings. It takes some little time for the papers to go through, and the entryman naturally goes back home where, in the course of a few weeks, he learns by mail that his entry has been disallowed because of the fact that some other entryman had filed upon it directly through the land office before his application was made. It is then necessary for him, if he wishes a homestead, to look around and find some other piece of land which is open to entry and which is pleasing, whereupon he may go through the same experience with the former results. After two or three situations such as this have arisen the prospective entryman naturally becomes discouraged. I have known of situations just about similar with this which have arisen in the south country.

To properly understand the situation as it applies in this south country, with which I am most familiar, one must realize that there is no railroad between Baker and the Wyoming line, which is, I believe, something like 150 miles south of us. A trip to Miles City is quite a trip under these circumstances, but nevertheless it can be made without serious inconvenience, for a good car can cover the distance to Baker in one day, and a trip to Miles City can be made with three or four hours between trains, which gives plenty of time to transact the land-office business, so a man can be back at his own home within three days from the time he left, even if he lives at the extreme southern portion of the territory affected. However, if he is required to go to Billings, it requires changing trains at Miles City, with a long wait for the Northern Pacific train to arrive, the additional hotel bills incurred in Billings, and again a long trip home. It would take the better part of a week for a man to make this trip. When this loss of time is coupled with the added expense it is easily seen that it is a serious matter to the prospective entryman. I believe that the entire situation is having the effect of retarding the entries upon Government lands and the resultant development of the State.

I am very glad to note that you are interested in this proposition, and it would be very gratifying to this section of the State if one of two things could be brought about: Either an additional land office to be located at Miles City or the Billings office to be moved to Miles City.

Very truly yours,

D. R. YOUNG.

Mr. WALSH. Mr. President, at some other time I shall submit a bill to correct this obvious and indefensible discrimination against the people of my State, for no reason whatever that I can discern. If the land offices in the State of Montana were to be restricted to two, unquestionably the land office at Helena, Mont., ought to have been retained not alone by reason of the fact that it is the capital of the State but because there is the greatest area of public land within that land office; and if two were to be selected, there is no justification whatever for the selection of the two that were selected.

Mr. KING. Mr. President, yesterday when we had under consideration the appropriation for the Alaskan Railroad I called attention to the fact that we had spent millions of dollars in the construction of that railroad; that there were annual deficits which we were compelled to meet; that I thought the wisest thing for the Government to do was to sell the railroad. Upon investigation I find that we have expended $61,083,777.51 in the construction of the railroad and in meeting the annual deficits resulting from its operation.

I have prepared an amendment on this subject, but I shall only read it. I shall not ask for a vote upon it, because I realize that with the temper of the Senate, with their evident purpose to favor landlordism and bureaucracy, I should find but scant sympathy on either side of the Chamber.

My amendment is:

That the Secretary of the Interior is authorized and directed to advertise for and to take bids for the sale of the Government railroad in the Territory of Alaska, and report the bids received to Congress, together with his advice as to whether or not the bids received are the best obtainable for the sale of this property.

The sooner we get rid of this railroad, and the sooner we get the Government out of private business, the better it will be for business, and the better it will be for the Government.

Mr. SMOOT. Mr. President, I did not know but that my colleague would change that amendment and put it in such form that the Secretary would be directed to inquire how much any citizen of the United States would take to take over the railroad.

Mr. KING. I think some persons would buy it, but I am not so sure.

Mr. SMOOT. Not if they had to run it.

Mr. CAPPER. Mr. President, I offer an amendment making an appropriation for improvements that are greatly needed at Haskell Institute, the school for Indians located at Lawrence, Kans. If my colleague, the senior Senator from Kansas [Mr. CURTIS], were able to be here, he would strongly urge favorable action on this amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 43, line 20, after the numerals "$25,000" and before the semicolon, it is proposed to insert the following:

For new office building, including construction of vault, and purchase of furnishings for office, $10,000; for repairing, remodeling, enlarging, and equipping auditorium, $25,000.

Mr. SMOOT. Mr. President, I shall have to make the point of order against that amendment. It is not estimated for.

The PRESIDENT pro tempore. The point of order is sustained.

The bill is still before the Senate as in Committee of the Whole and open to amendment. If there be no further amendment to be proposed, the bill will be reported to the Senate.

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

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

The bill was read the third time and passed.

INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WARREN. I ask that there may be laid before the Senate House bill 9341, the independent offices appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9341) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1927, and for other purposes.

ORDER FOR RECESS

Mr. JONES of Washington. I ask unanimous consent that when the Senate concludes its business to-day it take a recess until 12 o'clock to-morrow.

The PRESIDENT pro tempore. Is there objection?

Mr. HARRISON. Mr. President, reserving the right to object, may I ask the Senator if he contemplates asking for an executive session?

Mr. JONES of Washington. I do.

Mr. WARREN. Mr. President, the hour is late, and I understand that there is a desire for an executive session this evening. Therefore I propose to let the bill lie over until to-morrow morning and take it up the first thing in the morning.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request proposed by the Senator from Washington? The Chair hears none, and the unanimous-consent agreement is entered into.

EXECUTIVE SESSION

Mr. JONES of Washington. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS

Mr. JONES of Washington. I move that the Senate take a recess, the recess being until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 50 minutes p. m.) the Senate, under the order previously entered, took a recess until to-morrow, Friday, March 19, 1926, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 18 (legislative day of March 15), 1926

POSTMASTERS

MINNESOTA

William F. Bischoff, Bigfork.
Daniel H. Hill, Cook.
Carleton H. Leighty, Glenville.
Isaac C. Stensrud, Hartland.
August O. Lysen, Lowry.
Annie E. Dobie, Newport.
Walter W. Parish, Rushford.

NEW YORK

Lucy E. Murray, Florida.

PENNSYLVANIA

Joseph A. Buchanan, Ambler.
John W. Eshleman, Mount Joy.
Charles A. Graeff, Schuylkill Haven.

WEST VIRGINIA

Omar G. Robinson, Summerville.
Claude S. Randall, Shinnston.

HOUSE OF REPRESENTATIVES

THURSDAY, *March 18, 1926*

The House met at 12 o'clock noon.

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

Eternal God, in mute necessity our hearts go out to Thee. We make grateful acknowledgment of Thy goodness, we recall Thy boundless mercies, and we would meditate upon Thy marvelous providences. Thy love still passes all understanding and Thy riches are still unsearchable. Deepen in us the currents of reflection and give us wise insight into all problems of legislation. Elevate our whole natures and bring them to the highest level of righteousness and of personal efficiency. Work in us a splendid discontent and give us the reach of larger growth and broader attainment. Combine in us a hearty humanity with an unusual quality of spiritual power. Help us all, O Lord, to grow into that higher life in which our hearts go out after our fellow men, and out toward all the beauty and glory of the world, and up toward God and toward that life which lives with Thee and shall live forever. Through Jesus Christ our Lord. Amen.

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

AMENDING SECTION 5219, REVISED STATUTES

Mr. SNELL. Mr. Speaker, I present a privileged report from the Committee on Rules for printing in the RECORD.

The Clerk read as follows:

Report on House Resoluton 171, to amend section 5219 of the Revised Statutes of the United States.

CHILD LABOR AMENDMENT TO THE CONSTITUTION

The SPEAKER laid before the House a communication from the secretary of state of Florida transmitting the action of the legislature of that State rejecting the proposed amendment to the Constitution relating to labor of persons under 18 years of age.

LEAVE OF ABSENCE

Mr. CHINDBLOM, by unanimous consent, was given leave of absence for two days, on account of sickness.

HOUSE RESOLUTION LAID ON THE TABLE

The SPEAKER. Without objection the proceedings on House Joint Resolution No. 131 will be vacated, and the resolution laid on the table.

There was no objection.

THE RECORD

Mr. DYER. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

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

There was no objection.

Mr. DYER. Mr. Speaker, on yesterday, during somewhat of an uproar in the House, the gentleman from Mississippi [Mr. RANKIN] called attention to what he designated as a violation of the rules of the House with reference to an insertion in the RECORD of some remarks on a bill by me. The extension of remarks were inserted in the RECORD in pursuance of a unanimous-consent request by the gentleman from Pennsylvania [Mr. PORTER] on Monday, March 15, in reference to the bill which had been considered in the House under suspension of the rules providing for certain authorizations for Government buildings and for diplomatic and consular offices in foreign countries.

As Members of the House know, under suspension of the rules the time for debate is very limited, and it is not easy for anyone, other than those on the committee that have the bill in charge, to get an opportunity to speak. So, under that permission I inserted in the RECORD of Tuesday, March 16, some remarks, and while they were not my personal remarks they were with reference to the legislation concerned. They referred to a public building, the site of which is now owned by the United States, in Shanghai, China.

I had at my request investigations made of conditions there, in addition to a personal inspection that I made myself. The data, in fact, came to me through the Secretary of State. I thought it was most valuable information, showing the need for the legislation which was considered in the House on Monday.

In my judgment, Mr. Speaker—and I have gone through the rules very carefully since the incident and thought I was conversant with them before—it was not a violation of any rule of this House in what I did in inserting that data referred to.

Mr. UNDERHILL. Will the gentleman yield?

Mr. DYER. I will.

Mr. UNDERHILL. When the gentleman from Pennsylvania made the request of the House that permission be granted to all Members to extend remarks in the RECORD for a period of five days, I rose in a front seat on this side of the House and made the observation that it was understood to be their own remarks. I noticed that that was not in the RECORD, and possibly in the confusion which took place at that time it may have been lost by the Reporter. Without questioning the gentleman's motive, it has been my practice when on the floor, and unanimous consent has been asked, to make that observation. I think that the abuse of the RECORD warrants any and all Members in the absence of myself or somebody else to make that statement, at least, in order that the Members may confine themselves to matters of their own which go into the RECORD.

Mr. DYER. The gentleman will agree with me that there was nothing in the RECORD to indicate that that statement was made.

Mr. UNDERHILL. I have so stated.

Mr. DYER. I would state that if I had asked for the permission myself to extend remarks, I would have stated what I desired to include. Permission having been granted under the bill under consideration at that time, I thought it was not inappropriate to insert data there affecting the legislation which had been considered by the House and upon which I had not had opportunity to speak.

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

Mr. DYER. Mr. Speaker, I ask unanimous consent to proceed for one minute more.

The SPEAKER. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. Mr. Speaker, will the gentleman yield?

Mr. DYER. Yes.

Mr. CONNALLY of Texas. Under the understanding which the gentleman has just stated, does not the gentleman from Missouri think that the remarks of the gentleman from Georgia [Mr. LANKFORD] were not out of order?

Mr. DYER. I did not hear the remarks made with reference to the gentleman from Georgia over which the incident to which I refer arose. I am not offering any criticism of the gentleman from Georgia, nor am I offering any criticism of the gentleman from Mississippi [Mr. RANKIN], but am simply stating the facts as I understand them, and the additional fact that no rule of this House was violated by me in what I did.

Mr. CONNALLY of Texas. I am not saying that there is, but as I understand the gentleman he contends that he had a right to include material from the Secretary of State, which he adopted as his own sentiments, and therefore, being his own views and sentiments and illustrating his own remarks, he put them in the RECORD.

Mr. DYER. Yes.

Mr. CONNALLY of Texas. And if the gentleman from Georgia [Mr. LANKFORD], being under the spell of this sermon, agreed with it and believed in it and adopted it, then I can not see why incorporating it as a part of his extension would be contrary to the rule.

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

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask the attention of the majority leader, the gentleman from Connecticut [Mr. TILSON]. In calling the attention of the House to the remarks of the gentleman from Missouri [Mr. DYER] yesterday, I did exactly what I would have done if they had been the remarks of any other Member of the House under the circumstances. The gentleman from Missouri says there is no rule governing this proposition. My understanding is that we have a gentlemen's agreement in the House which I consider as strong as any rule that could be adopted by the House. Under that agreement, as I understand it, a Member who gets permission to extend his remarks in the RECORD has no right, without special permission, to insert extraneous matter, such as long quotations or articles. Take the case of the gentleman from Missouri. A blanket permission was given by the House to Members to extend their remarks in the RECORD. If the rule of the gentlemen's agreement applies to an individual who gets permission and precludes him from inserting extraneous matter, it seems to me that it applies with equal if not greater force to the membership of the House when a blanket permission is given. As I understand it, that blanket permission is only permission to extend their own remarks in the RECORD.

Mr. TILSON. I so understand it. In fact, I agree with the gentleman entirely in his understanding of the matter.

Mr. DYER. But the gentleman from Connecticut will agree, however, that there is no rule of this House calling for the doing of what he and the gentleman from Mississippi has just referred to? In other words, there is no rule of this House. So far as the understanding is concerned, I had the impression myself that if one asked to extend his remarks in the RECORD he should state—not that he is compelled to do so but as a matter of orderly procedure—what he desires to include in his remarks.

Mr. TILSON. The gentleman understands that there is no rule permitting any extension of remarks whatsoever, and that it is done only by unanimous consent of the House. Of course, in those circumstances, the House can impose any conditions that it sees fit or thinks proper in regard to an extension of remarks.

Mr. DYER. But the House has imposed no condition under the rules of the House.

Mr. TILSON. Except as stated so well by the gentleman from Mississippi [Mr. RANKIN].

Mr. DYER. Except the general understanding to which he has referred.

Mr. CONNALLY of Texas. Mr. Speaker, if the gentleman will permit, does not the gentleman from Connecticut really believe that this RECORD ought to state only those things that happen actually in the House, and that all of these extensions ought to be put off in some other place?

Mr. TILSON. If it were possible for all the Members of the House to find time to speak fully what they desire to speak, that would be so; but in such a large body, where there are 435 Members, it is impossible, unless our sessions are to be extended to an undue length, for our very large membership to actually speak on the floor all that should go into the RECORD.

Mr. CONNALLY of Texas. But ought not such an extension to go over into the Appendix and show in that way that it was not actually spoken on the floor?

Mr. TILSON. Yes; I think so.

Mr. KING. Mr. Speaker, I demand the regular order. There is too much flubdub about this proposition.

The SPEAKER. The gentleman from Illinois demands the regular order. In the meantime may the Chair be permitted to make an observation?

The Chair has repeatedly stated his view of the situation with regard to the extension of remarks. For instance, replying to a query of the gentleman from Arkansas [Mr. WINGO] the other day, the Chair said:

> The Chair thinks it is the duty of any Member who asks unanimous consent to extend his remarks in the RECORD to make that request on the theory that they are his own remarks, and if he desires to extend anything else he should mention it.

The Chair thinks the House clearly understands the situation, and it seems to the Chair that gentlemen ought to live up to that understanding.

The Chair further thinks that the request to extend remarks should be made in the House and not in Committee of the Whole House on the state of the Union. The Chair thinks it is a violation of the spirit of the rule to ask for an extension in Committee of the Whole of anything except remarks actually made, and the extension in those circumstances should be brief. The Chair will request all gentlemen who occupy the chair during the consideration of bills in Committee of the Whole not to recognize gentlemen to ask general leave for extension of remarks. The Chair thinks that should be done in the House. The Chair thinks that if that practice be followed it will possibly obviate such difficulties as have occurred recently.

Mr. GARRETT of Tennessee. Mr. Speaker, I think the statement of the Chair is very fine. I want to conform to it immediately. Some days ago I made a speech, when the House was in Committee of the Whole House on the state of the Union, of a political character. I asked unanimous consent in Committee of the Whole House on the state of the Union to extend my remarks, which was granted in the Committee of the Whole. There were certain quotations I desired to make from the works of Senator Lodge and from the inaugural address of Jefferson. I did not quote them in full. I simply relied upon the unanimous consent given in the Committee of the Whole to extend, and so I am now going to add that I may include those quotations in my remarks.

The SPEAKER. If the Chair may be permitted to make this further statement: The Chair was thinking, when he spoke of the Committee of the Whole House on the state of the Union, of the time when a bill was being discussed under the five-minute rule. Of course, in general debate, the Chair thinks it is quite proper to ask for a general extension of remarks actually delivered, because such remarks may apply to anything under the sun. The gentleman from Tennessee asks unanimous consent to extend his remarks.

Mr. KING. Mr. Speaker, I object. I think the gentleman has already the authority. I am sorry to object.

Mr. GARRETT of Tennessee. Does the gentleman know exactly what he is objecting to? I am trying to conform to the rule which the Chair has laid down.

Mr. KING. If the gentleman is really serious about it, I will withdraw the objection.

Mr. GARRETT of Tennessee. I do not want to, and I never will, put in the RECORD anything that is in violation of the rules of the House. [Applause.]

The SPEAKER. In compliance with the request made yesterday, the Senate has returned House Joint Resolution 131. A similar Senate joint resolution passed the House, and the enrolled resolution has just been signed. Without objection, the proceedings whereby House Joint Resolution 131 was passed will be vacated and the resolution will be laid on the table. Is there objection? [After a pause.] The Chair hears none.

Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none.

Mr. DYER. Will the Speaker yield to a question in reference to the statement he just made touching the rules? Does the Speaker think the situation to which I referred covers that to which he has made reference? In other words, if the chairman of a committee having charge of a bill, having obtained general permission for Members to extend their remarks upon the bill itself, does that come within the observation of the Chair? I am very anxious, I will say, Mr. Speaker, to conform to the rules of the House, and during my some 15 years of service here I do not believe I have ever violated them, and I would like to know if that is covered; and if it is, I would like to have the Speaker state it so that Members will know.

The SPEAKER. The Chair thinks this, that where a gentleman is speaking to a subject in general debate the general leave to extend does not include, without specific mention, the right to print papers or documents or letters. Now, the Chair has not the slightest doubt that any gentleman can obtain leave to extend in his remarks letters or documents which pertain to the subject on which he is addressing the House, but the Chair does not think it is proper under general leave to extend and print anything which is not directly in point without making specific request for such extension——

Mr. DYER. I agree with the Speaker, and——

The SPEAKER. Whether it may be under general leave for all Members or individually.

PERMISSION TO ADDRESS THE HOUSE

Mr. MADDEN. Mr. Speaker, before the House goes into the Committee of the Whole House on the state of the Union I would like to prefer a unanimous-consent request. I ask unanimous consent that on the 31st of March, immediately after the reading of the Journal, I may be allowed to speak for 20 minutes on the life and work of my colleague, Representative FULLER, who is one of the oldest Members of the House and has been one of the most distinguished citizens of our State.

The SPEAKER. The gentleman from Illinois asks unanimous consent that on March 31, immediately after the reading of the Journal and the dispatch of matters on the Speaker's desk, that he may be permitted to address the House for 20 minutes on the subject of his colleague the gentleman from Illinois [Mr. FULLER]. Is there objection? [After a pause.] The Chair hears none.

ORDER OF BUSINESS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to proceed for one-half minute in order to ask the majority leader, the distinguished gentleman from Connecticut, a question in reference to a pending bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. CELLER. I desire to ask the distinguished gentleman from Connecticut whether there is included in the administration program a bill to be considered by the House prior to the end of the session known as the Lehlbach retirement bill?

Mr. TILSON. There has been no such bill reported out or placed on the calendar, so far as has come to my attention.

Mr. CELLER. I believe the bill referred to may be reported shortly, and if it is, will the gentleman say whether or not it will be considered at this session?

Mr. TILSON. I have not made it a practice to speak of the consideration of bills before they are reported, and in this case I must adhere to that rule.

THE RECORD

Mr. RANKIN. Mr. Speaker, I would like to get this extension matter clear before we leave it. I do not think the Speaker fully understood the situation with reference to the remarks of the gentleman from Missouri [Mr. DYER]. I want to state it to him as clearly as possible and get the Speaker's opinion on it. Some gentleman asked unanimous consent a day or two ago in the House that all Members should have five legislative days in which to extend their remarks on that bill. As I understood the Chair a moment ago, he said to the gentleman from Missouri [Mr. DYER] that under such leave to extend he would have the right to print only matter in point. My understanding of the rules or the agreement is that Members are permitted to extend only their own remarks under these conditions, and I thought the gentleman from Missouri misunderstood the Speaker in his ruling.

The SPEAKER. The Chair agrees entirely with the views expressed by the gentleman from Mississippi. Unless a gentleman specifically asks permission to extend his remarks by including the remarks of others, it ought not be permitted. The Chair did say that he had no doubt that if a gentleman requested leave to print other remarks or papers pertinent to the subject in hand he would get the permission desired.

The Chair will add that the object of this understanding, as it occurs to the Chair, is to keep the RECORD free from newspaper clippings, editorials, letters, and things that have nothing to do with matters of legislation.

Mr. BANKHEAD. Mr. Speaker, naturally following that statement, which I think is well understood by all of the Members of the House present, hereafter if there should be any violation of that rule as laid down by the Chair, whether intentional or otherwise, it would naturally follow that it would be the proper procedure to expunge such extraneous matter?

The SPEAKER. For the present the Chair would not go so far as to say that, since the House should determine that question. Speaker Carlisle held that it is for the House to pass on an alleged abuse of leave to print and not the Speaker.

Gentlemen ought to live up to this understanding, and perhaps the occurrence of these incidents will be avoided.

Mr. KIESS. Mr. Speaker, would it not be wise for Members desiring to insert in the RECORD extraneous matter that they should offer a resolution, which would be referred to the Committee on Printing, of which I am the chairman? I do not mean their own remarks, but newspaper clippings and matters outside.

The SPEAKER. The Chair hopes that gentlemen who ask for leave to extend their remarks on general subjects or matters not delivered here in the immediate discussions in the House will ask leave in the House and not in Committee of the Whole.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 74. Authorizing and requesting the President to extend invitations to foreign governments to be represented by delegates at the International Congress of Soil Science to be held in the United States in 1927.

The message also announced that the Senate had passed the following order:

Ordered, That the joint resolution (H. J. Res. 131) authorizing the Federal Reserve Bank of New York to invest its funds in the purchase of a site and the building now standing thereon for its branch bank at Buffalo, N. Y., be returned to the House of Representatives in accordance with its request.

The message also announced that the Vice President had appointed Mr. SMOOT and Mr. SIMMONS members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Treasury Department.

ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

S. 122. An act granting the consent of Congress to the Iowa Power & Light Co. to construct, maintain, and operate a dam in the Des Moines River;

S. 3173. An act granting the consent of Congress to the State roads commission of Maryland, acting for and on behalf of the State of Maryland, to reconstruct the present highway bridge across the Susquehanna River between Havre de Grace, in Harford County, and Perryville, in Cecil County; and

S. J. Res. 44. Joint resolution authorizing the Federal Reserve Bank of New York to invest its funds in the purchase of a site and the building now standing thereon for its branch office at Buffalo, N. Y.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. FUNK. Mr. Chairman, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10198, the District of Columbia appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from New Jersey [Mr. LEHLBACH] will please take the Chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10198, the District of Columbia appropriation bill, with Mr. LEHLBACH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10198, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 10198) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1927, and for other purposes.

The CHAIRMAN. The Clerk will proceed with the reading of the bill for amendment.

The Clerk read as follows:

For expenses attending the execution of writs de lunatico inquirendo and commitments thereunder in all cases of indigent insane persons committed or sought to be committed to St. Elizabeths Hospital by order of the executive authority of the District of Columbia under the provisions of exising law, including personal services, $8,000.

Mr. BLANTON. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 60, line 23, strike out the paragraph.

Mr. BLANTON. Mr. Chairman, the committee is authorizing the expenditure of $8,000 in connection with the commitment of mental defectives to St. Elizabeths Hospital "by executive order." Are they committed to St. Elizabeths Hospital "by executive order" or by a proper commitment from a court?

Mr. MADDEN. They are committed in pursuance of law. This paragraph has to do with the dependents of the District, who are admissible to St. Elizabeths Hospital because of prior determination of their mental condition. That is the medium through which we can keep track of those for whom the District must pay.

Mr. BLANTON. I see my colleague from Florida [Mr. GREEN] on the floor. He has been trying for several days to get one of the Commissioners of the District, who happens to be guardian for a Florida soldier out here in St. Elizabeths, to waive his rights as guardian and allow the soldier to be transferred home to Florida and let guardianship proceedings take place there.

Mr. MADDEN. That is a different thing. He is trying to get him out.

Mr. GREEN of Florida. I have for more than 12 months.

Mr. BLANTON. He has been trying to get him out for 12 months from under the domination of this commissioner.

Mr. GREEN of Florida. And he refuses to deliver him. The commissioner is his guardian, and he is held in St. Elizabeths Hospital. His father died the other day of a broken heart. He had tried for 12 months to get Commissioner Fenning to deliver the boy down there, where his people could visit him, but he will not do it.

Mr. BLANTON. If lunatics, who are now mentally diseased because they have served as soldiers, are committed to St. Elizabeths Hospital "under executive order" of the commissioners, and one of the commissioners is guardian, then who is it who appoints such commissioner guardian?

Mr. MADDEN. They could not be made guardians except by order of the court.

Mr. GREEN of Florida. I requested information yesterday showing by what authority he was made guardian.

Mr. MADDEN. He was made guardian by order of the court, and he could not surrender that guardianship except by order of the court.

Mr. BLANTON. Does the gentleman know how much remuneration he is receiving monthly for his ward?

Mr. MADDEN. It is a question now of proceeding under the law. The gentleman from Florida has tried to get the commissioner to surrender a responsibility that is fixed upon him by law, is he not? That is what the gentleman is trying to get the commissioner to do.

Mr. DYER. Will the gentleman from Texas yield?

Mr. BLANTON. Yes.

Mr. DYER. Neither the commissioner nor the Board of Charities can commit anybody to St. Elizabeths. That must be done by court order.

Mr. BLANTON. That was my idea of the law, and what should be required. That is what I want to find out definitely from the Committee on Appropriations, which delves into every subject and knows all about everything.

Mr. MADDEN. They do not commit. They simply pay for the indigents who are sent there.

Mr. BLANTON. I have some information for the gentleman.

Mr. MADDEN. That will be fine.

Mr. BLANTON. The other day the judge of the juvenile court testified before our committee emphatically that policemen in Washington have the authority to commit people to St. Elizabeths Hospital without an order of court.

Mr. DYER. That is not true.

Mr. BLANTON. Of course, it should not be true, and I questioned the assertion at the time. Judge Sellers, of the juvenile court, testified to that emphatically before our committee. I questioned that statement and she insisted that she knew what she was talking about.

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

Mr. BLANTON. Mr. Chairman, this is an important matter, and I ask for five minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. MADDEN. We ought not to take these random statements from anybody. The gentleman from Florida [Mr. GREEN] is a Member of the House for whom I have the greatest possible respect, but he will not insist that because he makes a demand for the surrender of the guardianship of the commissioner over the person of an insane patient at St. Elizabeths that therefore that guardianship should be surrendered.

Mr. GREEN of Florida. I have been trying to do that for 12 months and it has been a long-drawn-out case. No longer ago than yesterday, or day before yesterday, I wrote a letter saying that unless this man was transferred to this hospital and unless I had the written consent of the guardian for the transfer, I would invoke the power of Congress to get the transfer.

Mr. MADDEN. I do not think the gentleman could invoke the power of Congress, because Congress has no jurisdiction in the premises.

Mr. GREEN of Florida. Probably not; but there should be some power to get this boy down there.

Mr. BLANTON. That is far afield. The point I am getting at is that in this bill we are furnishing $8,000 for personal services in committing lunatics to St. Elizabeths "under executive order of the commissioners."

Mr. MADDEN. That is not the case.

Mr. BLANTON. That is what the bill says. I want to read what the bill says, because I am not mistaken about this. Here is what the bill says:

For expenses attending the execution of writs de lunatico inquirendo and commitments thereunder in all cases of indigent insane persons committed or sought to be committed to St. Elizabeths Hospital—

Listen. I want the chairman to listen to this—

by order of the executive authority of the District of Columbia under the provisions of existing law, including personal services, $8,000.

That shows that my statement is absolutely correct.

Mr. SIMMONS. Will the gentleman yield?

Mr. BLANTON. In just a moment. I want to get this thing straight and then I will yield.

Mr. SIMMONS. I am trying to straighten it out for the gentleman.

Mr. BLANTON. The gentleman can get his own time in a moment.

I want to submit to my colleagues, in the first place, that there should be no "executive-order commitments."

It should be done only by order of court, and no policeman should have any authority to make a commitment, and no commissioner ought to have the authority to make a commitment.

The second observation I want to make is that no commissioner of this District ought to be appointed guardian for any lunatic and receive a single dollar of remuneration. They receive a salary of $7,500 per annum and are supposed to give the District all of their time.

Mr. GIBSON. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. GIBSON. I wish to ask the gentleman whether he knows for how many people the commissioner to which the gentleman refers is guardian already?

Mr. BLANTON. I yield to my distinguished friend from Vermont to tell us.

Mr. GIBSON. I am informed he is guardian for a great many, in cases situated as the case to which the gentleman from Florida refers.

Mr. BLANTON. And, approximately, what do his fees amount to per year for these cases?

Mr. GIBSON. I do not know. I have no personal knowledge.

Mr. BLANTON. What is the gentleman's information about that?

Mr. GIBSON. Several thousand dollars.

Mr. BLANTON. That is the reason I rose. There is more in this than the gentleman from Illinois [Mr. MADDEN] imagines.

Mr. MADDEN. If there is anything wrong——

Mr. BLANTON. And I want to say here that this commissioner has no right to have himself appointed guardian for poor soldier boys who happen to be in St. Elizabeths and hold them here while their fathers are perhaps dying at home in Florida, and at the same time receive several thousand dollars a year as my colleague from Vermont says he is doing. If he is doing that, it ought to be stopped.

Mr. MADDEN. If the gentleman will permit, let me make this suggestion: If he is doing that, he ought to be put out of his office.

Mr. BLANTON. That is what our colleagues from Florida and Vermont indicate he has done, and I hope the committee will find out something about it.

Mr. MADDEN. We will.

Mr. BLANTON. Good; I know the gentleman means just what he says, and having accomplished what I desired, I am going to yield the floor.

I withdraw the amendment, Mr. Chairman.

The CHAIRMAN. Without objection, the amendment is withdrawn, and the Clerk will read.

There was no objection.

The Clerk read as follows:

WORKHOUSE AND REFORMATORY

Salaries: For personal services in accordance with the classification act of 1923, $14,050.

Mr. SIMMONS. Mr. Chairman, I move to strike out the last word. If the committee will bear with me, I wish to discuss the matter that has just been raised by the gentleman from Texas [Mr. BLANTON]. The provision there regarding the question of committing men to St. Elizabeths by Executive order is subject to the provision of existing law. The existing law is this—I am reading from section 8847 of the United States Statutes, Barnes Federal Code of 1919:

All indigent insane persons residing in the District of Columbia at the time they become insane shall be entitled to the benefits of the hospital for the insane and shall be admitted on the authority of the Secretary of the Interior, which he may grant after due process of law showing the person to be insane and unable to support himself and family, or himself if he has no family, under the visitation of insanity.

So your Executive order is made by the Secretary of the Interior following an order of court. This provision provides for their commitment under existing law.

Mr. BLANTON. Will the gentleman yield?

Mr. SIMMONS. I yield the floor.

The Clerk read as follows:

WORKHOUSE

For personal services in accordance with the classification act, 1923, $70,240.

Mr. GIBSON. Mr. Chairman, I move to strike out the last word.

There has been for a long time a great deal of discussion on the floor of the House and in the press concerning the relations between the District of Columbia, the Congress, and the Government of the United States.

I wish to call the attention of the committee to a very peculiar and significant fact concerning the Constitution of the United States. There is no clause in the Federal Constitution, except one, where unnecessary words are used, not only once but twice, for the sole purpose of emphasis, and that is the clause relating to the government of the District of Columbia, Article I, section 8, paragraph 17, which says, in part:

The Congress shall have power to * * * exercise exclusive legislation in all cases whatsoever. * * *

If this clause had stopped with the words "exclusive legislation," that alone would have been sufficient. Instead of stopping, it added the words "in all cases." If the framers had stopped here, the clause would have been doubly emphatic, but in addition to all this they added the word "whatsoever," thereby repeating the provision for the third time, manifestly for no purpose whatever, except to make it perfectly and absolutely clear and unquestionable.

Nowhere else in the Constitution is pains taken to emphasize a particular power, the reason here being that the Federal Government having found itself in Philadelphia and other places without power to establish, respect, or to protect itself from intrusion by this paragraph asserted three times the right to establish a territory absolutely governed by the Federal Constitution.

The pro forma amendment was withdrawn.

The Clerk read as follows:

DISTRICT TRAINING SCHOOL

For continuing construction of the home and school for feebleminded persons, as authorized by the District of Columbia appropriation act approved February 28, 1923, by day labor or otherwise as the commissioners may consider to be most advantageous to the District of Columbia, $100,000; for personal services in accordance with the classification act of 1923, $25,000; for maintenance and other necessary expenses, including the maintenance of nonpassenger-carrying motor vehicles and the purchase and maintenance of horses and wagons, $45,000; in all, $170,000.

Mr. KETCHAM. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to proceed for five minutes out of order.

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

There was no objection.

Mr. KETCHAM. Mr. Chairman and gentlemen of the committee, I have asked for this five minutes to call your attention to what I believe is a very bad situation that we faced yesterday, and to my mind a very wrong decision that we reached, and to give notice that when the proper time comes I shall ask for a separate vote on the so-called Funk amendment, by which we absolutely close the door to further school attendance in the District of over 3,000 young people. To that amendment I want to direct my remarks for the time allotted. I did not discuss it yesterday for the reason that I did not have at hand the information I believed could be obtained and which, in my opinion, shows that the decision reached on that amendment was a wrong one.

Mr. BEGG. Will the gentleman yield?

Mr. KETCHAM. Yes; although I have but five minutes.

Mr. BEGG. Will the gentleman give us some arguments as to why the District of Columbia taxpayers should pay for the education of children in Virginia and Maryland?

Mr. KETCHAM. I will if the gentleman will protect me as far as time is concerned. I think the information I have secured is interesting, and I will be glad to have Members follow it closely.

In the first place, may I correct the impression that by our vote yesterday we are going to do something of great benefit to the taxpayers of the District of Columbia. I think the taxpayers of the District of Columbia would through their organization, the Parent Teachers Association, go on record in favor of the Funk amendment if they felt that their pocketbooks were to be unduly affected in any way by the arrangement we have at the present time. However, to the contrary, within three days at a meeting of the District Parent Teachers Association a resolution was passed unanimously requesting that the situation remain as it is and that the so-called Funk amendment, or any other proposition to do what the Funk amendment attempts to do, should not be passed by Congress. Surely no fair-minded person will say that at least these outside communities should not be given a chance to prepare for the emergency this amendment creates.

Now, I want to direct your attention to the group of young people who will be affected if the Funk amendment remains in the bill. There are, as has been stated, 3,057 young people who come in here from the outside. I find that a larger proportion of these young people than we would expect are not attending the elementary schools but are going to the high schools. Forty per cent of the 3,057 attend the high schools. If we pass this amendment, their opportunity is very largely closed for the simple reason that high schools are not available in the sections affected by the Funk amendment, and before such facilities could be provided these young people would have passed high-school age.

Mr. SIMMONS. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. SIMMONS. How many are in the high schools does the gentleman say?

Mr. KETCHAM. Twelve hundred and eighteen out of the total group of 3,057 attend the high school.

Mr. CONNALLY of Texas. And how many are sons and daughters of employees of the District of Columbia?

Mr. KETCHAM. A large percentage are sons and daughters of employees of the United States Government. Now, here is a point I want to drive home, and I do not want you to miss it. These parents are not residents of Maryland and Virginia, but residents of Michigan, residents of Missouri, residents of California, residents of Texas and Illinois. Hundreds of them retain their voting status in the home States, and in supporting the Funk amendment you are voting against large numbers of your own people.

Mr. FUNK. The gentleman knows that the language in the bill is not "reside" but it is "dwell."

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

Mr. KETCHAM. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KETCHAM. It is undoubtedly true that they dwell there, but I maintain, nevertheless, that a very high percentage of the parents are voters back in the States where you live. Probably a thousand of those 1,218 young high-school children are going to be thrown out with no opportunity to go to a high school if the Funk amendment stays. When the parents read the story of your action taken yesterday in the House I want to say that some gentlemen within the sound of my voice are going to receive a letter—I do not believe it will be an unkind letter, but it will direct attention to this point: Has it come to the point in the United States that we close the door of opportunity to these young men when by the payment perhaps of just a small fraction of a cent per District taxpayer these young students can be given the opportunity they ask to have? I doubt if there is a taxpayer in the District of Columbia owning an ordinary priced home who has in his pocket a coin small enough to indicate what extra he would have to pay by reason of the fact that these young people come in from the outside and attend the schools of the District.

Mr. Chairman, I am speaking from the heart, because I know a bit about what the ambitions of these young people are, and I beseech you gentlemen to forget for a moment this idea of economy, with which I am generally in hearty accord, because it falls completely in the face of the larger demands that ought to reach our hearts and minds, as we determine what should be done in regard to this drastic amendment. [Applause.]

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. BLANTON. Does the gentleman know that 20 per cent of the Government workers who live in the city of Washington and who dwell in Washington are home owners here, that they are taxpayers, and that the gentleman favors taxing them not only to send their own children to school but to send to school the children of people who live in Maryland and in Virginia also?

Mr. KETCHAM. Mr. Chairman, in reply to that suggestion, I am accepting the declaration of these very same individuals as represented by 5,000 members of their parent-teachers' association when, by a unanimous vote, they recently declared in favor of leaving the situation as it is at the present time.

A contract, if you please, if not in words, then by implication, has been written with the fathers and mothers of these young people that high-school opportunities will be accorded to their children as one of the conditions of their service to the United States Government, and I say to you that by the action we propose in the adoption of the so-called Funk amendment, we abrogate that contract, and we do it without notice. Has it come to the time when we shall take such drastic and summary action as that? All other consideration aside, the present arrangement has been the law for 30 or 40 years, and to change it will require a complete and immediate readjustment that virtually means the end of high-school privileges for a large number of the 1,218 young people now enjoying them.

I have used these few minutes to make this plea, and I thank the chairman of the committee for his courtesy in not objecting to my proceeding out of order. My only explanation of the reason why I did this this morning and not yesterday is that I did not have at hand the data that I have secured since that time, and therefore asked the opportunity to address the committee to-day.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. CONNALLY of Texas. Is it not true that a lot of gentlemen who all the rest of the time are yelling and howling about the District not paying enough taxation and because we are appropriating $9,000,000 for the District of Columbia, are now concerned about the poor, downtrodden taxpayer of the District?

Mr. KETCHAM. Exactly so. I call attention again to the statement that I do not believe any man who has an ordinary home of the value of $10,000 can pick out of his pocket a coin small enough to measure the amount of extra school taxes he would have to pay on account of this infinitesimal increase in the teaching force. [Applause.]

Mr. SIMMONS. Mr. Chairman, this proposition is purely a question of fair play to the people whose dollars pay for running the schools of the District of Columbia. I am one of those who feel that the Government of the United States is paying more than its fair share of the cost of running the District government, but that is no reason why I should willingly allow the taxpayers of the District to pay burdens that are not rightly theirs. That is the situation here.

Reference has been made to the resolution of the Parent-Teachers' Association. That ought to be stated fairly to the House. The Parent-Teachers' Association asks that the situation remain in statu quo for the coming year—not indefinitely; and the reason is well grounded—that probably it is going to make it a bit difficult for some of these outlying school districts to construct school buildings. But your Appropriations Committee tried to make it possible for these children to continue in school, but the Members of Congress who are opposed to this amendment prevented us from allowing them to come into the schools.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman yield?

Mr. SIMMONS. I can not yield now.

Mr. CONNALLY of Texas. I yielded to the gentleman yesterday.

Mr. SIMMONS. The gentleman refused to yield also.

Mr. CONNALLY of Texas. I refused to yield only once. I yielded a number of times to the gentleman.

Mr. SIMMONS. Mr. Chairman, there is nothing in the law anywhere that the Government of the United States has the right to or can guarantee a free education in the District of Columbia to anyone who does not dwell here. That is the law in every State of the Union, and it ought to be the law in the District of Columbia.

Mr. BEGG. Mr. Chairman, I move to strike out the paragraph. I realize that the paragraph to which these remarks are addressed has gone by. The gentleman from Michigan [Mr. KETCHAM] made a very sentimental and a very fine speech. I do not believe there is a taxing unit in the United States that permits outside pupils free education in that taxing unit. I do not believe that it is economically sound; I do not believe it is legal. I do not believe that any responsibility exists upon the part of the United States Government to the children of any of its employees to see to it that they have a free education if that employee sees fit to go outside the jurisdiction of the government of the District.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. BEGG. I can not yield at this moment. There is not a Government position being filled to-day by any man that can not be filled by three applicants if that man does not want to continue in the service of the Government. To hear the gentleman from Michigan talk, one might conclude that the Government had drafted these people and brought them down here and compelled them to stay in the Government service and live in the District of Columbia if they wanted their children educated. To be compelled to struggle a little bit to get an education is not the worst disaster that can hit a youth to-day. [Applause.] If there is any moral obligation on the part of the Government of the United States or of the District of Columbia to furnish free education to 3,000 pupils outside the District, that same moral obligation extends to 300,000 or 400,000 children.

There is not any more right or any more legal obligation on the District of Columbia to educate the children of Maryland and Virginia free than there is the children of Ohio. The same taxing power lies on the citizenship of Ohio as lies on the citizenship of Maryland and Virginia, and when it is all said and done the citizenship in Maryland and Virginia are fortunate, indeed, to have an employing power as big as the United States Government right at their front door.

Mr. RANKIN. Now, will the gentleman yield?

Mr. BEGG. I will yield.

Mr. RANKIN. The gentleman said a while ago he did not know of any tax unit in the United States that extended free schools to children outside its jurisdiction. I ask the gentleman if he knows of any tax unit in the United States that gets a contribution from the United States Government as does the District of Columbia?

Mr. BEGG. I will answer that. Every taxing unit in the United States does, and if the gentleman wants to be technical and general at the same time, there is no tax unit in the United States like the District of Columbia. Every unit which is an exceptional political unit requires exceptional treatment in the way of legislation, but certainly there is no argument in the world why the District of Columbia taxable property should pay for the education of people paying taxes in another political subdivision like any State.

Mr. KETCHAM. Will the gentleman yield?

Mr. BEGG. I will yield.

Mr. KETCHAM. I want the gentleman's attention directed particularly to the group of pupils for whom I was pleading, namely, the high school young people, with particular attention directed to the fact that the high-school facilities are not provided for those for whom I plead and can not be built.

Mr. BEGG. The answer is this. The friends of the children living in Virginia and Maryland—if my time is about to expire I ask for one additional minute to answer the question.

The CHAIRMAN. The gentleman asks to proceed for one additional minute. Is there objection? [After a pause.] The Chair hears none.

Mr. BEGG. If the children outside of the District want to continue in high school and if by the extension of this amendment the door is closed, then those who by a point of order kept out the provision opening the door are responsible and not the Congress.

Mr. CONNALLY of Texas. Mr. Chairman, I ask to be permitted to address the committee for five minutes.

Mr. FUNK. Mr. Chairman, I rise in opposition to the amendment.

Mr. RANKIN. Mr. Chairman, the gentleman from Texas was recognized.

Mr. FUNK. A parliamentary inquiry.

The CHAIRMAN. The Chair will say that all this was out of order and by unanimous consent.

Mr. FUNK. I ask unanimous consent to proceed out of order for five minutes.

Mr. CONNALLY of Texas. That is my request; I am not insisting——

The CHAIRMAN. The Chair recognizes the gentleman from Texas for five minutes.

Mr. CONNALLY of Texas. My request was to be permitted to address the committee for five minutes.

The CHAIRMAN. The Chair recognizes the gentleman.

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of the committee, the gentleman from Nebraska [Mr. SIMMONS] a few moments ago refused to yield to the gentleman from Texas, which he had a perfect right to do, and I then addressed some side-bar remarks to the gentleman and stated that I yielded to him a number of times on yesterday. The gentleman had not yielded to me and I had no right to make those side-bar remarks. Now that I have the right to make remarks I will say I yielded to the gentleman from Nebraska on yesterday repeatedly and after so doing the gentleman requested that I yield again and I declined for the moment. I was in the midst of a statement, and when the gentleman from Nebraska asked me to yield I desired to complete the statement and intended to yield later. The gentleman thereupon insisted upon interjecting at that point some remarks, which, of course, he had no right to do under the rules of the House, and when the gentleman saw fit to renew his request——

Mr. SIMMONS. Will the gentleman yield?

Mr. CONNALLY of Texas. Not just for the moment. [Laughter.] I have a very high regard for the gentleman personally, and I regret that when some gentlemen are elevated to high positions in the House and have a right to flatter themselves by reason of being able to obtain that position, though their service is short, they sometimes get the impression because of that position that they have a right to demand that every gentleman yield to them repeatedly, but that they in turn are under no obligation to reciprocate the courtesy which legislative comity would suggest that they in turn yield occasionally to somebody else. I now yield to the gentleman from Nebraska. [Laughter.]

Mr. SIMMONS. If I understand the gentleman's statement correctly, the gentleman contends that I violated the rules yesterday by interjecting a statement into his statement when he did not yield. I understand the gentleman admits that he has done that same thing this morning, so that it is a 50-50 proposition, and we are even. [Laughter.]

Mr. CONNALLY of Texas. I thought that the gentleman, who occupies such a prominent position on the Committee on Appropriations, which sometimes assumes authority to trench upon the rights of other committees, would not count that against me when he reflects that I was only following in his footsteps of yesterday in that regard. [Laughter.]

The gentleman from Ohio [Mr. BEGG], in his clear-cut and forcible manner, undertakes to lay down the proposition that the right to demand admittance to the schools of the District ought to be based upon the practice of local taxing districts in the States and from the standpoint of taxation. If everyone who wanted to attend the schools of the District of Columbia had to exhibit his tax receipt and show what tax his father is paying before he could be admitted to our schools, we would thereby close the door of opportunity to some of the brightest young people in the country. There are thousands of children, no doubt, whose parents pay no taxes. The fact is that the District of Columbia presents a rather unusual and extraordinary situation. As to those men who live on the outskirts of the District, what do they do? They work here in the District of Columbia for the Government of the United States. They spend their money here in the District of Columbia. Their earnings make a part of the commerce and traffic which makes this place a city. Their being here puts a higher valuation on the business property on which taxes are levied to maintain the District government. Their earnings are spent here; and I say, gentlemen, that if they are working here in the District of Columbia for the United States Government and living over the edge of the District line in Maryland, what right has the Congress to say that Maryland or Virginia should educate their children free, when the parents of those children are here because they are working for the Government of the United States? They spend their money in the District, and not in Maryland or Virginia. Their money helps to make Washington prosperity.

Mr. FAIRCHILD. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. FAIRCHILD. There is no essential difference, is there, between the parents of children who live just outside of Washington and earn their living in the District of Columbia and those who live in any community just outside the city limits, as is the case in New York?

Mr. CONNALLY of Texas. There is a distinction, but I have not time to enter into it. The Government pays $9,000,000 annually toward the expenses of the District.

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

Mr. FUNK. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FUNK. Mr. Chairman, in the first place, this amendment about which we have been talking is referred to as "the Funk amendment." It is not the Funk amendment. The Funk amendment proposed that children living outside of the District of Columbia may be admitted for instruction in the Washington schools upon payment of tuition. But gentlemen opposed that, and made a point of order against it, and the point of order was sustained, and this amendment was then offered. So that you will know what we are considering, this is the amendment adopted—

> that no part of the appropriation herein made for the public schools of the District of Columbia shall be used for the instruction of pupils who dwell outside of the District of Columbia.

Now, Mr. Chairman, I am not so much interested in the financial or money side of this question as I am interested in the fact that there are inadequate facilities in the schools of Washington for the children of the people who reside and dwell in Washington. I will read you just two or three sets of figures on that point. In our hearings we asked Doctor Ballou, the superintendent of schools, about the insufficency and inadequacy of the schoolroom facilities. We asked him how many portables were now being used and occupied. He answered, "76." You gentlemen know what portables are. They are little temporary wooden shacks put in the school yards to supplement the inadequate school facilities. There are 76. Then the question was asked of Doctor Ballou, "How many rented rooms do you have?" The answer was "26." We asked him how many undesirable rooms, and he answered, "27." We asked him, "How many over-sized classes have you?" and his answer, "It would take 51 classrooms to reduce our classes to 40 pupils that are run with over 40 pupils enrolled now." Then we asked him, "How many part-time classes have you?" His answer was that it would take 127 rooms to correct the overtime and part-time class situation, and the total is 307 rooms. At 40 pupils to a room, that is

12,280 pupils out of a total enrollment of 70,000 that do not have adequate and proper classroom facilities.

There are 3,057 pupils who dwell outside of the District of Columbia who come in here and receive instruction. And here is the testimony and the statement of the superintendent of schools, that 12,000 pupils to-day have not adequate housing and schoolroom facilities.

Gentlemen, it is a practical question. It is not a question whether it costs $300,000—and it does, for salaries alone—to instruct these 3,000 pupils who come in from the outside, but it is a fact that those 3,000 pupils occupy the equivalent of ten 8-room school buildings.

Now, there has been a tremendous demand by the people of Washington for this comprehensive school program, to build sufficient schools, and what do we find? We find pupils coming in from the outside and ousting or taking the places of pupils who ought to be taken care of here to the extent of 12,000 pupils who are not now being properly taken care of.

Mr. KETCHAM. Mr. Chairman, will the gentleman yield there?

Mr. FUNK. Yes.

Mr. KETCHAM. I know that the gentleman wants to be perfectly fair.

Mr. FUNK. I try to be.

Mr. KETCHAM. Are you not putting undue emphasis on the fact that there is a shortage of facilities, conceding that if these 3,057 pupils were accommodated elsewhere there would be any room now occupied that otherwise would be closed?

Mr. FUNK. There are 400 pupils in the Takoma Park School alone from over the border, and people of the District are clamoring for admission for their children who are not able to get it.

Mr. KETCHAM. You pick one school out from all the number.

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

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois may proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BLANTON. Will the gentleman yield?

Mr. FUNK. Yes.

Mr. BLANTON. The gentleman has been asked about those who live just outside of the District in Maryland and Virginia. There are many people who work in the District of Columbia, both for the District of Columbia and for the Federal Government and commercially, who live in Baltimore and commute here every day between here and Baltimore on the train. Do we not owe just as much to them who live in Baltimore to educate their children here as we do to those just outside of the District?

Mr. FUNK. I should think so.

Mr. BLANTON. It is the same principle.

The Clerk read as follows:

ANACOSTIA RIVER AND FLATS

For continuing the reclamation and development of Anacostia Park, in accordance with the revised plan as set forth in Senate Document No. 37, Sixty-eighth Congress, first session, $170,000, of which amount not more than $25,000 may be expended above Benning Bridge in the acquirement of necessary land.

Mr. SIMMONS. Mr. Chairman, I ask unanimous consent to return to page 75 for the purpose of offering a committee amendment.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to return to page 75 for the purpose of offering an amendment. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SIMMONS: Page 75, line 15, after the figures "$25,000," strike out the remainder of the paragraph and insert in lieu thereof the following: "shall be available immediately and remain available until July 1, 1928, for the purchase of necessary land above Benning Bridge: *Provided*, That the purchase price of any site or sites acquired hereunder shall not exceed the full-value assessment last made before purchase thereof plus 25 per cent of such assessed value."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

NATIONAL CAPITAL PARK COMMISSION

For each and every purpose requisite for and incident to the work of the National Capital Park Commission as authorized by the act entitled "An act providing for a comprehensive development of the park and playground system of the National Capital," approved June 6, 1924, including personal services in the District of Columbia in accordance with the classification act of 1923, and personal services of temporary per diem employees at rates to be fixed by the commission not in excess of current rates for similar employment in the vicinity, not to exceed $33,000, and for printing and binding not to exceed $200, $600,000, to be available immediately and to remain available until expended: *Provided*, That the purchase price to be paid for any site shall not exceed the latest full-value assessment of such property plus 25 per cent of such assessed value.

Mr. SIMMONS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SIMMONS: On page 78, line 4, after the word "the," strike out the remainder of the paragraph and insert in lieu thereof the following: "Full-value assessment of such property last made before purchase thereof plus 25 per cent of such assessed value."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

NATIONAL ZOOLOGICAL PARK

For roads, walks, bridges, water supply, sewerage, and drainage; grading, planting, and otherwise improving the grounds, erecting and repairing buildings and inclosures; care, subsistence, purchase, and transportation of animals; necessary employees; incidental expenses not otherwise provided for, including purchase, maintenance, and operation of one motor-propelled passenger-carrying vehicle to cost not exceeding $750 required for official purposes, not exceeding $1,000 for purchasing and supplying uniforms to park police, not exceeding $100 for the purchase of necessary books and periodicals, and exclusive of architect's fees or compensation, $171,139.

Mr. SIMMONS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SIMMONS: Page 78, line 18, strike out "$171,139" and insert in lieu thereof "$173,199."

Mr. SIMMONS. Mr. Chairman, I think I ought to explain to the House the purpose of this amendment and one or two that will immediately follow. The committee went into the question of the buildings at the zoo and into the question of the foulness of the air in the animal buildings. This amendment and the amendments which immediately follow provide for the purchase of ozone machines to purify the air in those buildings and the operation of them.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

WATER SERVICE

For continuing work on the project for an increased water supply for the District of Columbia, adopted by Congress in the Army appropriation act for the fiscal year 1922, as modified by the District of Columbia appropriation acts for the fiscal years 1923 and 1924, and as further modified by the report submitted to Congress by the Secretary of War December 4, 1923, and for each and every purpose connected therewith, to be available immediately and to remain available until expended, $1,500,000: *Provided*, That no bid in excess of the estimated cost for that portion of the work or plant covered by the bid shall be accepted, nor shall any contract for any portion of the work, material, or equipment to constitute a part of the plant for which this appropriation is available be valid unless the Chief of Engineers of the United States Army shall have certified thereon that all its terms are within the requirements of the authorization and the revised estimates for the work.

Mr. GRIFFIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GRIFFIN: Page 79, line 9, after the word "of," strike out the words "Engineers of the United States Army."

Mr. GRIFFIN. Mr. Chairman, I move to strike out the words "Engineers of the United States Army," because I want to take advantage of the opportunity to say a few words on a

matter that is pending before them, namely, the deep-waterway canal projects.

I have a letter from Gov. Alfred E. Smith, of the State of New York, which goes very extensively into the merits of the subject. It presents his view of the various plans for a deep-waterway canal and advocates, much better than I could, an all-American deep-waterway canal from the Lakes to the sea. I want to take advantage of this opportunity, if there is no objection, to put Governor Smith's letter in the RECORD.

The CHAIRMAN. The Chair declines to entertain the request for the extension because the extension is in no way relevant to the subject matter of the bill under discussion. According to the statement of the Speaker, made in the House this morning, such requests are not properly made in committee, but should be made in the House, and the Speaker suggested that such requests be not entertained by Chairmen of the Committee of the Whole. The gentleman should withhold his request and make it when we are in the House, and not in the committee when it is considering specific legislation that is being read for amendment.

Mr. GRIFFIN. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

SEC. 2. That the services of draftsmen, assistant engineers, levelers, transitmen, rodmen, chainmen, computers, copyists, overseers, and inspectors temporarily required in connection with sewer, street, street-cleaning or road work, or construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations may be employed exclusively to carry into effect said appropriations when specifically and in writing ordered by the commissioners, and all such necessary expenditures for the proper execution of said work shall be paid from and equitably charged against the sums appropriated for said work; and the commissioners in their budget estimates shall report the number of such employees performing such services, and their work, and the sums paid to each, and out of what appropriation: *Provided*, That the expenditures hereunder shall not exceed $20,000 during the fiscal year 1927.

Mr. COLLINS. Mr. Chairman, I have an amendment at the Clerk's desk.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COLLINS: Page 83, line 22, after the figures "1927," insert the following: "*Provided further*, That no person shall be employed in pursuance of the authority contained in this section for a longer period than six months in the aggregate."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 4. The commissioners are further authorized to employ temporarily such laborers, skilled laborers, and mechanics as may be required in connection with water-department work, and to incur all necessary engineering and other expenses, exclusive of personal services, incidental to carrying on such work and necessary for the proper execution thereof, said laborers, skilled laborers, and mechanics to be employed to perform such work as may not be required by existing law to be done under contract, and to pay for such services and expenses from the appropriation under which such services are rendered and expenses incurred.

That any person employed under any of the provisions of this act who has been employed for 10 consecutive months or more shall not be denied the leave of absence with pay for which the law provides.

Mr. FUNK. Mr. Chairman, I move that lines 1, 2, 3, and 4 on page 86 be stricken out.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FUNK: On page 86, strike out the paragraph beginning with line 1 and ending with line 4.

Mr. FUNK. Mr. Chairman, this language has been carried heretofore because it provided leaves of absence for per diem employees. Practically all of the per diem employees who have heretofore been employed throughout the year continuously are now classified under the classification act and there is no further necessity for this provision. We have just adopted an amendment that no person shall be employed in pursuance of the authority contained in this section for a longer period than six months in the aggregate.

Mr. MOORE of Virginia. Mr. Chairman, I rise in opposition to the amendment, not for the purpose of really opposing it, but for the purpose of asking permission to speak out of order for one minute.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to proceed out of order for one minute. Is there objection?

There was no objection.

Mr. MOORE of Virginia. Mr. Chairman, yesterday the gentleman from Nebraska [Mr. SIMMONS] made a statement based upon inaccurate information furnished him to the effect that no kindergarten school could be found in Virginia short of Richmond city.

My information, obtained this morning, which is of a most reliable character, is to the effect that within a distance of about 8 miles of Washington there is such a school maintained in the city of Alexandria. I simply want the RECORD to show that the gentleman's informant was incorrectly advised as to the facts.

Mr. SIMMONS. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. SIMMONS. When was that school established?

Mr. MOORE of Virginia. It has been in operation for some time. I can not tell the gentleman how long.

Mr. CRAMTON. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. CRAMTON. I suppose a good many children of Government employees attend this school. What would the gentleman think of an amendment providing an appropriation for the support of the school?

Mr. MOORE of Virginia. Of course, I do not ask for an appropriation of that sort. I do not ask for any appropriation which I deem unreasonable.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FUNK].

The amendment was agreed to.

The Clerk completed the reading of the bill.

Mr. FUNK. Mr. Chairman, I move that the committee do now rise and report the bill to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LEHLBACH, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee having had under consideration the bill H. R. 10198, the District of Columbia appropriation bill, had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. FUNK. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

Mr. COLLINS. Mr. Speaker, I make the point of order there is not a quorum present.

Mr. BEGG. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, when the following Members failed to answer to their names:

[Roll No. 52.]

Abernethy	Flaherty	Linthicum	Shreve
Aldrich	Foss	Magee, Pa.	Sproul, Ill.
Anthony	Fredericks	Major	Stevenson
Auf der Heide	Free	Martin, La.	Stobbs
Bacharach	Gallivan	Mead	Strong, Pa.
Bacon	Gambrill	Menges	Strother
Barkley	Gilbert	Michaelson	Sullivan
Beck	Golder	Mills	Summers, Tex.
Berger	Goldsborough	Montague	Swartz
Boies	Gorman	Montgomery	Swoope
Bowling	Graham	Moore, Ohio	Taylor, Tenn.
Britten	Green, Iowa	Nelson, Wis.	Thurston
Burton	Hersey	Newton, Minn.	Tillman
Canfield	Hickey	Norton	Timberlake
Carew	Hudson	O'Connell, N. Y.	Tincher
Chapman	Hudspeth	O'Connor, N. Y.	Tinkham
Chindblom	Jacobstein	Parker	Tucker
Christopherson	Jeffers	Parks	Tydings
Cleary	Johnson, S. Dak.	Patterson	Upshaw
Connery	Johnson, Wash.	Peavey	Vaile
Connolly, Pa.	Kendall	Prall	Vare
Corning	Kiefner	Quayle	Voigt
Dempsey	Kindred	Rainey	Walters
Dickstein	Knutson	Ransley	Warren
Dominick	Kunz	Rathbone	Weaver
Doyle	Kurtz	Reece	Weller
Drane	LaGuardia	Reed, N. Y.	Winter
Ellis	Lampert	Sabath	Wood
Fish	Lee, Ga.	Sears, Nebr.	Yates

The SPEAKER. Three hundred and fifteen Members have answered to their names, a quorum.

Mr. BEGG. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. KETCHAM. Mr. Speaker, I demand a separate vote on the so-called Funk amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en grosse.

The amendments were agreed to.

The SPEAKER. The question now recurs on the Funk amendment.

Mr. BLACK of Texas. Mr. Speaker, I ask that the amendment may be reported.

The SPEAKER. Without objection, the amendment will be reported.

The Clerk read as follows:

Amendment offered by Mr. FUNK: On page 39, before the matter appearing in line 12, insert a new paragraph, as follows:

"No part of the appropriations herein made for the public schools of the District of Columbia shall be used for the instruction of pupils who dwell outside the District of Columbia."

The question was taken; and on a division (demanded by Mr. ZIHLMAN) there were—ayes 152, noes 97.

Mr. CONNALLY of Texas. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 153, nays 172, answered "present" 2, not voting 104, as follows:

[Roll No. 53]

YEAS—153

Ackerman	Denison	Johnson, Ind.	Schafer
Adkins	Dickinson, Iowa	Johnson, Ky.	Schneider
Allen	Doughton	Kearns	Scott
Allgood	Driver	Keller	Seger
Andresen	Dyer	Kless	Simmons
Arnold	Elliott	Kincheloe	Snell
Ayres	Esterly	King	Speaks
Bachmann	Fairchild	Kirk	Sproul, Kans.
Bailey	Fish	Knutson	Stalker
Bankhead	Fitzgerald, W. T.	Leavitt	Stephens
Barbour	Fort	Lehlbach	Stobbs
Beck	Frear	Letts	Strong, Kans.
Beedy	Freeman	Lineberger	Sweet
Begg	French	Lozier	Taber
Bixler	Frothingham	Luce	Taylor, Colo.
Blanton	Fuller	McLaughlin, Nebr.	Taylor, N. J.
Bowles	Funk	MacGregor	Taylor, W. Va.
Brand, Ohio	Furlow	Madden	Temple
Brigham	Garber	Magee, N. Y.	Thatcher
Bramm	Garner, Tex.	Magrady	Thompson
Bulwinkle	Glynn	Menges	Tilson
Burdick	Goodwin	Michener	Tincher
Burtness	Griest	Miller	Tolley
Butler	Griffin	Mills	Underhill
Campbell	Hadley	Montgomery	Vestal
Carpenter	Hale	Morgan	Vincent, Mich.
Carss	Hardy	Murphy	Voigt
Carter, Calif.	Haugen	O'Connell, R. I.	Wainwright
Carter, Okla.	Hawley	Oliver, Ala.	Walters
Chalmers	Hersey	Porter	Wason
Christopherson	Hill, Ala.	Pratt	Whittington
Clague	Hoch	Ragon	Williams, Ill.
Collins	Holaday	Ramseyer	Williamson
Colton	Hooper	Rayburn	Wolverton
Cramton	Huddleston	Robinson, Iowa	Wurzbach
Crumpacker	Hull, Morton D.	Robsion, Ky.	Wyant
Darrow	Hull, William E.	Rowbottom	
Davis	Irwin	Sanders, N. Y.	
Dempsey	Jenkins	Sandlin	

NAYS—172

Almon	Davey	Hill, Wash.	Mapes
Andrew	Deal	Hogg	Martin, La.
Arentz	Dickinson, Mo.	Houston	Martin, Mass.
Aswell	Dickstein	Howard	Merritt
Beers	Dominick	Johnson, Ill.	Michaelson
Bell	Douglass	Johnson, Tex.	Milligan
Berger	Dowell	Jones	Montague
Black, N. Y.	Drewry	Kahn	Mooney
Black, Tex.	Edwards	Kelly	Moore, Ky.
Bland	Eslick	Kemp	Moore, Ohio.
Bloom	Evans	Kerr	Moore, Va.
Boies	Faust	Ketcham	Morehead
Bowman	Fenn	Kopp	Morrow
Box	Fisher	Kunz	Nelson, Me.
Boylan	Fitzgerald, Roy G.	Kvale	Nelson, Mo.
Brand, Ga.	Fletcher	Lambert	Newton, Minn.
Briggs	Fulmer	Lankford	O'Connor, La.
Browne	Gardner, Ind.	Larsen	Oldfield
Browning	Garrett, Tenn.	Lazaro	Oliver, N. Y.
Buchanan	Garrett, Tex.	Lea, Calif.	Peery
Busby	Gasque	Lindsay	Phillips
Cannon	Gibson	Little	Pou
Celler	Gifford	Lowrey	Quin
Cole	Gorman	Lyon	Rankin
Collier	Green, Fla.	McClintic	Reed, Ark.
Connally, Tex.	Greenwood	McDuffie	Reid, Ill.
Cooper, Ohio	Hall, Ind.	McKeown	Rogers
Cooper, Wis.	Hall, N. Dak.	McLaughlin, Mich.	Romjue
Cox	Hammer	McLeod	Rouse
Coyle	Hare	McMillan	Rubey
Crisp	Harrison	McReynolds	Rutherford
Crosser	Hastings	McSwain	Sabath
Crowther	Hawes	McSweeney	Sanders, Tex.
Cullen	Hayden	Major	Sears, Fla.
Curry	Hickey	Manlove	Shallenberger
Davenport	Hill, Md.	Mansfield	Sinclair
Smithwick	Thomas	Weaver	Wilson, Miss.
Somers, N. Y.	Tillman	Wefald	Wingo
Sosnowski	Underwood	Wheeler	Woodruff
Spearing	Updike	White, Me.	Woodrum
Stedman	Vinson, Ga.	Whitehead	Wright
Summers, Wash.	Vinson, Ky.	Williams, Tex.	Yates
Swank	Watres	Wilson, La.	Zihlman

ANSWERED "PRESENT"—2

Byrns Treadway

NOT VOTING—104

Abernethy	Free	Magee, Pa.	Sproul, Ill.
Aldrich	Gallivan	Mead	Steagall
Anthony	Gambrill	Morin	Stevenson
Appleby	Gilbert	Nelson, Wis.	Strong, Pa.
Auf der Heide	Golder	Newton, Mo.	Strother
Bacharach	Goldsborough	Norton	Sullivan
Bacon	Graham	O'Connell, N. Y.	Sumners, Tex.
Barkley	Green, Iowa	O'Connor, N. Y.	Swartz
Bowling	Hudson	Parker	Swing
Britten	Hudspeth	Parks	Swoope
Burton	Hull, Tenn.	Patterson	Taylor, Tenn.
Canfield	Jacobstein	Peavey	Thurston
Carew	James	Perkins	Timberlake
Chapman	Jeffers	Perlman	Tinkham
Chindblom	Johnson, S. Dak.	Prall	Tucker
Cleary	Johnson, Wash.	Purnell	Tydings
Connery	Kendall	Quayle	Upshaw
Connolly, Pa.	Kiefner	Rainey	Valle
Corning	Kindred	Ransley	Vare
Doyle	Kurtz	Rathbone	Warren
Drane	LaGuardia	Reece	Watson
Eaton	Lanham	Reed, N. Y.	Weller
Ellis	Leatherwood	Sears, Nebr.	Welsh
Flaherty	Lee, Ga.	Shreve	White, Kans.
Foss	Linthicum	Sinnott	Winter
Fredericks	McFadden	Smith	Wood

So the Funk amendment was rejected.

The following pairs were announced:

On this vote:

Mr. Shreve (for) with Mr. Tydings (against).
Mr. Graham (for) with Mr. Gambrill (against).
Mr. Treadway (for) with Mr. Linthicum (against).
Mr. Kurtz (for) with Mr. Canfield (against).

General pairs:

Mr. Vare with Mr. Byrns.
Mr. Purnell with Mr. Barkley.
Mr. Burton with Mr. Carew.
Mr. Wood with Mr. Rainey.
Mr. Aldrich with Mr. Corning.
Mr. Magee of Pennsylvania with Mr. Tucker.
Mr. Bacharach with Mr. Gallivan.
Mr. Ransley with Mr. Warren.
Mr. Chindblom with Mr. Hudspeth.
Mr. Bacon with Mr. Kindred.
Mr. Reed of New York with Mr. Lee of Georgia.
Mr. Sproul of Illinois with Mr. Mead.
Mr. Swoope with Mr. Abernethy.
Mr. Kiefner with Mrs. Norton.
Mr. McFadden with Mr. Prall.
Mr. Free with Mr. Stevenson.
Mr. Patterson with Mr. Gilbert.
Mr. Hudson with Mr. O'Connell of New York.
Mr. Kendall with Mr. Bowling.
Mr. Strong of Pennsylvania with Mr. Weller.
Mr. Rathbone with Mr. Hull of Tennessee.
Mr. Newton of Missouri with Mr. Lanham.
Mr. Morin with Mr. Parks.
Mr. Anthony with Mr. Auf der Heide.
Mr. Welsh with Mr. Cleary.
Mr. Perkins with Mr. Steagall.
Mr. Eaton with Mr. Doyle.
Mr. Golder with Mr. Quayle.
Mr. Green of Iowa with Mr. Chapman.
Mr. Johnson of Washington with Mr. Connery.
Mr. Winter with Mr. O'Connell of New York.
Mr. Timberlake with Mr. Sullivan.
Mr. Parker with Mr. Drane.
Mr. Perlman with Mr. Goldsborough.
Mr. Ellis with Mr. Jeffers.
Mr. Britten with Mr. Jacobstein.
Mr. Johnson of South Dakota with Mr. Upshaw.
Mr. Swing with Mr. Sumners of Texas.
Mr. Smith with Mr. LaGuardia.
Mr. Sinnott with Mr. Peavey.
Mr. Taylor of Tennessee with Mr. Nelson of Wisconsin.

Mr. TREADWAY. Mr. Speaker, I voted "aye," but I find I am paired with the gentleman from Maryland, Mr. LINTHICUM, who would have voted "no." I desire to withdraw my vote and answer "present."

The vote was announced as above recorded.

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

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

LEGISLATIVE APPROPRIATION BILL

Mr. DICKINSON of Iowa. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10425, the legislative appropriation bill, and pending that I ask unanimous consent that the time for general debate be equally divided and controlled by the gentleman from Colorado [Mr. TAYLOR] and myself.

The SPEAKER. The gentleman from Iowa moves that the House resolve itself into Committee of the Whole House on

the state of the Union for the consideration of the legislative appropriation bill, and pending that asks unanimous consent that the time for general debate be equally divided and under the control of himself and the gentleman from Colorado [Mr. TAYLOR]. Is there objection?

There was no objection.

ADJOURNMENT OVER

Mr. TILSON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-morrow, Friday, it adjourn to meet on the following Monday, March 22.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that when the House adjourns to-morrow it adjourn to meet on Monday next. Is there objection?

Mr. BLANTON. Reserving the right to object, and I shall not object, this is the first adjournment over a week end this session. Is it going to continue until the Senate gets through?

Mr. TILSON. We will cross that bridge when we come to it. We have been working on every Saturday and sometimes as late as 6 o'clock, and it seems only fair to give the membership one Saturday to catch up.

Mr. BLANTON. Why should we work so hard when we have to wait for the other body?

Mr. GARRETT of Tennessee. The gentleman does not object to this adjournment, does he?

Mr. BLANTON. No; but why should we work so continuously when we are having to wait for the other body?

The SPEAKER. Is there objection?

There was no objection.

EFFECT OF NEW REVENUE LAW ON AVERAGE TAXPAYER

Mr. McLAUGHLIN of Nebraska. Mr. Speaker, I had the pleasure last evening of listening to a speech by the gentleman from Massachusetts [Mr. TREADWAY] on the provisions of the revenue bill of 1926. I believe the general and statistical information in that speech should be enjoyed by each Member of the House, and I ask unanimous consent that I may print it in the RECORD.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD by printing a speech delivered by the gentleman from Massachusetts [Mr. TREADWAY] over the radio. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Nebraska. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

RADIO ADDRESS BY HON. ALLEN T. TREADWAY, MARCH 17, 1926, VIA WCAP

It is a new experience for me to address an unseen audience, but I am sure it is much larger than my colleague and myself frequently face in the House of Representatives.

Many of to-night's radio audience have very recently filed their income-tax returns under the new revenue act. Each one so filing knows the effect of the law in his individual case, but perhaps has not stopped to consider its general effect upon average citizens of the country. The law was framed for this class of people, and the coupon cutter was not the one considered. As it is probably the most far-reaching of any law enacted since the World War, the revenue act of 1926 is of the keenest interest to the average citizen.

Under the law of 1924, filing returns for that calendar year, there were 4,030,000 income-tax payers. Under the law of 1926 there are 1,790,000. It will therefore be seen that in the reduction of over one-half of the number of income-tax payers the direct effect upon two and one-quarter millions of average citizens is to remove them entirely from the list of Federal income-tax payers. This was brought about through the increase of exemptions from $1,000 to $1,500 for a single man and from $2,500 to $3,500 for a married man without dependents. The increase of earned income from $10,000 to $20,000 also added to the average man's exemption.

There was some criticism over these increased exemptions on the ground that a citizen, even with small income, should have sufficient interest in the affairs of his Government to contribute in a small measure to its running expenses. Congress, however, felt that a fairer basis was the ability to pay, and on this ground materially increased the exemptions. Normal rates were also reduced as well as surtaxes, but these latter do not directly affect the type of taxpayers we are considering to-night.

A few simple illustrations of income-tax figures under the old law and under the new one show very distinctly the effect upon the citizen having an average income.

For instance, a single man with no dependents received $3,000 income, all earned in 1918, and under the law for that year he paid a tax of $120. In 1924, with the same income, he received a reduction to $22.50. Under the new law he has just been obliged to make a return of only $16.88 income tax.

Then consider the married man with no dependents earning $5,000 yearly. Under the 1918 law he paid $180. Under the 1924 law he paid $37.50. But under the 1926 law he will pay but $16.88.

Just one more illustration. A married man with one dependent receives $6,000 yearly, all earned. He paid $228 under the 1918 law. Under the 1924, $46.50, and under the new tax law but $23.62. If this man with the $6,000 salary income is blessed with two children, his tax is still further reduced for 1926 to $19.13.

Although these effects may be generally known through the information conveyed by the press, it is worth while to reiterate them to this audience.

Let me also call attention to a few of the provisions of the law not subject to the type of information the average citizen has received about this measure.

Business people have complained bitterly of the length of time income-tax reports have remained unsettled. Unfortunately there are still in the department unsettled cases of seven or eight years' duration. There are, however, now only a few of these long-time cases, and they involve intricate and disputed legal points. It is hoped that the department will soon have the cases current, and in order to stimulate this condition, the new law provides that cases must be closed within three years of the time of filing returns.

Another administrative detail of great importance has to do with the Board of Tax Appeals. One of the difficulties of governmental activities is the inability to retain in the service thoroughly competent and expert men. The new law gives this board independence of action, long tenure of office, and a salary commensurate with their abilities.

Another, and to my mind one of the most important details of administration, but about which the average citizen perhaps knows the least, is the establishment of a committee composed of five members of the Ways and Means Committee of the House and five members of the Finance Committee of the Senate.

The duties of this committee are defined in section 1203 of the new law. They are "to investigate the operation and effects of the Federal system of internal revenue taxes"; also, the "administration of such taxes by the Bureau of Internal Revenue," and any other matters having to do with the system of taxation. A further duty of the committee is "to investigate measures and methods for the simplification of such taxes, particularly the income tax."

This latter authority will permit the joint committee to report very material reduction of the amount of language and simplification of phraseology. The result will be that the form of return made by the taxpayer will be greatly modified.

The law to-day contains 136 closely printed pages. Taxpayers have always found great fault with the language of the law and the difficulty of making an honest return without the employment of expert accountants or attorneys. If the joint committee is successful in its efforts, the people will be greatly pleased.

This audience may be interested in a little information as to the method of procedure whereby such an act as this becomes law. The chairman of the Ways and Means Committee, Hon. WILLIAM R. GREEN of Iowa, called the members of the committee to Washington the middle of last October.

Open hearings were held for some time, at which suggestions of citizens were received. At the conclusion of these hearings it was found that if the committee had accepted all the suggestions, it would have reduced the Federal revenue by over $500,000,000 without dealing with general provisions or surtaxes. It can therefore easily be seen how impossible it was to favorably act upon all this evidence. The committee took 1,120 pages of closely printed testimony.

Following this the committee received the advice of the Treasury officials and tax experts. It then undertook the rewriting of the bill and presented it to the House of Representatives on the day the session opened, December 7, 1925. The bill passed the House with no material changes on December 18, before the holiday recess, an unprecedented event for a measure of this magnitude. The amount of reductions in the House bill totaled $327,161,000.

A somewhat similar procedure was carried out by the Senate Committee on Finance. Its report called for a reduction of $352,661,000, but as the bill eventually passed the Senate it totaled $456,261,000 reduction. This amount was easily proven much larger than the Treasury could stand.

Final framing of the bill was then undertaken by the committees of conference from both branches. The duty of a conferee is not to advocate his personal views but to insist, as far as may be possible, upon the adoption in conference of the views of the branch he represents. Compromises are therefore inevitable, especially where there is as wide divergence of principle as was involved in this tax measure. The most important matter on which the conferees were separated was the question of a Federal inheritance tax. The result was that the Senate conferees receded and the Federal inheritance tax remained in accordance with the House views.

After much serious consultation and many spirited debates, the conferees of the two branches agreed upon the final bill, carrying a tax

reduction of $387,811,000, which was accepted by the House and Senate. The bill was then sent to the President and was signed by him on February 26, at 10.25 a. m. It is known as the revenue act of 1926.

Permit me now to call attention to two important features. The estimates show a decrease of revenue of $387,811,000. The original recommendation of the Secretary of the Treasury was for a reduction of $300,000,000. It is therefore apparent that in order that there should be no deficit at the end of the fiscal year 1927 Congress must exercise the strictest economy both in the regular appropriations and in any special suggested bills. In anticipation that this act will stimulate business, it is hoped that there will be sufficient revenue to meet expenses. Until this is demonstrated by practical experience, we must exercise especial care in making appropriations.

Further, it is recommended to States and municipalities that they follow the example of Federal economy and tax reduction. The people of the country are overburdened to-day with taxes. It is immaterial to the average man who pays the bills whether the check is made out to the collector of internal revenue, the treasurer of the State, or the tax collector of the municipality in which he lives.

What the people consider in making up their family budgets is the total amount that will appear under the heading "taxes." In order that our citizens may benefit by the reductions in the Federal tax bill, the extravagances of States and municipalities must be stopped. They should practice economy without parsimony so that when the average citizen adds up his taxes for the year, he can find that each of the three divisions of taxation, namely, Federal, State, and municipal, all have shown a progressive reduction.

I also desire to leave this thought with this radio audience—there appears to be a great deal of satisfaction among the people over the enactment of the revenue law of 1926. If it had been poorly done there would be a similar criticism and those responsible for its enactment would be as much blamed as I think we are now being praised. It is therefore fair in the same proportion to give credit to those actually responsible for the enactment of the law. Tax reduction and tax reform were strongly advocated by the administration two years ago. The President in signing the 1924 act said that we had only brought about tax reduction. At the beginning of the preparation of the new law the Secretary of the Treasury reiterated his position of two years ago and urged both tax reduction and tax reform. The new law accomplishes the purpose of the administration.

By tax reform is meant such a change in principles and rates that there will be a greater amount of available capital to use in channels of industry. If time permitted, this change could be extensively enlarged upon.

The President was primarily responsible and he has been aided and assisted by the Republican organization of Congress. Our Democratic friends on the Ways and Means Committee bitterly opposed the suggestions of the administration two years ago. The same men heartily cooperated in the preparation of this act. We are willing to give them such credit as they deserve for their present enlightenment. We nevertheless wonder whether their turn about face was not caused by the fact that at the last election, when the bill of 1924 was one of the campaign issues, President Coolidge received an indorsement of a majority of 7,000,000 of the American people.

They naturally desire to have the present act regarded as a nonpartisan measure. On the other hand, the Republican majority under the able leadership of President Coolidge, actually framed the law and is entitled to appeal to the people of the country for indorsement at the approaching election for the successful writing of this law. We have placed upon the statute books the best tax bill ever written, by which we have brought about both a wise reform of the system of taxation as well as an enormous reduction for the benefit of the people.

THE DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. HILL of Maryland. Mr. Speaker, yesterday we discussed in the House the amendment to the District of Columbia appropriation bill, preventing the children of Government employees who live just outside of the District of Columbia lines from attending the District schools. I strongly opposed such a discrimination. I said:

Why should I, as a Member of Congress, have the right to send my children to the schools of the District free, when my clerk, who, by reason of not having a large salary, lives outside of the District line, can not send his children to the District schools free. What is the rationale of that?

I then offered an amendment, as follows:

For the instruction of children whose parents are employed officially or otherwise in the District of Columbia, regardless of their place of dwelling, $305,700.

A point of order to the amendment was sustained. I have been considering since yesterday the question of the attendance of children from just outside of the District in the District schools, and there are certain considerations which I should like to offer to the House on the question of the proposal in Congress to exclude children of its own and other governmental employees from the District of Columbia schools, which the Federal Government itself helps to support.

Free public schools can only be supported by a public tax. For this and for other public purposes the average taxpayer contributes taxes on two things—on his home and on his business. If he is a farmer, he pays a tax on his farm land as well as on his dwelling house. If he is a storekeeper, he pays a tax on his store. If he works in a factory or on a railroad, he helps the corporation to pay the tax on its business.

At only one place in the United States does this rule not apply. The District of Columbia and its environs have some 60,000 residents who as Government employees work in Government-owned and, hence, tax-exempt buildings. On the theory that every man should bear his just share of taxes the Federal Government and Congress say, in effect, to Washington City, but not to its environs:

We will pay the tax for our employees who live in the District of Columbia and will contribute approximately one-third of the cost of your fire and police departments and one-third of the cost of your schools, but we will extend no such aid to those who live in the suburbs across the District of Columbia line. Formerly we have permitted our employees to send their children free of tuition to the schools which we so liberally support, but now we propose to those of our employees who, because they have large families of children, move out into the open spaces shall receive from us no such aid, no tax from the business in which they are engaged. Live in the congested city and we will protect and educate you, but carry your boys and girls where they may commune with nature, and even though you remain in our employ we shall not assist.

Maryland has no desire that the taxpayers of the District of Columbia nor any other place shall educate its children, but it feels that when the Federal Government brings together a large group of employees in one place it should, in common with any other large employer, aid in educating their children. The mills of the South and of the North and the steel towns of the Middle West all do this, either by establishing schools, which they support direct, or by paying large taxes to the local district for school purposes. Is it fair that the Federal Government should aid in supporting schools only within the confines of the District of Columbia, and will refuse such aid to those who because of city congestion are forced over the line into Maryland or Virginia?

Prince Georges County, Md., has about 11,000 pupils enrolled in its schools, exclusive of those residents of the county who attend District of Columbia schools. More than one out of every five of its population attend its own public schools, while, including nonresidents, Washington City has about one out of every seven of its population attending its schools. Of the Prince Georges enrollment it is estimated that more than 3,000 are children of Government or other District of Columbia employees, and that in many cases these employees have moved over the District line into Prince Georges County because they have large families of children. The parents of some of these children are firemen and policemen in Washington City. So large has been the influx of children of this type from Washington City that the taxable wealth in Prince Georges is only $3,400 for each child enrolled in its schools, while in Washington City, because not only the business of the city but the business of the county is concentrated there, there are $12,000 in taxable wealth back of each child enrolled in its schools; and in addition to the tax on this amount the Federal Government adds a large sum for the purpose of educating the child.

The Federal Government has brought to Washington and its environs people from all over the United States, pays them a small salary, and they, if they have any tangible property, often continue to pay the taxes in their home State and, consequently are not contributing as much as they might to the education of their children who have moved into the suburbs.

Prince Georges County maintains schools for the children of employees on four or five Government experimental farms within the county which, because they are owned by the Government, have been removed from the taxable basis of the county; and it maintains a school for the children of soldiers at Fort Washington which pays no tax to Prince Georges County. Considering these children and the children of the District of Columbia enrolled in Prince Georges County border-line schools at points where the District of Columbia maintains no schools, the total of what might be termed nonresident pupils is about 1 per cent of its total enrollment. This is very little less in per cent than the attendance from Prince Georges County in Washington city schools without tuition.

If Prince Georges County pupils are to be excluded from the District of Columbia schools, should not the children from Gov-

ernment reservations be excluded from Prince Georges County schools?

In Prince Georges County the school tax is nearly twice as high as the school tax in Washington City. This is because the Federal Government so liberally aids the schools in the latter place. If the children of Federal employees are to be excluded from the District of Columbia schools, should not this Federal aid be withdrawn? On what theory can this aid be granted except on the theory that a large number of citizens work in tax-exempt buildings and in a tax-exempt enterprise? If this is not done, should not the Federal Government grant the same proportion of aid to the suburbs of Washington, because in some of these suburbs a larger percentage of the total population is employed in Governmental service than is actually the case in Washington City. This can be demonstrated by a census taken in several small suburban towns.

Recently Congress enacted a law closing certain alleys in Washington to residential purposes. In many cases these residents have come into the suburbs with many children, thus throwing on others their nontax-paying element. Is it fair that Washington City should plan to retain the wealth of the vicinity and to throw on others the education of its own employees?

The report on the District of Columbia appropriation bill for the fiscal year 1927 says in reference to this question as follows:

NONRESIDENT PUPILS

Out of a total of 70,000 and over pupils in attendance at the public schools of the District of Columbia the committee finds that 3,072 are nonresident. Three thousand and twenty-seven of this number are residents of the States of Maryland and Virginia. If all of these nonresident pupils paid tuition at the rate of actual cost, computed on the basis of teaching service alone, they would pay a total of $274,005.80. The amount actually collected during the fiscal year 1925 in tuition charges from nonresident pupils not entitled to free instruction was $7,123.68. On the basis of 40 pupils to the room, these nonresident pupils require for their accommodation approximately 10 eight-room school buildings. The committee submits that it is not fair to the local taxpayer or to the local children who are crowded, attending part-time classes, and who may be attending portables by reason of this influx of outside children. It is proposed to correct the situation by the provision which will be found on page 39 of the bill.

The provisions in the bill on page 39, referred to in the report, is as follows:

No nonresident pupil shall be admitted to or receive instruction free of charge in the public schools of the District of Columbia: *Provided*, That the Board of Education may, in its discretion, admit nonresident pupils in said public schools under such regulations as the board may establish, subject to the payment of such tuition charges as the Commissioners of the District of Columbia may approve on the recommendation of the Board of Education: *Provided further*, That the children of officers and men of the United States Army, Navy, and Marine Corps shall be admitted to the public schools without payment of tuition.

The above portion of the bill was stricken out on a point of order and the situation now is that no children who live just outside can attend the schools. I do not think this is fair. The people of Maryland do not wish the Federal Government to feel the necessity of educating Maryland children, but I do not think that the children above referred to should be denied the privileges which are largely furnished, not by the District of Columbia but by the general Government of the United States for its employees.

BRYAN'S BIRTHDAY

Mr. SHALLENBERGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address to be delivered by the gentleman from Illinois [Mr. RAINEY] on the subject of the Bryan memorial.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD by printing a speech to be delivered by the gentleman from Illinois [Mr. RAINEY] on the Bryan memorial. Is there objection?

There was no objection.

Mr. SHALLENBERGER. Mr. Speaker, under leave granted to extend my remarks, I insert a speech to be delivered by the Hon. HENRY T. RAINEY, of Illinois, at Lincoln, Nebr., March 19, 1926, at a dinner of the Bryan National Memorial Association.

The speech is as follows:

Mr. RAINEY. It is a pleasure which I appreciate, I assure you, to be permitted to be present here to-night and to participate in this interesting event. The Great Commoner is dead, but those of us who knew him best have enshrined in our hearts most sacred memories. You were his neighbors and friends. He came here a young man, and through the years he developed, as this great State developed, until he became a national asset and an international figure. He towered head and shoulders above all his contemporaries. He was always on all occasions the peerless leader. Through his entire career I was closely associated with him. We were boys together, attending colleges in Illinois not far apart. He was older than I, but not much older. We both studied law in the same law school. We were both admitted to the practice of the law about the same time. He commenced to practice law in Jacksonville, Ill., in my congressional district, in the office of Brown & Kirby. He was employed by them. I also practiced law in my home town, only 35 miles away, and was also at the same time employed by Brown & Kirby.

I am assuming that what you want me to discuss this evening are the pleasant incidents in the life of this great man not generally known. You want the human, the heart-interest stories. Bryan spent the formative years of his life in Jacksonville, Ill., in the congressional district I represent. I may add in this connection the interesting fact that Abraham Lincoln spent the formative years of his life in my congressional district at New Salem, Ill., 30 miles from Jacksonville, and that Stephen A. Douglas spent the formative years of his life in my congressional district, 25 miles from Jacksonville. Lincoln and Douglas represented my district in Congress. Forty years later Bryan came to Congress, but he came from this progressive Nebraska district. Lincoln, Douglas, Bryan all belong now to the ages.

BRYAN'S FIRST POLITICAL SPEECH

May I tell you now the story of Bryan's first political speech as I heard it from Bryan himself, and I was also familiar with the facts. He was assigned by the Democratic County committee of Morgan County, Ill., to speak at a schoolhouse in a Democratic section of Morgan County, where there were really no Republicans; about 12 miles from Jacksonville. He drove alone to the place where the speech was to be delivered in his buggy. As, he told me, he was not familiar with the roads, he got lost. He applied at a farm house for directions as to the way. The farmer at first refused to tell him, but insisted upon knowing why he had inquired, and what he had to do with the meeting. Mr. Bryan told him that he was the speaker of the evening. The farmer apologized and said, "I thought perhaps you were going down there to break up the meeting. Some fellows from Jacksonville have been doing that." Mr. Bryan arrived, however, at the schoolhouse in time and found his audience awaiting him. Tim Flynn was the precinct committeeman and the chairman of the meeting. Tim was an old-fashioned Irish Democrat, addicted to the use of stimulants, frequently to excess. Upon Bryan's appearance on the scene, Tim led him around outside of the schoolhouse to the back of the schoolhouse, took a bottle of whisky out of his pocket and offered him a drink. Mr. Bryan thanked him and told him he did not drink. Tim was greatly disappointed and said, "Well, do the best you can anyway." Tim then said to him, "They are all Democrats in there—there are no Republicans, so you can give the Republicans hell." He then brought him into the room to address the audience and said to him, "Now, what is your name?" Mr. Bryan said, "My name is William J. Bryan. I am an attorney at law, and I live in Jacksonville." As Mr. Bryan explained to me, he thought that was a sufficient amount of information to give in that connection. At any rate, he said it contained his business card, and he was interested in getting acquainted and getting business. Tim took him up to the front of the platform and inquired again his name. Mr. Bryan again told him. Tim got up to introduce him to the audience and then stooped over again to inquire his name. Mr. Bryan told him again. Thereupon Tim said to the audience, "Mr. O'Brien will now spake," and Mr. Bryan then delivered his address.

Twenty years later Bryan delivered another political speech in Jacksonville. In was in 1904, and I was a candidate then for reelection to Congress. In that year, on account of the fact that Mr. Bryan did not approve of the method of control of the Democratic Party in Illinois, he refused to speak in any district in Illinois except in my district and in the district of Congressman Foster. I met him in Hannibal, Mo., and brought him on to Jacksonville. In those days it required great diplomacy for a Democratic committee to select a chairman for a Bryan meeting. That position carried with it so much prestige that rivalries developed among ambitious young men which sometimes threatened the success of the ticket. I was wondering how this matter would be adjusted in Jacksonville. The committee met us at the train and brought us to the stand in the middle of the square. It was one of the greatest political meetings ever held in the State of Illinois. On all sides of the speakers' stand an audience of many thousands stood. The entire public square, it seems to me, was filled, and the audience extended up the streets from the square. The committee was on the stand, and to my pleasure and surprise I saw our old friend, Tim Flynn, was to be the chairman of the day. It was a happy solution of the difficulty. Tim had pre-

sided over the meeting when Bryan delivered his first political speech. Twenty years had passed and Bryan was a national figure, recognized as the greatest orator the world had ever known. Bryan had a wonderful memory. After the lapse of 20 years he knew Tim Flynn and called him by name. After the cheering had subsided Tim arose and faced the audience and repeated merely the introductory speech of 20 years ago, "Mr. O'Brien will now spake," and then Bryan again told the story to the audience just as I have related it now.

Twelve years passed. In the Democratic cloak room, just off the House of Representatives, I had just finished reading the Jacksonville (Ill.) Courier. It announced the death of Tim Flynn. Just as I finished reading it Bryan, then Secretary of State, entered the cloak room. I handed him the paper without comment. Bryan was then at the very apex of his fame as an orator and as a statesman. He read the item. An expression of sadness came over his face. He called for a telegraph blank and wrote a message of sympathy to the wife of Tim Flynn. The telegraph messenger carried it to the telegraph office. An hour later in her modest cottage in Jacksonville, Ill., the widow read the telegram and flushed with pride as she realized that the great Commoner had not forgotten Tim Flynn, and had not forgotten her in her hour of sorrow.

MRS. BRYAN AND THE ORATORICAL CONTEST

Mrs. Bryan was born in Perry, Ill., in my congressional district. She attended the Illinois female college in Jacksonville, Ill., when Mr. Bryan attended Illinois College, also in Jacksonville. They became acquainted there, and their acquaintance resulted in the happy marriage which was consummated immediately after Bryan finished his course of study. Bryan was selected by Illinois College to represent the college in the intercollegiate oratorical contest. He won the contest, of course, and afterwards he won the interstate oratorical contest. The intercollegiate oratorical contest occurred that year at Galesburg, Ill. After the contest was over and that same night Bryan returned on the train to Jacksonville. He walked from the railroad station to his rooms, and his walk took him past the Illinois female college. He had promised to communicate to her, if he won the contest, that fact by a signal which they had agreed upon. An old-fashioned picket fence extended along in front of the college dormitories. The signal agreed upon was this: If Bryan won, he was to drag his cane along the pickets of the fence as he passed her window, making as much noise as he could. This he did, and the future Mrs. Bryan knew before anyone else in Jacksonville that Bryan had won. I doubt whether any of the great oratorical successes which were his in after life ever brought to her the same thrill that the agreed-upon signal brought at 3 o'clock in the morning after the Galesburg contest.

THE DRAMATIC NATIONAL CONVENTIONS OF 1896

In all the history of conventions no conventions were ever so full of intense human interest and dramatic situations as the conventions of 1896. I attended both of them. The Republican convention met in advance of the Democratic convention, and it met in St. Louis. In the Nebraska Republican headquarters in St. Louis I found Bryan. I expected to find him there. He had come in for his mail, and it had just been handed to him. The convention had not yet convened. He was there as a newspaper reporter for Nebraska newspapers. He said to me, "Can you get me a ticket to the convention? I have so far been unable to get one." I told him that I had also been unable to get a ticket. We both, however, afterwards secured tickets and attended the convention. He and I were there when Senator Teller, of Colorado, made his dramatic speech, and then, followed by the delegates from the Silver State, he left the hall and left the Republican Party. It was the intense moment of the convention. After that the proceedings dragged.

Shortly afterward the Democratic convention convened in the city of Chicago. Bryan came there at the head of a contesting delegation from the State of Nebraska. His delegates were clearly entitled to seats in the convention, and the committee on credentials so held. He did not enter the hall until he came in at the head of the contesting delegation from Nebraska. The convention was strongly for free silver, but the leaders of the Democratic Party were against that issue. They made speeches. The old leaders, headed by David B. Hill, of New York, against the free coinage of silver and against the new ideas which were forging to the front. The convention listened to all their speeches in sullen silence. After these speeches were concluded, the committee on credentials was ready to report, and after their report was made and accepted, the delegation which had been occupying the Nebraska seats filed out of their seats and amid applause the delegation headed by Bryan came in and occupied the seats. From that time on there were calls for Bryan all over the hall. He was known then as an orator throughout the United States. He was the leader of the silver movement. Finally he yielded to the repeated demands for a speech which came from every quarter of the great auditorium, and came forward to the platform. The oration he delivered at that time will live in history as the greatest speech ever delivered in the world since the Sermon on the Mount. I sat far from him in a remote part of the old convention hall. I heard every word. There was intense quiet as he proceeded, broken occasionally by loud applause which subsided immediately, and at the end there came that declaration which rings down to us through all the years that have passed since then, "Thou shalt not press down upon the brow of labor this crown of thorns. Thou shalt not crucify mankind upon a cross of gold," and the speech was over. For a moment there was silence, and then the applause commenced, such applause as was never heard before in any great assemblage of people. After the applause had proceeded for 25 or 30 minutes, Ollie James, who headed the delegation from Kentucky, a giant in stature who afterwards came to Congress and developed into one of the Nation's great orators and leaders, broke from its attachment the Kentucky banner and started with it toward the platform where Bryan stood. The leader of the Colorado delegation obtained the Colorado banner and followed, and then one by one all the State banners were torn loose by enthusiastic delegations and followed the Kentucky banner. The movement was spontaneous. Never before in the history of conventions had a thing like this occurred. Never before had State banners been carried in procession around the convention hall, and there followed a medley of State songs, the delegations from each State singing their own State song.

Processions like this have occurred in every convention since that time, but they have been staged in advance. This demonstration was spontaneous. It was not long until all the delegations, the New York delegation last of all, were following with their banners the leadership of Kentucky; and then the crowd outside of the railings broke down the rails and joined in the mad, seething whirlpool in the center of the hall. Bryan stood modestly on the platform, bowing as the banners passed. Years afterwards I said to him, "What were your impressions as that mad scene of enthusiasm proceeded?" And he said modestly, "I could see but one thing. I can remember now but one figure, and that was the figure of the towering Kentuckian who led the procession." In the campaign which followed I spoke for Bryan. It was my first appearance in a national campaign as a speaker in other States than my own. I rode across State lines with Bryan on the private car which had been assigned him, sometimes going on ahead and speaking until he arrived. No man could speak after he had concluded his address. The audience refused to listen to anybody but Bryan, and the audience usually broke up into groups discussing the speech Bryan had just made. The newspapers were all against us. We had no money with which to carry on a campaign. A fund of $20,000,000 was contributed by insurance companies and by the great interests to defeat Bryan, and they finally succeeded in their efforts.

After Bryan's cross of gold speech the officials who were in charge of the convention hurriedly adjourned the convention. Bryan came back from the convention hall on an elevated railroad train, accompanied by Hon. M. F. Dunlap and Judge O. P. Thompson, of Jacksonville, Ill., his lifelong friends. Judge Thompson said to him, "Are you not afraid that the adjournment of the convention will spoil your boom for the Presidency?" To which Bryan replied, "If my boom for the Presidency will not last until to-morrow, it will not last, I am sure, until next November." He never returned to the convention hall. The next day he was nominated almost by a unanimous vote of the convention. News of his nomination reached him while he was in a barber chair being shaved in a rather obscure hotel in Chicago—the old Commercial Hotel, just across the street from the Palmer House. The barber who was shaving him became so agitated at the news that Bryan was compelled to request another barber to finish the job. And then there followed the great enthusiastic historical campaign for the Presidency of 1896.

BRYAN'S SIXTIETH BIRTHDAY

Six years ago to-night, in the city of Washington, at 11 o'clock at night, there came a call at my telephone. I answered it, and I heard the well-known voice of Bryan. He said to me, "This is Bryan. Can you come to see me at the Lafayette Hotel?" And I said, "When?" And he said "Now." I had retired for the night, but I immediately dressed and went down to the Lafayette Hotel. My apartments were not far away. I went up immediately to his room, and found Mr. Bryan there alone. Just after I had entered the room, others came. Slowly out of the years their faces came back to me. They were the reporters of long ago—the reporters who had accompanied Bryan in 1896 on his speaking tour of the States. I had forgotten the names of some of them. They had retired, all of them, years ago from their profession and were living in Washington. Mr. Bryan greeted us all as we came in. Just then a little bell boy came in, resplendent in gold lace, carrying an aluminum bucket such as was used in pre-Volstead days for champagne bottles. The bucket was full of crushed ice, and bottles covered with gold leaf were thrust down in the ice. Champagne glasses of a former period were passed around. We each accepted one glass, and the little bell boy opened the bottles and filled the glasses. It is needless for me to say that it was ginger ale. When the glasses were filled, Mr. Bryan said, "Gentlemen, I am on my way to New York. My friends are giving me a dinner there to-morrow in honor of my sixtieth birthday, but I want to celebrate that event here first with you. When the clock down in the office strikes the hour of 12 I will be 60 years of age. Just then, slowly and musically, the old clock down in the office three flights away chimed the hour of 12. On the

last stroke Mr. Bryan bowed to me, and I said, "Here's to our great leader and another quarter of a century of life and health and service," and then we drank the ginger ale. After this ceremony was over, Mr. Bryan told this story. He said:

"Gentlemen, you are wondering, perhaps, why I sent for you. I want now to tell you a little story:

"John Allen, of Mississippi, served two terms in Congress, and only two. As his second term expired Zeke Candler announced in opposition to Allen. They were neighbors, living in adjoining houses in Tupelo, Miss., and Zeke defeated John for Congress upon the theory that four years in Congress was enough for any man. Zeke then represented that district in Congress for four years, and as his second term grew near its close and the primaries were coming on—and these matters are settled in primaries in Mississippi—Zeke went over to see John Allen in the evening and sat on his porch. As they smoked the cigars Zeke had brought with him, Zeke said to John Allen, 'John, do you remember when I defeated you four years ago on the theory that four years in Congress were enough for any man?' And John replied, 'Yes; I remember it very well.' Zeke said, 'I have come over to-night to tell you that I was mistaken; I am going to be a candidate again.' And he was reelected again and yet again."

After telling this story Bryan said, "You gentlemen were all with me on my speaking tour across the country in 1896. You reporters—younger then than you are now—reported my speeches. Mr. RAINEY, younger then than he is now, accompanied me as one of my corps of speakers. You all remember that at that time the argument used against me was that I was a young man. I always replied that I would in time overcome that objection, and I coupled that declaration with the statement that my opponent was 60 years of age, and that when I attained the age of 60 years I expected to retire from public life. I have sent for all of you to-night to tell you that when I said that I was mistaken. I will be at the San Francisco convention, and I hope also at other conventions."

He then told us all good-by and hurried downstairs to a waiting taxi and proceeded to New York to attend the function there in his honor. The story of this celebration of Bryan's sixtieth birthday has never been told before.

One year ago to-night we assembled again in the Lafayette Hotel in the city of Washington. It was Bryan's 66th birthday. He had invited 30 of his old friends, including myself, to a dinner. The three candidates for Vice President were there. At the conclusion of the dinner they were all called upon by Mr. Bryan for short speeches. Others of his friends were also called upon to respond in three-minute speeches. After these speeches were all over Mr. Bryan arose and said, "There is one man present to-night who in seniority of service is older than any of you. He has been with me in all my fights since I was a boy in college. I am going to ask him now to conclude these addresses in a five-minute speech." And then I spoke in eulogy of Bryan and his achievements. This ended the meeting and Bryan again left for a New York train. One year has passed since then, and I find myself again called upon, this time by his old friends and neighbors in the State where he spent the active years of his great career, to speak in memory of my friend.

THE BALTIMORE CONVENTION

I also attended the Baltimore convention as a delegate. I thrilled with all the delegates whenever Bryan addressed the convention. He held that great convention in the hollow of his hand. He alone was responsible for the nomination of Woodrow Wilson.

THE SAN FRANCISCO CONVENTION

I attended the San Francisco convention also as a delegate. Bryan came there at the head of the delegation from this great State. He came there fighting for a cause; the cause of prohibition. He fought against tremendous odds. The convention was against him. They were tired of prohibition discussion. They preferred to consider it as an issue which had been settled forever. The antisaloon leaders were there. They were tired of the fight also. I conferred with them in their headquarters. They told me that they were also there to oppose the injection of the prohibition issue into the approaching campaign. They were satisfied, they said, with results already attained. Bryan had blazed the way. The country was "dry." The amendment had been adopted. The enforcement law was in effect. The effort of Bryan was to pledge forever in the resolutions the Democratic Party to the enforcement of prohibition.

The national committee was against Bryan. They had instructed the officials in charge of the hall to keep the great organ in the hall from participating in any Bryan demonstration, and the military band, which was also in the hall, was instructed not to participate in any demonstration for Bryan. When the platform committee made its report Bryan was ready with his minority report. Bourke Cockran, one of the greatest orators of the last hundred years, had been pitted against Bryan, and he presented the majority report in a ringing speech, which exceeded perhaps in its eloquence all his former speeches. As he finished there was wild applause, led first by the military band and then by the great organ in the back of the hall and again by the band. It was a forced demonstration. Both the band and the organ had participated in maintaining the applause when I had finished my speech placing in nomination Mitchell Palmer, of Pennsylvania, the Attorney General in Wilson's Cabinet. Both the organ and the band participated in the applause which followed every nominating speech. The rule adopted was that the applause for any candidate should last for one hour, and if it faded away before the expiration of the hour, either the band or the organ, or both, were to join in the applause and keep it up until the expiration of the hour. After that if any speech was able to arouse enough enthusiasm to last longer than an hour, neither the band nor the organ were to participate. The applause for no speech exceeded the hour except the applause which followed the speech of Bryan. I can see him now as he stood before the unfriendly delegations, with an unfriendly audience filling the balconies of the great auditorium. He appeared worn and tired from his all-night vigils with the committee on resolutions, but he soon warmed to the occasion and proceeded with the well-remembered, rounded sentences. As he proceeded the unfriendly audience commenced to listen intently and then approvingly. It was, I have always said, a greater speech even than his cross of gold speech, but not greater in its results. The cross of gold speech won him the nomination for the Presidency and established him as a great world orator. May I repeat to you now the peroration of Bryan's San Francisco speech. After I accepted the invitation to come here I read the speech three days ago in the published proceedings of the San Francisco convention.

The peroration is incorrectly reported. Bryan evidently did not revise it and perhaps never saw it after the reporters had written it up. At the time this speech was delivered the woman's suffrage amendment was pending before the States. It required only one more State to ratify it. Thirty-five States had already ratified it. I am anxious that this great peroration shall be correctly preserved. I heard it; I remember every word of it distinctly to-night. This is what Bryan said in concluding his speech:

"The Bible tells us of a time when the armies of Israel trembled before the enemy drawn up on the plain in front of them. The great Elisha said to his soldiers of the army of the Israelites: 'There be those among you who fear that those who are opposed to you are greater in number than those who support your cause. Verily I say until you that those who fight on your side are greater in number than those who fight against you!' And then in the morning sun the mists rose from the mountain side disclosing rank on rank the hithertofore invisible army with its horses and its chariots. And so I say to you now, those of you who fear the brewers and the distillers and the saloon keepers, those of you who are afraid that they who oppose you are greater in number than those who fight on your side, I say to you that soon the thirty-sixth State will swing into line and the mists will again rise from the mountain side, and there will stand the women and the children ready to fight on your side."

This was the end of the speech. Again I saw a great audience break into wild applause, and the applause continued for 20 minutes, for 40 minutes, for an hour, while the great organ and the band were silent, but the applause extended far beyond the hour, and only with great difficulty did the chairman finally bring about order in the convention. Bryan was beaten in the vote which followed.

THE MADISON SQUARE GARDEN CONVENTION

I was with Bryan at Madison Square. I witnessed his vain attempts to bring order out of chaos. The audience refused to listen to him. It was the last event in his great career as an orator. He was defeated, but the party he loved went down also in a great crashing defeat. After the San Francisco convention, Bryan retired sadly to his home. He supported the ticket, but that was all. In reply to reporters who questioned him as to what his attitude would be in the approaching campaign, he said, "My heart is buried in the grave with my cause."

We do not make Presidents out of our greatest men. Bryan failed in all his campaigns for the Presidency, but in the great battles he fought he led always the advance. He went ahead and blazed the way, and when the foe appeared he broke through the lines ahead of all others, receiving in his own breast the spear thrusts. He made it easy for others to follow.

BRYAN'S BATTLES AND THE RESULTS

In 1896 he led the fight for the free coinage of silver, which was really a fight for a larger circulating medium with an ample base of both the precious metals. At that time our per capita circulation was only $21. To-day our per capita circulation is over $42, secured by a gold base consisting of over half the gold supply of the world. In 1896 our bank deposits were less than $5,000,000,000. To-day our bank deposits amount to over $43,000,000,000. He is condemned to this day for advocating a larger silver coinage, but to-day the coining value of our silver is twice as large as it was in 1896, and the coining value of our gold is 33 per cent less than it was in 1896. Did he win the battle?

Returning from a triumphal tour around the world, receiving everywhere greater honors than were ever given to any private citizen of any country, he advocated on the stump throughout the Nation Gov-

ernment ownership or Government control of the railroads. To-day we have a Government control of railroads almost absolute, a Government control of profits the companies may earn—a Government control of the wages they may pay. We have just passed through the lower House of the Congress a railroad arbitration bill, which is the very last word in arbitration. If it fails, compulsory arbitration will be the next step, and if that fails, Government ownership of railroads is inevitable. Did Bryan win this battle?

He led the fight against the saloon and for the American home, and the saloon has disappeared forever from American life. Did he win that battle?

He led the fight for equal suffrage, and to-day we have equal suffrage. Did he win that battle?

There are two amendments to the Constitution which can be traced directly to the efforts of Bryan. If it had not been for Bryan these amendments would not have been made during this generation.

While he was Secretary of State he negotiated with the great powers of the world 33 peace treaties, and when the World War broke Germany had accepted in principle the Bryan peace treaties. He advocated a ratification of the treaty of Versailles, and when he found it could not be accomplished, he was the first to suggest the reservations which would make possible its ratification. To-day, we have all the great nations of the world, except Mexico, Russia, and the United States, participating in a League of Nations for peace. We have the Locarno pact. Both these agreements ratify the principles of the Bryan peace treaties. We are now in the World Court, with reservations. Has he won the fight for world peace?

Faithful always until death, he died fighting for the simple faith to which he adhered.

My friend and your friend is dead. He died as he had lived, fighting up until the very moment of his death for the religion to which he had consecrated his life. Over the radio, 15 minutes after his death, in my quiet farm home in Illinois, there came to me the sad news of the death of my friend. When a great tree falls in a forest of trees, it leaves a vacant spot which is not filled for a hundred years of time. In the death of Bryan, a great oak has fallen in the forest, and the place where it stood can not be filled in this generation nor in the next, nor in the next.

There are those who believe that if we think lovingly of the dead they come back and hover near us, and it may be that to-night as we have assembled here, we who knew him best and who loved him most, and, as we think lovingly of the great dead, it may be that he has returned and hovers in the air above this audience. I can almost feel his presence here. Through the remainder of the years of this earth, which may be mine, I expect to be influenced always by the character and the leadership of Bryan. The principles for which he fought will live. Our great leader is dead, but his soul goes marching on.

THE DEMOCRATIC PARTY BY TRADITION AND SERVICE THE PARTY OF THE PEOPLE

Mr. WOODRUM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech delivered by my colleague [Mr. BLAND].

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD by printing a speech delivered by his colleague, Mr. BLAND. Is there objection?

There was no objection.

Mr. WOODRUM. Mr. Speaker and gentlemen of the House, on Saturday night, March 13, 1926, my colleague, Hon. S. OTIS BLAND, of Virginia, delivered a speech over the radio upon the subject, "The Democratic Party by tradition and service the party of the people," which I feel ought to be preserved and made available for future reference. It is a masterful exposition of the tenets of our party by a distinguished and valuable Member of this House:

In a republic every citizen who is or may become qualified to vote has not only the right to vote but he is under the highest duty to vote as the best interest of his country demands. To perform that duty properly intelligent discussion, calm consideration, and free judgment are essential.

Public opinion will differ on questions of public policy, and voters will divide according to their respective views of public measures. On one side or the other of the resulting line of cleavage the great bulk of voters will fall. Parties result. A political party has been defined to be an association of voters believing in certain principles of government formed to urge the adoption and execution of such principles in governmental affairs through officers of like beliefs.

It has been said that party association and party organization are to the organs of government almost what the motor nerves are to the muscles, sinews, and bones of the human body. Parties, therefore, are necessary, for through them comes educated and organized public opinion.

The Democratic Party by tradition and service is the party of the people.

Throughout its existence, which parallels the existence of this Republic itself, the Democratic Party has adhered to certain cardinal principles which have become its confession of faith and by which in all its service it has been guided. Foremost among its tenets are equality of opportunity to all citizens of the Republic, no special privileges, superiority of the common welfare to special interest, a maximum of local self-government, and a determined resistance to excessive federalism.

The Democratic Party originated in the demand for an effective instrument through which popular will might become effective, by which the young Republic might be preserved for the mass of its citizens, and its transition into a government of special classes might be defeated. Under the virile leadership of Jefferson and of Jackson its course became charted, and the direction given it by these great leaders has remained unaltered through succeeding generations.

The Democratic Party has been the party of progress, for it was under Democratic initiative and action that Louisiana was purchased, Florida ceded, Texas annexed, the Oregon territory secured, California and the adjoining territory acquired, and Arizona and New Mexico obtained.

With this party superiority of the common welfare to special interests has run like a thread of gold through all its works. Considering only more modern times, it was with this objective that under Cleveland in 1887 it secured the creation of the Interstate Commerce Commission, with important powers over the railways, and established machinery for the purpose of curbing discriminations and providing uniformity in rates.

With President Wilson's inauguration in 1913 the Democratic Party came into possession of all branches of the Government.

Only a short time elapsed before the European conflict, and thereafter matters incident to that war and foreign affairs were necessarily of major consideration, but during the few months before that war the Democratic Party made the most remarkable record for remedial and constuctive legislation this country has ever seen.

In striking contrast with the Republican record of broken promises in 1909, the Democratic Party enacted tariff legislation with rates upon a revenue basis and yet materially lowering the burdens upon the people.

For many years periodical panics had demonstrated the defective fiscal system of this country, but a nation-wide demand for reforms had been answered under Republican administrations by interminable talk culminating finally in the submission of a bill for a central bank violating American ideals and based upon a principle repudiated in Andrew Jackson's time. In a few months after it came into power the Democratic Party, in the interest of the whole people, had divorced financial interests from their control of the country's finances and produced the Federal reserve act based upon regional control. Thus, to quote the language of President Wilson, "There was destroyed the monopoly of money and created a democracy of credit."

Agriculture had sorely needed a credit system which would give it equality of opportunity with other industries, but nothing was done until the rural credits act was supplied by Democratic action. Since the Democratic Party went out of power its successor, in its consideration of agricultural relief, has wandered in a quagmire of legislative makeshifts and achieved an unsurpassable record of lgilliant inaction.

By means of the Clayton Antitrust Act the Democratic Party provided the weapons to prevent corporations and consolidations from throttling industry and to secure to all legitimate business equality of opportunity.

It established a Federal Tariff Commission to the end that tariff duties might be sanely considered in the light of facts impartially established, but its sagacious conception has been perverted by partisan appointments and an instrumentality created for the general good made a medium for additional burdens.

Immediately upon its restoration to power the Republican Party returned to its customary practice of rewarding favorites by the enactment of the Fordney-McCumber tariff law, which carried duties higher than in any previous years and which, according to economists, while collecting $566,000,000 in revenues for the Government, has handed out in subsidies to industry the stupendous sum of $2,434,000,000.

The Democratic Party in the interest of all the people obtained the passage of the income tax law, whereby the burdens of Government were more equitably distributed in accordance with ability to pay, and secured the passage of the Smith-Lever Agricultural Extension Act, by which it stimulated agricultural development, placed the dissemination of useful information upon a scientific basis, and promoted the general welfare of agriculture.

Under the leadership of Grover Cleveland and Woodrow Wilson the decay of the Navy of the United States was checked, and measures were taken for its restoration so effective in scope as to make the Navy a formidable factor in winning the World War. With a vision

almost prophetic it improved this means of national defense so sorely needed. In addition, as a necessary means of national defense and for the promotion of our commercial development, it placed merchant ships bearing the American flag again upon the seas.

It established a Federal Trade Commission that honest business might be protected from dishonest and unfair practices, but under the present Republican administration many offenders have nothing more to fear when haled before that body than a mild admonition to desist and the exaction of a promise thereafter to be good with the assurance that if this promise is given not even the offender's name shall be made known. As thus administered, the public may not distinguish between business which has dealt fairly with it and business which, by sharp practices and unscrupulous methods, has sought to secure improper advantages.

True to its cardinal principle that legislation should be for the general public benefit and not for the benefit of the favored few, the Democratic Party has compelled the revenue acts of 1924 and 1926 to extend relief to all classes and not to help only a few favored beneficiaries.

In these days of gigantic consolidations of capital when the undemocratic practice of centralized control in the hands of a small minority of stockholders has become the financial fashion, the Democratic Party is the only political organization to which the American people may turn with confident hope of relief.

The Democratic Party has always insisted upon a maximum of local self-government, and vigorously opposed Federalism except within those limits clearly defined in the Federal Constitution. Recent declarations on the part of Republican officials in high station favoring this policy is but a belated acceptance by them of Democratic doctrine, and a confession of the truth which the Democratic Party has proclaimed throughout its existence. This recent conversion to Democratic views evidences more strongly than words could express the magnificent service the Democratic Party has rendered the Nation even in its reverses for it shows that by its continued, earnest, and persistent advocacy of this great fundamental it has made even its enemies to recognize finally that upon this great fundamental must rest the safety and perpetuity of our institutions. If the Democratic Party had accomplished nothing more than this, it would have amply justified its existence.

The Democratic Party, with its traditional opposition to centralization and with its firm belief in the superiority of the popular will, can never subscribe to a practice of government whereby the Executive, as a condition precedent to official appointments requiring the sanction of the Senate, may previously impose secret conditions or make effective Executive will by blanket resignations executed in advance of appointments to be used as the Executive may determine, for in such a course the Democratic Party finds the seeds of possible despotism, the certainty of restraint upon freedom of official action, and the invitation to dismiss faithful officials on a mere arbitrary caprice.

The Democratic Party wages no war with legitimate business. Fair dealing and honest practice, with due regard to the rights of all, is its demand; and in that party honest business may find its most certain guaranty of freedom from unfair advantages and dishonest pursuits. This guaranty will be found in the party's consistent record for more than a hundred years, and by its work in the past it may be best judged for the future.

No finer declaration of its faith may be made than is contained in the following language:

"The Democratic Party of the Union recognizes that as the Nation grows older new issues are born of time and progress and old issues perish. But the fundamental principles of the Democracy, approved by the united voice of the people, remain and will ever remain as the best and only security for the continuance of free government. The preservation of personal rights, the equality of all citizens before the law, the reserved rights of the States, and the supremacy of the Federal Government within the limits of the Constitution will ever form the true basis of our liberties and can never be surrendered without destroying the balance of rights and powers which enabled a continent to be developed in peace and social order to be maintained by means of local self-government."

LEGISLATIVE APPROPRIATION BILL

The motion of Mr. DICKINSON of Iowa was then agreed to; accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HAWLEY in the chair.

The Clerk reported the title of the bill.

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

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DICKINSON of Iowa. Mr. Chairman, it is my purpose to bring before the House a few observations with reference to the agricultural situation as it now exists in this country. I know there is considerable anxiety in practically every part of the country as to what the action of this Congress is going to be. I presume that the one comment that one sees oftener than any other comment in the newspapers and that one hears among the Members of the House is, when talking with other people with reference to the agricultural situation, the fact that there has not been an agreement among all of the agricultural people themselves as to what form of relief this legislation should take.

In all fairness to the agricultural people of the country I submit this observation: I would like to know whether or not there was a unanimous agreement as to just how we were to revise the taxes in this country and whether or not this Congress or this administration or the minority leadership of the House asked that all of their people agree upon an absolute program for tax reduction before we proceeded to legislate in behalf of the taxpayer. As a matter of fact, what did happen was that the Committee on Ways and Means took all the suggestions made all over the country and brought out a bill that they thought was most adaptable to the protection of the taxpayers of all classes. That bill was passed in this House by an almost unanimous vote, but there was not and there could not have been a unanimous agreement in advance as to how the taxes are going to be reduced in this country; and for that reason I suggest that the man who says that the farmers ought to all go home and not come back to Washington until they have reached a unanimous agreement is a man who is deliberately attempting to evade the responsibility of doing the job that ought to be done in behalf of the farmers of the country. [Applause.]

Second. I would like to know whether or not there was any unanimous agreement when we sought to control radio communication in this country. Did you ask that all of the people owning operating stations, or that all of the people that have receiving sets, reach a unanimous agreement as to what ought to be done so far as the control of radio communication is concerned? Of course not. A constructive program was brought into the House. The committee held hearings, and they brought out a bill, and this House passed it, and from this time on I hope that the Members of the House who have this matter under consideration, who are trying to formulate their opinions as to how they ought to vote upon it, will get it out of their systems that these farm people of the country or the farm organizations ought to reach a unanimous agreement before coming before this or any other Congress and submitting their plan of relief.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON of Iowa. I prefer not to yield, at least for 30 minutes. The thing that I am getting at is why should we ask the impossible of the agricultural people of this country; why should we ask them to do the things that every other interest in the country is not required to do? Instead of saying to the farmers that they ought to reach an agreement as to what they want, we ought to take the sentiment as we find it among the farm people of the country, analyze it, and bring forth a constructive piece of legislation so far as possible meeting their requirements, and in that way make a reasonable effort to meet the situation.

I have heard it said that the farmers are asking things that the other interests of the country have never asked. I contend that that is not true. The first thing that the farmers are asking now is that an agricultural board be created. We have established such a precedent in respect to practically every other interest in the country, and we believe that we ought to have such a board for the protection of agriculture. If the farmer comes to Washington to present his grievance, where will he find a peg upon which to hang his hat at this time? The banker can come here and go to the Comptroller of the Currency, the man interested in a railroad proposition can go to the Interstate Commerce Commission, and the man who is interested in practically every other interest in the country can find a particular place to go where he may present his grievance. The Department of Agriculture, according to the statement of the present Secretary, is a fact-finding institution, and it is not a policy-fixing organization. For that reason you are not supposed to go there if you have a legislative program in your pocket that you want to present to the Congress of the United States in respect to agriculture.

We have worked out for the protection of all of the different interests of this country various places where their policies are considered and where their interests are given consideration. I believe we ought to have a farm board, and that that farm board ought to be farmer named, and I believe that that policy is one that this country can afford to adopt.

Why should we have some method by which we can determine a national policy so far as agriculture is concerned?

Mr. Chairman, I like to go back and read through history and find where these very questions were discussed in the days

that have gone. I went to the Library and turned to the old veto message of President Buchanan when he vetoed the first land grant agricultural college bill that was presented in Congress. He followed that veto with a veto of the homestead act. Those acts did two things. One of them gave opportunity to the people who wanted to go out into the Middle West and find a place where they could make a livelihood and establish a home, and the other gave grants of land for the purpose of encouraging education. We find that President Buchanan used exactly the same objections at that time to both the college-land grants and the homestead act that are now being used against the farmer because they are asking that you establish a particular board in aid of farm policies in this country to-day.

If I have time I would like to explain to you just a few of those objections, and I am going to recite just a few in number. Buchanan said first that it is an expenditure from the Public Treasury, and that is an objection we hear when we want to create a farm board, although for the benefit of a million or a million and a half taxpayers. We created a tax-review board of 15 for tax review and gave them a salary of $10,000 apiece. So the public expenditure item does not appeal to me, in view of that situation.

Second. He says that it interferes with State control of education policies and would lead to extravagance in State expenditures. We find there are a great many people saying that if we tried to adopt a national agricultural policy we are going to interfere with the States doing certain things and with the individual farmer doing certain things in behalf of themselves. I do not agree with that contention at all.

Third. He says it will permit the acquirement by individuals of large tracts of land and in this way deter the development of States. Again, it involves the taking away of individual initiative.

Fourth. He says the Federal Government would have no power to execute or enforce the trust. That does not apply.

Fifth. Create rival colleges; and

Sixth. No power to grant under the Constitution—the old threadworn theory that you can not do it under the provisions of the Constitution of the United States. Those were the objections with reference to the college land grant law.

The objections with reference to the homestead law were as follows: First, that it is unconstitutional—and we are facing that very nearly every day; and, second, it will prove unequal and unjust—and here I am going to insert a little statement that I will not read. It is only a short paragraph and I hope will not be considered as violating the rules of the House in the extension of my remarks:

> If you give the new settlers their land for a comparatively nominal price, upon every principle of equality and justice you will be obliged to refund out of the common Treasury the difference which the old have paid above the new settlers for their land. * * *
>
> This bill will prove unequal and unjust in its operation, because from its nature it is confined to one class of our people. It is a boon exclusively conferred upon the cultivators of the soil. Whilst it is cheerfully admitted that these are the most numerous and useful class of our fellow citizens and eminently deserve all the advantages which our laws have already extended to them, yet there should be no new legislation which would operate to the injury or embarrassment of the large body of respectable artisans and laborers. * * *
>
> But to give this common inheritance away would deprive the old States of their just proportion of this revenue without holding out the least corresponding advantage. Whilst it is our common glory that the new States have become so prosperous and populous, there is no good reason why the old States should offer premiums to their own citizens to emigrate from them to the West.

Third, it will reduce the value of outstanding land warrants. Fourth, unequal and unjust because it is confined to one class of people, and we find here that one of the indictments that they are making against the farmers of this country is the fact we are asking for legislation that they say will inure to the benefit of one class of people. I do not believe that can be possibly true. I believe the consumers of this country are just as much interested in farm relief as the producers, because it is the only way they can be assured of a food supply and know that it is not going to be exhausted.

Seventh. He says it will reduce the public revenues. That is another reason, so we find there is a lot of sentiment growing out of these old veto bills which were for the benefit of the rural localities of this country that are exactly parallel and have for their excuse the same objections which are now being made to farm relief under the present plan:

> The people of the United States have advanced with steady but rapid strides to their present condition of power and prosperity. They have been guided in their progress by the fixed principle of protecting the equal rights of all, whether they be rich or poor. No agrarian sentiment has ever prevailed among them. The honest poor man by frugality and industry can in any part of our country acquire a competence for himself and his family, and in doing this he feels that he eats the bread of independence. He desires no charity, either from the Government or his neighbors. This bill, which proposes to give him land at an almost nominal price out of the property of the Government, will go far to demoralize the people and repress this noble spirit of independence. It may introduce among us those pernicious social theories which have proved so disastrous in other countries. (James Buchanan.)

I am going to insert here also an observation from one of the writers on the fall of Rome, wherein he says that the crucial test in the matter of the Roman Empire was a discouragement of the rural people, and where they went out on the land and found they could not exist, and gradually they drifted into the cities and there became what is known as the socialistic or radical members of society, and sooner or later caused the downfall of the city of Rome. I am going to insert a paragraph or two, because I do not want to take the time of the House in reading it:

> [From the History of Rome, by James B. Norman]
>
> THE PLACE OF AGRICULTURE IN RECONSTRUCTION
>
> (Published by E. P. Dutton & Co.)
>
> Under the commonwealth, in proportion as the public domain increased by means of war, it was the constant practice of the Roman Senate to allot part of the conquered lands for the use of returning soldiers and the poorer citizens by dividing it equally among them, but neither soldiers nor citizens had the capital necessary for the proper cultivation of the soil in order to become prosperous farmers. The state did not undertake to provide her soldiers with financial aid after they had been settled on the land, nor to protect them against usurious money lenders. When they had been granted land, the soldiers were left to their own resources, with the result that few of them were ever able to live thereon as independent land-owning farmers. But the difficulties were intensified because of taxation. * * * Being thus doubly oppressed by a lack of capital and a land tax, the small land-owning * * * farmer was invariably forced to borrow money at a high rate of interest; hence arose among [those] settled on the land a class of rural debtors, whose only recourse was frequently to sell their land to wealthy owners of large estates. * * * So the [settlers] with their families would drift back to Rome or to other cities, where they increased the number of the lowest class of citizens, the so-called proletarian. When the state, therefore, undertook to establish [settlers] against usurers, or their sufficient capital, the [settlers] failed completely as farmers. * * * The decline of the Roman democratic commonwealth can not be separated from its land-settlement problem. At Rome agitation for social reform was generally agrarian, and the great agrarian revolution under the Gracchi can not be clearly conceived apart from the history of the public land. * * *
>
> There was a demand for new land legislation. We find the leaders of the dispossessed, living as the submerged sixth or lowest class in the city of Rome, constantly agitating for an agrarian law, contriving means to check the devices of those who endeavored to elude it. Under the commonwealth the avowed patrons of liberty considered a satisfactory agrarian law the main bulwark of the state, and they were ever sounding in the ears of Senators the troubles to which they were exposing themselves and threatening the welfare of the state by its violation. * * * The agitation at the time of the Gracchi (133–121 B. C.) resulted in a change being brought about in the distribution of land. The agrarian proposal of Tiberius Gracchus was that each family should be allotted 30 jugera (20 acres) of land. But again no further efforts were made to provide operating capital for the new occupiers, both soldiers and citizens. It was not long under these conditions before the new landowners had sold their small holdings and again joined the discontented hosts of Rome's proletariat. It becomes evident, therefore, that the mere allotment of land to settlers is not a safe or sufficient assurance of land settlement and productive agriculture. * * * If either Tiberius or Caius Gracchus had succeeded in their scheme of reforming the land-settlement policy of the Roman commonwealth, the loss of liberty, with all the consequent miseries which befell the state, might have been prevented.

Mr. DAVEY. Will the gentleman yield?

Mr. DICKINSON of Iowa. I prefer to proceed for 20 minutes without yielding, and then I will be glad to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. DICKINSON of Iowa. Next I want to talk to you for a little bit on market stabilization. Now, I know that the chief charge they always make is that we are trying to fix prices. Now, we are not trying to do that at all. We are trying to find a method by which we can market our commodities without having them fluctuated up and down, but have them follow a stabilized price year after year. No Government control, no price fixing. Why, when you pick up an eastern journal or any eastern paper I find one man who is quoted is a man named Drummond, who lives at Kansas City, Mo. I do not know how

close he has been to a farm, but if he has ever gotten close enough to the farm and studied farm problems from the farmer's viewpoint, it has not been called to my attention to this date, and he is the man the editorials of the eastern papers quote more than anybody else. In a letter to me, signed by Mr. Drummond, he says my bill is not price fixing; and he says, "I do not consider your bill a price-fixing measure or that objections to it on that ground are justified."

What else? There is a man by the name of Yoakum, who got out a pamphlet here a while ago, and in that pamphlet he said that one of the troubles of the bill as proposed is that under it the farmer loses control of his commodity. I am not speaking particularly about my bill; I am not asking the Committee on Agriculture to report my bill, but I want them to report some bill which will do the job under existing conditions. If there is anything in my bill that is constructive, they are welcome to it, and if there is nothing in it that is constructive they are free to cast it aside.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON of Iowa. I can not yield now. I will yield after I have spoken 30 minutes.

Mr. KINCHELOE. Does the gentleman think he will have any time left to yield after he has spoken 30 minutes?

Mr. DICKINSON of Iowa. After I finish my statement gentlemen can ask me the questions they desire.

Now, Mr. Yoakum in his pamphlet—and I know that a great many Members of the House got it, because a number of them have spoken to me about it—says the farmer loses all control of his commodity, that the control of the commodity is taken out of his hands. Why, bless your heart, the one thing that the grain dealers are afraid of is that if this legislation is passed it will put into the hands of the farmer the control of his commodities. It does not take the control of the farmer's grain away from him at all. The only suggestion that has been made, so far, with reference to the commodity is that if he does a certain thing with a certain commodity, it will become subject to the payment of an equalization tax or a fee. I do not know whether that provision will be retained in the bill or not. There is now a suggestion that these commodities shall be subject to a tax when they are at the point of process. I think either method will be sane and will do the business.

I want to say to you that there is no use in Congress trying to pass a legislative bill here for the purpose of relieving the farmer unless you put in an equalization fee and an equalization of control of some kind. No; I will withdraw that statement and I will say this: You can substitute a board and give that board a certain authority, and if you do not put in an equalization fee which will give somebody some control over the commodity you might just as well make a watch and expect it to run without a mainspring. In other words, it is an essential in this legislation, in order that it shall be effective, to have some control of that kind. Therefore if you have a board and give that board the right to name an agency to handle the commodity, you will be able to do business.

I do not believe the board ought to handle the commodity itself. We should give the right of preference to the producers to handle their commodities; and why? That is the only thing that will encourage the producers of this country to get together in an effective cooperative organization, and if you do not allow the farmer to handle his own commodity, that commodity will not be marketed in his interest.

It has been suggested here and in numerous pieces of legislation that this board be not given the right to buy or sell, but the right to designate an agency to handle a particular commodity. For instance, in the corn situation out in Iowa at the present time I do not think you could probably get this legislation through and in operation to the point where it would affect the present corn supply; but if we can get it through, the farmers will think they will have some protection next year, and for that reason they will be able to proceed with more hope.

If the board could say to the corn producers out in Iowa, "If you farmers can get together in a producers' cooperative agency and handle that commodity, then that agency could be named to handle that commodity." Under these circumstances I predict that you could perfect a producers' organization within 60 days; and if you can do that, you can control and establish the price of corn out there where it would serve as a protection for the producers of corn.

Who suggests the price? It is not my belief that the board ought to suggest the price. I believe that the board ought to have the right to say to that cooperative association, "It is your duty to see how much corn is on hand, and what the prospects are of the next year's production." Then if there is going to be an overplus, it is the business of the agency to say how much they think the domestic consumers will consume, and at what price, and then it is their business to say what the prospects are for the disposition of the balance of that which is surplus over and above the domestic consumption. If that can be done, you will be able to stabilize the price of that commodity and carry it along from month to month on a stable basis, rather than have it fluctuate, as grain has fluctuated in the past year on the board of trade, from 12 cents to 14 cents in a single day.

You may say that if a farmers' cooperative association shall have the right to fix prices, they will fix them too high. I am not one who entertains that fear. If there is a producers' organization anywhere which has a greater fear than the fact that they are going to have too large a crop and too high a price, I do not know what it is.

The thing they try to avoid is too high a price and an excessive acreage of that particular commodity, because if there is anything that will break down a cooperative organization, it is too much of a commodity at too high a price. For that reason I believe you can trust these commodity producers to establish a fair price rather than an excessive price, and in that way you will not only protect the producer but the consumer as well. If the price is so low that the producer can not profitably produce it, he will go out of the production of that commodity, and for that reason it seems to me it is a fair yardstick in the matter of prices.

The board in their assessment of the equalization fee ought to have the right to say, at least to this agency, that the price must be satisfactory to this board in order that they can carry out the program for the assessment of the equalization fee and the assessment of the loss.

A great many people are saying that the whole trouble with the farmer is the fact that he does not have a balanced production. I want to read a statement from George E. Roberts in his report, given out monthly, with reference to the farmer in Iowa:

> The farmer who has both hogs and corn is in a balanced situation and doing well; the farmer who has hogs but is without enough corn for them can buy corn at a low price, and the farmer who has corn and nothing to feed it to wants the export corporation to buy his corn above the market price, dump it in Europe at a loss, and charge part of the loss to his neighbor who had foresight enough to grow something to eat his corn.

Let me suggest this to you, that if George E. Roberts can go out into Iowa and tell us how to keep a balanced production between corn and hogs, Iowa can afford to pay him $1,000,000 a year in salary.

We have had a fluctuation out there from 276,000,000 bushels to 477,000,000 bushels, on practically the same acreage, in the last two years. We have found that when Iowa had lots of hogs to feed we had no corn, and when we had lots of corn we had a reduction in the number of hogs. We find that the economic status simply keeps us across the barrel all the while, and it is absolutely impossible to keep those two commodities balanced. Why? Because the Lord has too much to do with the amount of corn you are going to raise on an acre of land. It may go anywhere from 20 to 50 bushels to the acre. We also find that if you have the same number of acres you may have a surplus of 200,000,000 bushels in one year and you may have a deficit of 100,000,000 bushels the next year. We also find that the Lord himself is the only one who knows whether the average brood sow is going to have three pigs or seven pigs in any one year. The climatic conditions and the weather conditions prevailing at the time they are born enter into it. George E. Roberts or no other man has foresight enough to keep corn and hogs in a balanced production in the State of Iowa or any other State. [Applause.]

A great many people say we are asking for something that other interests have not enjoyed. I want to say to you that if we were asking for the first time the old protective tariff and the protection of industry it would be called economically unsound, just as they are calling this economically unsound. I want to say to you that if you should go into the New England States, which have prospered largely because of our protective system, and start in to inaugurate the same kind of "leave-me-alone" policy that they want the farmer to exist under, and if you should take away from them all of the protection which the Government now gives them and leave them to their own existence, as they want to leave the farmer, you would find that the industrial section of this country would immediately deteriorate at a faster rate than the farmers of the Middle West deteriorated following the war.

I know what some of my good Democratic friends are going to say. I know there was an economist who went out to Omaha a little while ago and made a speech. He said the way

to equalize things was to reduce the tariff, and a lot of the newspapers here editorially said that was economically unsound, because he was going against the established policy that had been formulated and existing for a number of years. Let me say to you good Democrats that if you are going to reduce the tariff and if you have enough Members in both the House and Senate to do it in the next Congress, you can not do it until March 4, 1929, and that will mean that about 70 per cent of the farmers will go broke in the meantime. So you ought to get in on a program to try to do something to correct existing conditions and not wait until that time.

Mr. RANKIN. Will the gentleman yield?

Mr. DICKINSON of Iowa. No.

Mr. RANKIN. With your help we could put it over a veto.

Mr. DICKINSON of Iowa. A short time ago I found this statement with reference to penalizing one branch of one industry in order to protect another:

The Dickinson bill does not penalize any branch of the farming industry as intimated by Mr. Roberts. The producer of each commodity would stand its own losses. The bill provides there shall be separate accounting made for each commodity. Thus corn men would pay their export losses and the livestock men their losses.

So much for balanced production. There is a great deal being said about economic soundness. Somehow or other the yardstick by which you measure whether or not a thing is economically sound usually depends upon the side of the pocketbook from which you are looking at it. If you want to eat cheap food at the expense of the Western farmer and if you want to buy it as cheaply as you can in order to make your pay check go as far as you can, it is very easy to say that a bill of this kind is economically unsound because it will increase the cost of living. I do not believe that. I would like any man to show me how or where he benefited in his bread supply two or three years ago by reason of the fact that the price of wheat was so low that the wheat farmers of the Northwest, Kansas, and Oklahoma went broke by reason of producing it at too low a price. I would like any man to show me how or wherein he is living cheaper to-day by reason of the fact that corn is not within 20 cents of the cost of production in the State of Iowa at the present time. I would like some one to tell me wherein they are living any cheaper now in view of the fact that oats are worth only 28 to 30 cents per bushel. I was out in Defiance, Ohio, the other day and on the market there oats were selling at 32 cents a bushel. I would like to see a Member from the State of Ohio who can get up on this floor and say that a farmer living in the State of Ohio can afford to produce oats at 32 cents a bushel on Ohio land, with the present overhead charges in the State of Ohio. I find that the Quaker Oatmeal mill in the city of Cedar Rapids, Iowa, is enlarging its plant to the tune of a $5,000,000 addition, and that it declared an additional dividend of $2.50 on every share of common stock. They did that largely because they could buy oats from the farmer at a bankrupt price, declare an additional dividend on their common stock, and yet the consumer has not gotten a nickel's worth of benefit out of the entire transaction. [Applause.]

Objection is made that we are going to sell our surplus in Europe cheaper than we would charge the American people for the commodity. Why, bless your hearts, we are only following in the footsteps of the great industrial interests of this country that are doing that very thing and have been doing it for 25 years, and everybody knows it. [Applause.] Why should we be so afraid to establish another interest in this country on the same parity? If you want to make a good observation that will be of economic value to this country, I wish you would look up the amount of merchandise produced by some of the big corporations in this country, including the United States Steel Corporation, and find out how much of their commodities they sell abroad and at how much of a reduced price in comparison with the price sold for to the consumer in this country. [Applause.] I think you could make an observation that would live in this country for years, and I do not see why it should not be done.

I know that a great many people are saying that the farmers of the country are radical. They are not radical. They are only asking that you do for them what has been done for other interests in this country. I want to say to you I believe they are entitled to that, and I believe they are going to continue to persist in their demand, just as they persisted in seeking the passage of a homestead law and kept at it until it was passed.

You will remember that while Abraham Lincoln was President of the United States the homestead law was passed and signed, and for 65 years it has been the backbone of Illinois and all of that territory west of the Mississippi River that has developed so greatly in all of these years. Had it not been for that law, I do not believe you would have seen such progress in 150 years as you have seen out there in the past 65 years following the enactment of the homestead law.

Lincoln said:

The farmers interest is most worthy of all to be cherished and cultivated—that if there be inevitable conflict between that interest and any other, the other should yield.

But we have come to the crossing of the ways. We have come to where, if you please, we, in this food-producing section of the country, are going to go through exactly the same experience they have gone through in practically every other civilized country of the world where the food producer has been compelled to work for his own interests, work out his own problems, while everybody else got the things they needed in order to put their interests on a higher scale, and then the farmer was compelled to produce the food and let them consume it with no particular return other than what they thought he ought to have.

Now, let me suggest another thing at this point. The other day I was up in Pennsylvania at Harrisburg. Pennsylvania is a good State. They have more politics to the square inch now in Pennsylvania, I think, than in any other State of the Union. [Laughter and applause.] I am for politics. I believe we ought to have politics. On the night I was up in Harrisburg I found this statement in the Harrisburg Telegraph. Discussing the farm problem, it said:

Our farmers—

Pennsylvania farmers—

are setting about to solve their own problems to meet their own difficulties.

Get this, now:

Confident that the people of the towns and cities will do the fair thing by them in real, constructive legislation in harmony with sound, economic principles.

In other words, the farmers of this country are not of sufficient importance to pass their own legislation or approve their own legislation or suggest their own legislation, but the town and the city people are to pass such legislation as is for the interest of the farmer, and they are going to decide what is for his best interests.

Next, I found in the report of a man by the name of Fontaine, who is a financial writer for both the New York World and the Washington Post, a statement which to me is very interesting. It was a comment by Richard B. Mellon, president of the Mellon National Bank, of Pittsburgh, Pa. He was sailing for Europe, and was interviewed by Mr. Fontaine just before his ship sailed. This is what Mr. Mellon said—and mind you, do not connect this up with the Mr. Mellon who is Secretary of the Treasury, because I think he is a splendid Secretary of the Treasury and has managed the finances of this country more successfully than any man we have had in that job in recent years, but I want to say to you that I do not concur in the views of his brother with reference to certain observations he made just before sailing for Europe. This is the statement he made:

From present indications I expect the business year of 1926 to be better than the year 1925 was throughout the country generally. Fundamentally conditions underlying business are sound and favorable. The steel business in the vicinity of Pittsburgh is showing a great improvement over a year ago. Steel rolling mills are operating at greater capacity and railroad orders are in larger volume than this time a year ago. Grain prices, I notice, have fallen off, which is as it should be.

Mark the statement—

grain prices have fallen off, which is as it should be.

I want to say to you that if that is the viewpoint of the eastern financial operator, of the eastern industrialist, the sooner we come to where we are going to see either that all go up or that those come down that are up, the sooner we will get the sympathy of men of this kind, who are now saying the farmer is asking what he is not entitled to. [Applause.] So far as I am concerned, Mr. Mellon can sojourn in the Mediterranean as long as he wants if he is going to come home and preach a doctrine of this kind.

I quote from the Des Moines Register, commenting upon what the farmer is asking:

Now the farm is asking nothing that has not been resorted to over and over again for the benefit of others. That is probably the hardest fact to put over, because the others have become so accustomed to their

rôle that they take it as part of the "economic law," while for the farm the proposal is novel and apparently untried. Perhaps those who believe in the open market would prefer to abandon the whole program of legislative interference. But that is not the question, nor is it likely to be in our time. We do have legislative interference with trade, and to that extent the farm must benefit or the farm will lose out.

For this reason I want to say to you that largely the criticism comes from men who feel that they have had a particular advantage for so long a time that they are used to it and it is part of their lives. Did you ever notice how easy it is to go to church if you get up in the morning at 10 o'clock and shave and get ready, and do that every morning at exactly the same time, and following a regular rule? You will find that if you drop off for about a month you are liable to make it two months, and then later make it three months, and if you are not careful you will finally get so you do not go to church at all.

That is the way it is with these men with respect to the economic laws. It gets to be a habit with them. They think anybody who is asking anything along similar lines is asking something to which he is not entitled. They are in the habit, if you please, of receiving these particular benefits, and therefore anybody who asks anything else is asking for something to which he is not entitled.

There are a lot of people who are now saying that if you pass a legislative control such as I have suggested, you are going to adopt the old system of dumping your surplus in Europe. Why, you are not going to do anything of the kind. Who controls the exports of grain and foodstuffs into Europe at the present time? It is controlled by a very limited number of men interested in the export business, and they are afraid that if you get a system of this kind into operation, their business is going to be interfered with and they are not going to have the say as to when they ought sell in Europe and when they ought to store their stuff and not sell it in Europe.

Now, if you will pass legislation such as is suggested here, you will control exports as they have never been controlled before. The exporters engaged in the export business have been continually persistent to see that nothing legislatively interferes with their privilege all these years.

Next I want to say to you that we are not going to have many friends among the grain trade for this proposition. I noticed a few days ago in the Grain Dealers' Journal from Chicago some interesting observations that I want to bring to your attention. The first editorial says, after making numerous comments on some radical Members of Congress, as they call them—I think they are very conservative fellows—they get down to this statement:

> Another impossible task conferred upon the board is the estimating of the losses and expenses to be paid during any "operation period" as a basis for the equalization fee, which the board has discretion to assess on a percentage of the value of a fixed sum per bushel of grain sold by the farmer.

They say you can not estimate the crop conditions in this country. If you go to the board of trade in Chicago, how does it happen that you can buy May wheat, July wheat, or September wheat? I would like to know how it happens, who it is who estimates so accurately that they are willing to have you come in and bet money on whether wheat will go up or come down in the next six months. What does future trading in grain mean? It means that somebody is estimating, somebody is actually prophesying, what is going to happen in the next six months in the grain trade. It means that they are doing this thing exactly as we ask to have this board do—determine whether or not there is going to be an excessive supply; and if there is danger of a surplus, then the board would have the right to declare an operating period and the right to try and stabilize that price over a chaotic period.

A great many people have asked, "What are you going to do about it if you do not have an exportable surplus?" There is written within this bill a plan of national pooling that is going to do more or as much for commodities of which you do not sell an exportable surplus or of which you do export 50 or 60 per cent, and it will be as much for the benefit of the producers of one commodity as another. I believe that legislation can be passed that will work out a pool and will control sufficient of the commodities to stabilize the price, and that is all we can hope to do.

I want to say that you can not market any commodity at a fictitious value. Nobody expects that you are going to compel the sale of a big crop at as much per unit as you can a small crop, but nobody wants the present system to continue where if a man produces a big crop he is at a disadvantage, because usually he sells a big crop for less return per acre than he gets out of a poor crop, and Iowa did that very thing last year.

We are getting less for an excessive corn crop than we got in 1924 at half a corn crop.

The CHAIRMAN. The gentleman has consumed one hour.

Mr. DICKINSON of Iowa. I yield myself 15 minutes more.

Another thing I notice in this same grain trade journal is—

> if this marketing system is effective it would absolutely wipe out the grain-marketing system of this country.

Why, it will not wipe it out at all, if they are dealing in commissions on grain, but if they are dealing in speculative fluctuations it will. I want to say to you that there is too big a percentage of grain dealers in this country—and I have an idea that it is the same with the cotton dealers, but I am not familiar with cotton—men dealing in price fluctuations and that 90 per cent of the grain dealers have no excuse for existence other than the speculative features in grain and are dependent on the fluctuations for their livelihood, and for that reason they are going to be against any such program as is mentioned here.

I want to mention the conflict of interests in this matter. I was talking to a Member of the House from the State of New York a few days ago. That Member of the House said to me that they could not vote for legislation of this kind, because their dairy people buy their grains from the Middle West, and that if we raised the price of grain that would raise the price of feed to their dairy people, and therefore they were against the legislation. I suggested to him that during the year 1924 they paid, I presumed, from $1.35 to $1.65 for their corn which was consumed in the dairy interests in the State of New York, and why? Because of the short corn crop. The next year they are going to pay from 85 cents to 95 cents or possibly a dollar for their corn, because of the excessive corn crop, and therefore that man, with feed as one of the big items of expense in the production of his dairy products, is compelled to fluctuate his prices in order to be able to make any money on his dairy farm, and for that reason he is suffering from fluctuation in price just the same as the farmer who produces a commodity. Would it not be better for the dairy producers in New York if they would turn around and say that they would rather have corn stabilized at 85 cents or 95 cents and have it continued at that price, so that they can work it into their commodity with only gradual fluctuations justified by the law of supply and demand, rather than have the speculative price worked in, as it is at the present time? For that reason the dairy people should be interested in a stabilized price. Then I said that if the New York dairy interests are going to take that short-sighted view of this and say that they want the corn producers of the West to produce corn at a loss, then the only recourse that we have is to do the thing that that would compel us to do, and that is to get glass-lined freight cars and ship fresh milk into the city of New York in competition with the New York man's fresh milk.

That is being done every day. They are now shipping milk away to Miami, Fla., a distance of 1,500 or 2,000 miles, and it is not going to be long until we can ship fresh milk at this distance in competition with these people. Therefore, I say it is better for them to produce the milk with the machinery that they have and let us produce the corn with the investment and the machinery that we have, and we will both make more money and both have better trade relations.

Another man said to me that he was a stock feeder in Iowa, and, therefore, that he did not want the price of corn high. The stock feeders of Iowa lost more money in the last four years than the corn producers of Iowa did, and why? Because of the fluctuation in the price of their commodity. It happens now that this is their inning, but I happen to know of a lot of stock feeders in Iowa who put corn into stock and lost enough so that they are now losing their farms by reason of their loss in that venture. Stock feeding can not bring a certain return for profit unless you can stabilize the price of corn, so that you may know where you are going to land so far as the price of your commodity necessary to finish your stock is concerned; and for that reason I say to you that the stock feeder is just as much interested in stabilizing the price of corn as anybody else. True, he might make money one year, but, on the other hand, he would lose it more often than he would make it, because his investment and overhead is greater, and he can not afford to run the risk that the corn producer can.

Mr. DAVEY. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON of Iowa. Yes.

Mr. DAVEY. With reference to the farm board of which the gentleman speaks, I am wondering what the gentleman's

idea is, supposing that the board should be backed against the public interest, as is alleged to be true in respect to the Federal Trade Commission and the Tariff Commission. How would the gentleman control that situation?

The argument is regularly advanced in support of a high-protective tariff that farmers should support it, because it keeps up wages of workingmen, and thereby makes a better domestic market for the farmer's produce. Could not that same argument be advanced to city people in support of legislation that would maintain a reasonable price on agricultural products, on the ground that better agricultural prices would make a better, more stable, and more satisfactory domestic market for the products of labor and industry?

Mr. DICKINSON of Iowa. I certainly do.

It is provided in the suggestion for legislation that an agricultural council be created consisting of 5 men from each Federal land bank district, or 60 men in all. Those five men of the council are to be selected by the farm organizations and the producing organizations of those respective districts. Under the new suggestion these 60 men meet and nominate 36 men for the board, from whom the President shall appoint 12 members on this board. We are trying to overcome the difficulty suggested by having the board farmer named through nominations made by farm organizations and the selection of the council, with authority to make nominations.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON of Iowa. Yes.

Mr. KINCHELOE. The gentleman stated that the Agricultural Committee ought to report some kind of a bill even if they do not agree in detail with the bill the gentleman has introduced. I think I can tell the gentleman how he can get that bill out of the committee. In the last Congress, out of 21 members on the Agricultural Committee there were 10 Republicans, 2 Progressives, and 9 Democrats. This Congress came along with a larger Republican majority, and the steering committee of the Republican Party of the House eliminated those 2 Progressives, and there are now on that committee 13 stand-pat administration Republicans and 8 Democrats. If the gentleman will get the President of the United States and his Secretary of Agriculture, both of whom are against his bill or any principle in it, to put a little pressure on those 13 Republican members that are now on the Agriculture Committee they will report that out, and there will not be a Democrat on the committee who will delay the reporting of the bill a minute. [Applause on the Democratic side.]

Mr. BLACK of New York. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON of Iowa. Yes.

Mr. BLACK of New York. The gentleman points out that one of the great merits of his bill is that he provides for a stabilized price in commodities, yet at the same time saying that this regulation will be subject to the changing conditions of the law of suply and demand. Does the gentleman anticipate about how many times a year the price of grain will be changed by the board?

Mr. DICKINSON of Iowa. The board does not fix the price of grain at all. It is fixed by cooperative producers and——

Mr. BLACK of New York. It might be changed as easily as under the present conditions?

Mr. DICKINSON of Iowa. No; I do not think it would be, because under present conditions they will take the condition in Australia and use it as a bugaboo and shoot corn down or wheat up 5 or 10 cents a bushel, whereas if you had a board interested in the stabilization of the price rather than profits in speculation, you will find the price will reach a stabilized point.

Mr. BLACK of New York. Of course the profits and losses from speculation now are largely confined to those trading in those markets.

Mr. DICKINSON of Iowa. No; it is felt by everyone that buys and sell as well as the speculator.

Mr. BLACK of New York. On the other hand, if the prices are raised under the gentleman's system, the increases fall on the consumer.

Mr. DICKINSON of Iowa. Increases?

Mr. BLACK of New York. Yes.

Mr. DICKINSON of Iowa. I suggested a while ago that there could not be an increase in the cost of living, because no one commodity enters into the cost of living sufficiently to effect the raise. All food commodities do not fall at the same time. We are asking that instead of the old process we stabilize, and in carrying out that stabilizing process we do not have such fluctuating reflected cost of living at all. Why? You fellows pay more for wheat in its processed capacity now than some years ago—that is, the miller does, not the consumer. The miller pays more now and it is not reflected in what the consumer pays for bread. The cost of bread is not fluctuated to the consumer at all.

Mr. BLACK of New York. The increased cost in the price of wheat on the Chicago Board of Trade will not be ultimately reflected in the cost to the consumer in the increased price of wheat under the gentleman's system?

Mr. DICKINSON of Iowa. No; it will not for this reason. The price on the present board of trade fluctuates, going up and down——

Mr. BLACK of New York. The gamblers' price?

Mr. DICKINSON of Iowa. Yes. While under this bill we try to carry on a stabilized price. If the trend of economic conditions to-day is to a rise we will probably have a little advance in the price of a commodity, but the advance or decline would be gradual.

Mr. BLACK of New York. On the other hand the price for the commodity now is natural due to economic conditions and the gambler is only suffering under the activities of the exchanges, whereas with an artificial price by this board the consumer will bear the burden.

Mr. DICKINSON of Iowa. No; the consumer will not be affected.

Mr. BANKHEAD. If the gentleman will yield, will the gentleman give a practical application of its purpose and apply it for instance to corn?

Mr. DICKINSON of Iowa. I will be glad to do it. Suppose now the average of corn production is about 2,600,000,000 bushels. Of that about 2,000,000,000 bushels is used in the locality where it is produced and never enters into trade. About 600,000,000 bushels enters into the general trade channels. We find when we make a survey that we are going to use in the domestic trade about 540,000,000 bushels of the 600,000,000, but you have got 60,000,000 that you can not use, and therefore it is what you call a surplus.

Now we find that the great percentage of corn is marketed in the months of December, January, and February. What we would do if we had a surplus of that kind would be for the board to designate a cooperative agency to handle that crop. You say now there is no corn agency to handle that crop at the present time. If there is not I say one can be organized if charged with the responsibility to handle that crop of corn. They will cooperate together and say we find that the average consumption of corn per month is so much. You can figure that accurately. I have not the figures but I can give them to you, and you can know how much corn is going to be consumed during every month in the year in this country, and therefore with this consumption we are going to have a surplus of 60,000,000 bushels.

I care not whether you allocate it into some other channel, whether you make corn sugar out of it, whether you ship to Europe, or use it for some other purpose, you must keep it out of the regular market channel.

This agency can say, "We will make the price 80 cents a bushel." The price must be made low enough, because you do not want an excessive price in machinery of this kind, because, as I said before, the one thing that a producers' organization is afraid of is an excessive price and an excessive production. Next they would find that if they could consume that 540,000,000 bushels they would have to sell those 60,000,000 bushels at a loss.

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

Mr. DICKINSON of Iowa. I will allow myself 10 minutes more.

They would find that in order to market this 60,000,000 bushels they would have to take a loss of 15 cents a bushel. What they would do would be to figure out that cost and charge it against the corn that goes into the general channel or charge it to the processing plant. I would like to see a bill put out on the floor of this House wherein the board would have an option in directing where the equalization fee should be taxed. I believe that each bushel of corn that goes into the general market channels should be taxed. If the price of corn was raised from 60 cents to 85 cents when you put it in the elevator, you would get 85 cents, less the equalization fee, whatever it might be.

Mr. CARTER of Oklahoma. Mr. Chairman, will the gentleman yield there?

Mr. DICKINSON of Iowa. Yes.

Mr. CARTER of Oklahoma. Can the gentleman state what that tax ought to be?

Mr. DICKINSON of Iowa. It never ought to exceed 3 cents a bushel.

Now, what would that tax do? The statement is made by Mr. Yoakum that this tax and equalization fee is assessed against the entire product. It is not. It is only assessed

against that amount of the commodity that goes through the general trade channels. If I were a neighbor to my friend from Oklahoma [Mr. CARTER] and I had some corn and he had some cattle, I would try to sell him that corn and not pay the equalization fee and not put that corn into the general channel. What you want to do is to take it off the market. The purpose of the bill is to keep the corn from flooding the market at that particular time; and for that reason I believe this equalization fee would do two things. It would help in diverting the surplus from the general trade channels and it would raise the fee and help pay the agency for the loss that they sustained in the matter of the sale of the 60,000,000 bushels for what they could get for it.

Mr. WHITE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON of Iowa. Yes.

Mr. WHITE of Kansas. The gentleman knows that the corn marketed to the producers of beef is a very considerable percentage. Is the gentleman able to state what that percentage is? And can the gentleman state whether his equalization fee is included in the grain directly sold?

Mr. DICKINSON of Iowa. The only place where that would apply would be where there was a shortage of corn and it is shipped from one locality to another for feeding purposes. It would not apply to a locality where they have an exchange of corn for feeding purposes.

Mr. WHITE of Kansas. The gentleman knows that it is oftentimes the case that the price of corn to the feeder is the price of corn distribution to his feed lot, even if it is sold by a local producer, is it not?

Mr. DICKINSON of Iowa. That may be true out in the gentleman's section.

Mr. WHITE of Kansas. It is true of many localities.

Mr. DICKINSON of Iowa. Yes.

Mr. WHITE of Kansas. Can the gentleman say what is the percentage of the crop in export for 1925?

Mr. DICKINSON of Iowa. The amount is small for 1925.

Mr. WHITE of Kansas. Something over 16,000,000 bushels, is it not?

Mr. DICKINSON of Iowa. About 16,000,000.

Mr. WHITE of Kansas. It is relatively an infinitesimal amount. What would be the gentleman's objection to throwing 100,000,000 bushels on the European market from the domestic product?

Mr. DICKINSON of Iowa. I do not know what the consumption of the European market for corn is. The most we have sent is about 16,000,000 bushels a year. We usually send 12,000,000 bushels. I do not think this country has ever sent as much as 60,000,000 bushels. I think the amount is only about one-fourth of that amount.

Mr. WHITE of Kansas. Then the export would not greatly affect the price of the domestic product?

Mr. DICKINSON of Iowa. It has affected it heretofore. The best information we have from those best posted is that the foreign price does affect the domestic price.

Mr. WHITE of Kansas. Does the gentleman believe the often quoted statement that Liverpool fixes the price of the world? That is something of a misnomer, is it not, and is it not rather a fact that domestic conditions fix the price?

Mr. DICKINSON of Iowa. Well, I know that the European price is sometimes used by speculators to bear down the price to the producers.

Mr. WHITE of Kansas. The gentleman in his bill has my full sympathy, but I am wondering about the details. I am asking the gentleman these questions seriously and sincerely for information. Now we export a comparatively small amount of corn?

Mr. DICKINSON of Iowa. Yes, sir.

Mr. WHITE of Kansas. It is a question what effect the exportation of the surplus would be, determined by the supply that we raise. Our consumption is regulated by that supply. I believe our product last year was 2,100,000,000 bushels.

Mr. DICKINSON of Iowa. I have cut out the words "exportable surplus" from my bill. I think a domestic surplus is just as harmful as an exportable surplus. I believe you must have a plan that will result in a marketing that will gradually enable the producers to pool their product and then market it to the best advantage of the producer.

Mr. WHITE of Kansas. Does the gentleman believe that control can be had when we have a carry-over of 21,000,000 bushels?

Mr. DICKINSON of Iowa. I do not believe that that has ever happened in the economic history of the country.

Mr. WHITE of Kansas. But the carry over fluctuates from year to year.

Mr. DICKINSON of Iowa. Yes; but not anywhere near that amount; it has never fluctuated that much.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. DICKINSON of Iowa. Yes.

Mr. WHITTINGTON. I have been very much interested in the gentleman's explanation, in answer to the gentleman from Alabama, as to the handling of corn under the proposed legislation. I should like very much to have the matured views of the gentleman as to the handling of cotton, a larger proportion of cotton being exported than corn—as I understand from 50 to 65 per cent.

Mr. DICKINSON of Iowa. I am not a student of cotton, and I am only going to give an offhand observation, and that is this: If I remember correctly, from 55 to 60 per cent of your cotton is sent abroad. I believe that if you fellows would come in and support a bill of this kind you would strengthen your cotton producers' organization so that within a few years you would have more influence on the price of cotton than all of the conditions in Europe put together.

Mr. WHITTINGTON. I am asking the gentleman, though, his views as to how this legislation will now affect the cotton crop.

Mr. DICKINSON of Iowa. I am telling you. You could pool the cotton crop; you could keep the commodity and thus be able to control the market, in that way having your influence on the market in Europe, because you produce 60 per cent of the cotton that is consumed over there. If you had the kind of a producers' organization I am suggesting, you would have the cotton buyers from abroad, from Liverpool, come over here for the purpose of negotiating with the members of your marketing organization as to what you fellows were going to deliver cotton for. That is the very thing you need. You would have them coming over here instead of sending your cotton over there and saying, "How much are you going to give for it?"

Mr. WHITTINGTON. I would like to hear from the gentleman particularly as to the equalization fee in the handling of a crop like cotton, the majority of which is exported.

Mr. DICKINSON of Iowa. In a pooling proposition?

Mr. WHITTINGTON. No; I am speaking of the proposed legislation.

Mr. DICKINSON of Iowa. What you would have to do there—and the pooling proposition is involved in this legislation. I do not seem to have made that clear.

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

Mr. DICKINSON of Iowa. Mr. Chairman, I will yield myself 10 additional minutes. I do not want to wear you gentlemen out on this thing.

Mr. TAYLOR of Colorado. Mr. Chairman, I suggest that the gentleman take as much time as he desires, because there will be no debate in connection with the bill more interesting than this. [Applause.]

Mr. WHITTINGTON. As the gentleman is probably aware, the matter of pooling cotton does not obtain except in a very small degree, and so under present conditions as they are now, and long before we ever get to the pooling of the entire crop of cotton, I am so much interested in the proposition as advanced by the gentleman that I am asking his matured views as to how it will affect the handling of the cotton crop.

Mr. DICKINSON of Iowa. Is there any reason why cotton can not be carried in storage?

Mr. WHITTINGTON. None whatever; I think better than any other staple crop.

Mr. DICKINSON of Iowa. Now, 60 per cent of your cotton goes abroad; Europe you supply certain grades of cotton and you supply a large percentage of what they consume. Now, suppose instead of sending your cotton abroad and letting the marketing agencies of the cotton board in Liverpool tell you how much they are going to give you for it, you would simply withhold a certain amount of your cotton from the market for a certain length of time and have them come over here and ask you gentlemen how much you are going to ask for it. You would thus get a better price and make them come here to get your price and pay it.

Now, with reference to the equalization fee, I want to get at this phase of it: Suppose you said in your cooperative that you ought to get 22 cents per pound. I do not know how many pounds there are in a bale of cotton.

Mr. WHITTINGTON. Five hundred.

Mr. DICKINSON of Iowa. Suppose you said you wanted 22 cents a pound for your cotton, and after you had marketed a certain amount of it you found you had an overplus. Then you would have to hold out an equalization fee in order to be sure that you could make settlement with your cotton producers from whom you had collected the equalization fee.

Mr. WHITTINGTON. I am very much interested in the proposition. So very much interested am I in the proposition that I want to get the matured view of the gentleman from

Iowa before this legislation is enacted as to how it will affect the greatest of all our crops that is exported. I think we ought to deal in something besides supposition before we enact legislation that will affect that crop. For that reason I am asking these questions.

I just simply want to get the gentleman's matured views, because I regard this as fundamental in the enactment of this legislation, so far as the cotton crop is concerned. I do not want any experiment or any supposition when it comes to handling the cotton crop.

Mr. DICKINSON of Iowa. I do not know the definition of matured views, but all I can do is to suggest what, in my judgment, you could do in handling the cotton crop. When I have said that I have said all I can say.

Mr. WHITTINGTON. As to the equalization fee, what is the provision of the bill and how will it operate so far as the handling of the cotton crop is concerned? I am asking for information.

Mr. DICKINSON of Iowa. Every pooling concern, if they pool their produce successfully, ought to take out an equalization fee, so that if they have to sell any percentage of their crop at a loss they will have something to protect the man who has raised the crop, and thereby make a proper settlement all along the line.

Mr. WHITTINGTON. Who will fix it?

Mr. CARTER of Oklahoma. And settle at the same price.

Mr. DICKINSON of Iowa. Yes; at the same price.

Mr. WHITTINGTON. In this organization, under any one of these bills, who will fix the equalization fee in so far as the cotton crop is concerned?

Mr. DICKINSON of Iowa. Your cotton-producing association.

Mr. WHITTINGTON. What representation have they under the proposed legislation?

Mr. DICKINSON of Iowa. They have the choice of selecting the members of the council, and they have the choice of nominating the members of the board.

Mr. WHITTINGTON. As I recall, under the gentleman's bill, a member is to be elected from the cotton and the tobacco districts, and a man might know something about corn or about tobacco and not know anything about the cotton crop.

Mr. DICKINSON of Iowa. There is one man selected from each Federal land-bank district, which gives Texas one man on the board.

Mr. WHITTINGTON. Just one further question, if the gentleman will permit, and then I have finished. What would be your idea as to the amount or the percentage of the sale price of cotton which it would be necessary to have as an equalization fee?

Mr. DICKINSON of Iowa. It would depend entirely on world supply and world consumption, which would have to be determined each year.

Mr. CARTER of Oklahoma. And the production.

Mr. DICKINSON of Iowa. Yes; and your production. That is to be determined each year and must be determined according to conditions that exist at the time.

Mr. WHITTINGTON. And that variable factor would apply to cotton, corn, and other commodities?

Mr. DICKINSON of Iowa. Yes.

Mr. JONES. Will the gentleman yield?

Mr. DICKINSON of Iowa. Yes.

Mr. JONES. I want to ask the gentleman if he indorses the latest bill which has been presented to the Committee on Agriculture by the so-called committee of 22 representing the farmers of the Western States?

Mr. DICKINSON of Iowa. I want to say to the gentleman from Texas I will support any bill the committee will bring out that will involve the principles involved in my bill, which means the organization of a board, the right to determine an operating period, the right to designate an agency to handle the commodity, and collects in some form an equalization fee.

Mr. JONES. I want to ask the gentleman about this specific bill which the committee of 22 has presented to the committee as their bill and as the bill of the western farmers. Will the gentleman support that measure if it is reported out?

Mr. DICKINSON of Iowa. Absolutely.

Mr. JONES. This bill, I will state to the gentleman, provides for the levy of an equalization fee on wheat, cotton, swine, and cattle to create a revolving fund, and does not levy an equalization fee on corn, but provides for the taking of as much as $100,000,000 or up to $100,000,000 out of the revolving fund to pay for any losses in the sale of corn. Does the gentleman think that is a fair proposition?

Mr. DICKINSON of Iowa. I will say to the gentleman I will support that proposition, but I would rather see corn and oats and the various commodities all put into the bill and a system established whereby you can collect the equalization fee either at the point of marketing or at the point of processing.

Mr. JONES. Does the gentleman think it would be right for any Member who resides in and represents a district which produces either one of the four commodities I have named to try to make his farmers believe they need to have their prices increased by using this bill and this equalization fee and to tax themselves in order to relieve the farmers of another district who do not pay any of the equalization fee?

Mr. DICKINSON of Iowa. Will the gentleman state that again, please?

Mr. JONES. Does the gentleman think, for instance, it would be right to tax the wheat farmer by claiming there is an emergency and that an equalization fee is needed to govern and control his crop, in order to pay the equalization fee of the corn man who lives somewhere else.

Mr. DICKINSON of Iowa. No, sir.

Mr. JONES. That is the bill presented by this committee representing the western farmers.

Mr. DICKINSON of Iowa. Do you not mean that the equalization fee is contributed alike to the $250,000,000 revolving fund?

Mr. JONES. No; there is no specific revolving fund mentioned. The bill now before the committee authorizes the levying of an equalization fee on the four commodities I have named to create a revolving fund as well as to create a fund for the handling of each of those commodities. Then over in another paragraph they deal with corn and provide for the buying and selling of corn and the paying of the losses on corn out of the revolving fund created by the four commodities, without making corn pay any equalization fee at all. Does the gentleman think that is right?

Mr. DICKINSON of Iowa. No; and I think the gentleman is mistaken.

Mr. JONES. No; that is exactly what the bill provides. The gentleman can get a copy of the bill, and the gentleman will find that it only puts four commodities in the bill—wheat, cotton, swine, and cattle.

Mr. DICKINSON of Iowa. I am familiar with that phase of it.

Mr. JONES. And provides for the levying of an equalization fee and provides for the creating of a revolving fund, and then over in the last paragraph it provides for the buying and selling of corn and provides specifically that corn shall not be subject to an equalization fee, but provides for the payment of the losses on the handling of corn out of the revolving fund.

Mr. DICKINSON of Iowa. Out of the $250,000,000 revolving fund.

Mr. JONES. The gentleman says he would rather not have it that way, but would support such a bill. Suppose the gentleman represented a district which produced wheat, cotton, cattle, and swine—all four—but did not produce any corn, would the gentleman vote for it?

Mr. DICKINSON of Iowa. I will say to the gentleman I think the committee ought to amend the bill so as to make the revolving fund applicable to the commodities on which it is assessed. [Applause.]

Mr. JONES. But your corn committee or your committee of 22 representing the Des Moines conference voted unanimously for the measure, as I have stated it to you, and they have asked the committee to report the measure that they have agreed on unanimously. What position does the gentleman take with reference to that measure?

Mr. DICKINSON of Iowa. Let me suggest to the gentleman that the Committee on Agriculture has the right to bring that bill out so that it is equitable as between the producers of the various commodities. If that discrepancy or discrimination is in there, it is the duty of the gentleman from Texas and the rest of the members of the committee to remedy it, because I believe that each commodity ought to stand its own equalization fee.

Mr. JONES. All right; I will assume the gentleman is correct, and if the gentleman will take that position and accept the suggestion of the gentleman from Kentucky, that will absolutely get his bill out. I want to say here that the Republican leader of the House is reported in the Evening Star as saying we can adjourn in 10 days because there probably will not be any agricultural relief measure passed.

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

Mr. WINGO. Will the gentleman take some more time? I would like to get a little information.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield myself five minutes more.

Mr. JONES. I would like to state to the gentleman that according to a clipping I have here from the Evening Star, the floor leader is purported to have made a statement to the effect that the House could adjourn within 10 days, and as to farm relief legislation the article states:

"Farm relief legislation appears none too certain," he said, "as the House Agricultural Committee apparently is unable to agree on a recommendation to the House."

Mr. DICKINSON of Iowa. Let me ask the gentleman a question. Does the gentleman favor the adjournment of Congress without the passage of any farm relief legislation?

Mr. JONES. No; I do not; but I want to ask the gentleman a question. Does not the gentleman think that if the administration were behind any measure it could easily be passed?

Mr. DICKINSON of Iowa. I do not know about what the attitude of the administration is going to be on the legislation that is now pending. I have had my trials and tribulations with the administration in times past.

Mr. JONES. Does not the gentleman think that if the President indorsed it, it would have an excellent chance to pass?

Mr. DICKINSON of Iowa. I think it would.

Mr. JONES. Then the gentleman is not going back to his district and justify the position of the President in refusing to get behind it?

Mr. DICKINSON of Iowa. I will say to the gentleman that I was one of the men who criticized the President with respect to his Chicago speech, on the theory he did not meet the requirements of the Republican platform in his recommendations.

Mr. JONES. I think the gentleman was thoroughly justified.

Mr. DICKINSON of Iowa. I want to say further that we have worked out and formulated plans on both tax reduction and radio control by reason of the analysis made by the administration forces and have been able to put them through, and I am seeking real activity along agricultural lines with the momentum of the administration behind it.

Mr. JONES. In that connection I want to say that the same forces that have kept the gentleman from getting the relief he is advocating are the ones that have kept the Democrats from getting relief by the reduction of the high tariff.

Mr. WINGO. Now will the gentleman yield?

Mr. DICKINSON of Iowa. I will.

Mr. WINGO. I want to find out something about the equalization fee because I realize that is the key to the situation. There would be no pooling except through the agents of the cooperative associations. Would the farm products of those who belong to the association be the only ones who would pay the equalization fee?

Mr. DICKINSON of Iowa. Oh, no.

Mr. WINGO. What would be the legal authority to assess a fee of 3 cents a bushel on a farmer's corn in Iowa if he declined to go into the association?

Mr. DICKINSON of Iowa. The fee is not assessed against the individual, it is assessed against the unit of the product which goes into the channels of trade in interstate commerce.

Mr. WINGO. I wanted to get an illustration. If you are on the board and dominating the board you would elect the cooperative marketing associations?

Mr. DICKINSON of Iowa. I would.

Mr. WINGO. I think we both would do that, but not only would the corn or the wheat or the commodity you are talking about, of the members of the voluntary cooperation have the equalization fee assessed on it, but you contend that under the power and control of a commodity in interstate commerce you could also collect the fee for the benefit of that pool on grain that did not belong to the association?

Mr. DICKINSON of Iowa. The gentleman must not go too far with his questions before I answer.

Mr. WINGO. I was just laying the foundation; I have not really asked my question.

Mr. DICKINSON of Iowa. Yes; the gentleman has asked a question. The equalization fee is not assessed against the members of the association; it is assessed against the unit of the commodity. If it is corn it is assessed so much a bushel delivered at the elevator.

Mr. WINGO. It may be that I am wrong; but, in other words, the corn that belongs to the man who declines to go into the association would be assessed with that of the corn of the man who belongs to the association?

Mr. DICKINSON of Iowa. Absolutely.

Mr. WINGO. You contend that Congress has the power to authorize the Federal Government to collect a fee from a nonmember for the benefit of the board?

Mr. DICKINSON of Iowa. If he delivers the commodity into the general channels of trade. [Applause.] Mr. Chairman, I yield the floor.

Under the privilege granted me to extend my remarks, inserted are statements of the findings of the National Industrial Conference Board of New York, and the findings of this board justify every contention of the friends of agriculture that an economic inequality does exist at the present time.

Their summary of the causes of the present difficulties of the farmers is as follows:

In summing up the causes of the farmer's difficulties the report declares that while 60 per cent of the farmer's income depends on world conditions of supply, demand, and costs, which are out of his control, most of the elements entering into the expense of operating the farm—that is, the cost of agricultural production—are determined by domestic conditions, which place the costs for the farmer on a higher level of values than the world level of values which determines the bulk of the farmer's income. Having to produce at a level of high costs, the farmer must meet competition, which, producing at lower cost, limits the market for his surplus in accordance with the abundance or scarcity of world crops.

WARNING

The National Industrial Conference Board, 247 Park Avenue, New York, in its report on the agricultural problem, just completed, warns the United States not to neglect its agricultural development in too intensive preoccupation with other industrial, commercial, and financial interests.

In the opinion of this board, whose membership consists principally of chief executives in the manufacturing field, a broader view must be taken of the danger that lurks in an unbalanced economic development. American industrialists, the board urges, must consider the agricultural problem from the broad viewpoint of national economy in order to avert serious consequences to our whole economic structure.

ENGLAND'S FATE

It is recalled that it is now England's fate to regret the mistake of too intensive an industrial development, achieved at the cost of having her agriculture lag behind so that for a long time the country has not been self-sufficient as regards food and other farm products, and that the difficulties arising out of her agricultural problem to-day constitute one of the gravest issues confronting the British Government. The shrinkage of our agricultural "plant" in proportion to our population growth, the dwindling of agricultural wealth and income since 1900, the report declares, are real symptoms of a relative decline in American agriculture which challenge the attention of all classes, including that of the urban manufacturing and commercial population, for reasons of self-interest if no other.

Despite these efforts on the part of some countries, the report goes on, there is indication that the total world production of agriculture also is not keeping step with the increase in population, but is actually declining. Figures on agricultural world production show an actual net decrease in most important farm products.

AGRICULTURAL DECLINE

The board's report notes a distinct tendency of the farming industry and farm production to decline, relatively to our population growth, beginning with the year 1900. While farm-land acreage increased faster than the population up to 1860, the acreage of farm land per inhabitant since then has decreased 30 per cent. Improved acreage continued to increase faster than population up to 1880, but per capita acreage of improved farm land has decreased by about 16 per cent since that time. The acreage of harvested crops increased faster than the population up to 1900, but crop acreage since 1900 has decreased about 8 per cent per capita of population. In addition, the yield per acre of principal crops, which had increased rapidly until about 1900, has declined by about 4 per cent since.

FARM PRODUCTION LAGGING

Thus, farm production in proportion to urban population has been decreasing since 1880, and has declined by 20 per cent since 1900 alone. All of these facts indicate, according to the report, that since the beginning of the century the cost of agricultural production, prices, and markets have not been such as to make it pay to maintain the same rate of increase of farming production for our growing population as existed before that time.

We do not have far to seek for at least one of the reasons for this situation, according to the board's report, if we examine agricultural exports and imports. Since 1900, farm exports show a distinct downward trend, while agricultural imports are increasing. Our agricultural exports declined 20 per cent in volume from 1900 to the beginning of the war, and while in 1900 the value of our agricultural imports amounted

to less than one-half of that of our exported farm products, our agricultural imports by the time the war began amounted to 83 per cent of our agricultural exports in value.

FARMER PAYS MORE, GETS LESS

The farmer's weakened position in meeting foreign competition at home and abroad, the board points out, has resulted from a tendency of his expenses to rise more rapidly than the prices he receives for his products. Overhead capital costs, including all taxes and interest charges of farming, which rose less than 60 per cent from 1880 to 1900, increased about 100 per cent from 1900 to 1910, and nearly 600 per cent between 1900 and 1920. Farm labor costs in the 20 years increased 90 per cent. Operating costs per unit of production, covering all materials and products of other industries purchased by the farmer, practically unchanged between 1880 and 1900, rose 116 per cent between 1900 and 1920. Combined costs per unit of product rose over 300 per cent in these 20 years. But wholesale prices of farm products increased only 120 per cent during the same time.

HIS INCOME DWINDLES

The return on the total capital invested in agriculture, the board finds, including the value of the food, fuel, and shelter supplied by the farm during the five years prior to the war averaged 5½ per cent, but during the five years since 1920 averaged only 4 per cent, and the net return on the individual farm operator's investment only 2 per cent.

The average return to the farmer for his labor and management, after allowing a nominal return on capital invested, including the food, fuel, and shelter supplied him by the farm, in the five years preceding the war, averaged $470 a year; in the five years since 1920, $600 a year. But taking into account the increase in the cost of living for the farmer, the report finds the purchasing power of his annual income since 1920 about 4 per cent below that earned by him in 1914. This the board contrasts with the average increase of 22 per cent in the "real" annual earnings of workers in other industries, including wage earners and clerks in manufacturing and transportation, ministers, teachers, and Government employees.

WORKS ON NARROW MARGIN

Actual earnings of the farmer in 1924 in return for his labor are computed by the board at $730 on the average, as against average earnings of $1,256 per wage earner in the manufacturing industries in the same year, average earnings of 1,572 by transportation workers, $2,141 earned by clerical workers, an average of $1,678 earned by ministers, $1,295 by teachers, about $1,650 by Government employees, and an average of $1,415 per worker in all groups other than farmers.

The food, fuel, and housing supplied by the farm the board's report appraises at about $630 per year, which, the report points out, leaves the average farmer a cash income of about $100 out of the $730 earned by his labor during the year 1924. An average return of about $400 is allowed on the capital invested, making the total average cash income per farmer operator about $500 a year. Since the cost of food and clothing purchased by the average farm family during the year runs to about $475, the average farm income, the board points out, is only slightly more than enough to purchase the necessities of life.

INDEBTEDNESS

Since these figures represent averages, the board's report declares, there must be as many worse cases as there are better ones, and in many instances therefore farmers must have had to forego payment of interest on debt, or taxes, to say nothing of repairs, equipment, and maintenance and proper care of the fertility of the soil, in order to pay ordinary living expenses. This situation, the report states, is illuminatingly reflected in farm bankruptcy statistics. The rate of farm failures from 1910 to 1924 shows an increase of over 1,000 per cent, in contrast to that of commercial failures, which has remained practically the same per year during the same period. Capital invested by farm operators decreased from $47,000,000,000 in 1920 to $32,000,000,000 in 1925, a loss of approximately $3,000,000,000 per year.

PER CAPITA INCOME

Striking is the comparison made in the report of the income per capita of the nonfarming population with that of farm inhabitants. While the income per head of urban population in 1919 was $723, $816 in 1920, and $701 in 1921, the per capita income of the farming population was $362 in 1919, $298 in 1920, and $186 in 1921. While this in a measure reflects the larger family usually prevalent on farms, as compared with the city population, it does not make the feeding of these additional mouths any easier, in the view of the authors of the report.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield to the gentleman from Texas [Mr. BOX] 45 minutes.

Mr. BOX. Mr. Chairman, I ask unanimous consent to extend my remarks, especially by inserting at the end of them a letter recently received from the Commissioner General of Immigration dealing with the deportation of aliens subject to deportation under the law, and two other documents, being a part of the printed matter mentioned in the Commissioner General's letter and having been furnished me by Commissioner General Hull and Chief Supervisor Wixon as bearing on this subject.

The CHAIRMAN. Is there objection to the gentleman's request to extend his remarks in the manner indicated? The Chair hears none.

Mr. BOX. Mr. Chairman, I ask that the Clerk read the following report which appeared in the Los Angeles Daily Times February 12, 1926, stating an arrangement purporting to have been made by the immigration authorities with the employers of aliens whose deportation the law requires.

The Clerk read as follows:

IMMIGRATION CHIEF WORKS OUT METHOD OF LEGALIZING INFLUX OF MEXICANS

In an effort to safeguard labor conditions for southern California generally and for the Imperial Valley particularly, I. F. Wixon, Chief of the United States Immigration Bureau, before representatives of various chambers of commerce in session at Brawley, outlined what he termed "a gentlemen's agreement."

Under its terms, a matter of volition in so far as the chambers of commerce are concerned, Mexicans who have crossed the border and are now residing in the United States without having paid the requisite $10 Mexican passport tax and American visa charge, amounting to $8, will be given an opportunity to make good on the total payment of $18. The method suggested by Mr. Wixon is this:

Such Mexicans will be given the opportunity to register with the chamber of commerce nearest them. Each will then be presented a registration card, upon the signing of which he agrees to pay to that organization a small stipulated sum per week until the total of $18 has been paid. When the last "installment" has been paid, the registrant will be conducted to the border, where both the Mexican and American fees will be paid and the Mexican permitted to remain in this country.

There has been no order issued, Mr. Wixon asserts, calling for immediate deportation. Only those who fail to show a registration card after a reasonable lapse of time will face the possibility of deportation, according to the immigration chief. All of which is contradictory to a statement with which Mr. Wixon was accredited.

"It is absolutely untrue that I have issued any order whatever in regard to deportation of Mexican laborers," said Mr. Wixon last night. In fact, we have been working for weeks along lines exactly the reverse. We have succeeded, I think, in working out a gentlemen's agreement which will permit all Mexican laborers now in the country to remain here. I sincerely regret that a report has reached the press to the effect that I had issued a mandatory order of any kind. I said last night in a talk at Brawley that if all the parts of the proposed gentlemen's agreement were not lived up to, it might become necessary to deport many aliens now working in this country. Evidently some press correspondent misunderstood my meaning and sent out news not agreeing with the facts.

The press carried other reports of the same arrangement, but this sufficiently outlines the proposition.

Mr. BOX. I ask that the Clerk read the following sections of the immigration law, which are only some of several provisions of the law violated by this unbelievable agreement and practice:

The Clerk read as follows:

* * * any alien who shall have entered the United States by water at any time or place other than as designated by immigration officials, or by land at any place other than one designated as a port of entry for aliens by the Commissioner General of Immigration, or at any time not designated by immigration officials, or who enters without inspection shall, upon the warrant of the Secretary of Labor, be taken into custody and deported: * * * (Part sec. 19, act of February 5, 1917.)

SEC. 14. Any alien who at any time after entering the United States is found to have been at the time of entry not entitled under this act to enter the United States, or to have remained therein for a longer time than permitted under this act or regulations made thereunder shall be taken into custody and deported in the same manner as provided for in sections 19 and 20 of the immigration act of 1917: * * * (Immigration act, 1924.)

SEC. 25. The provisions of this act are in addition to and not in substitution for the provisions of the immigration laws, and shall be enforced as a part of such laws, and all the penal or other provisions of such laws not inapplicable shall apply to and be enforced in connection with the provisions of this act. * * * (Immigration act, 1924.)

Mr. BOX. Soon after press reports and other advices impressed me that some arrangement like this so-called "gentlemen's agreement" had been made by the Labor Department or its subordinates, I wrote to Assistant Secretaries of Labor Hon. Robe Carl White and Hon. W. W. Husband and Commissioner General of Immigration Hon. Harry E. Hull each the following letter, which I ask that the Clerk read:

The Clerk read as follows:

MARCH 3, 1926.

Hon. ROBE CARL WHITE,
Assistant Secretary of Labor,
Washington, D. C.

MY DEAR MR. SECRETARY: Herewith I am inclosing copy of a clipping from the Los Angeles Times of February 12, 1926, purporting to outline a "gentlemen's agreement" made between immigration officers and certain commercial organizations of California and possibly of other States. I beg to inquire whether your office or anyone in your department has made or authorized the making of such an agreement as that herein outlined. If not exactly the agreement reported in this dispatch has been made, will you be kind enough to advise me whether any agreement in any way like it has been made; and if so, what are the provisions of the agreement made or authorized?

If commercial organizations or others have secured an arrangement for the payment of the visa fees and head tax of Mexican immigrants on the installment plan after their admission into the country, I will thank you to advise me of any legal authority or regulation of the department authorizing such an arrangement. If that arrangement is made for the benefit of importers of labor from Mexico, will you kindly advise me whether it has been made to apply to immigrants from other countries? The article in question indicates that it has been made for the benefit of those who came in illegally in the first instance. If such an arrangement has been made or authorized, please advise me how, when, and where the examinations of immigrants provided under the act of 1917 have been made. If such an arrangement has been made or authorized, will it be the practice of the department to refuse to deport aliens illegally in the country provided they afterwards pay on the installment plan the visa fee due at the time of the granting of the visa and the head tax due upon their admission?

If the department finds that it has not authorized such an arrangement, but that officers and employees of the Immigration Service in the field have made such a "gentlemen's agreement," what will be the attitude of the department as to permitting such a practice, and what steps will be taken, if any, to see that such illegal practice is discontinued?

The newspaper clipping copied was presented to the House Committee on Immigration and Naturalization, and other press reports corroborating this one have come to my attention. But for these reports I would not write this inquiry.

Not being sure what office would handle or know about such an agreement and practice, I am addressing identical letters to you and to Second Assistant Secretary Husband and Commissioner General Hull in the hope of being sure to reach the office which can furnish me correct, detailed information on the points inquired about. I am sure that you will appreciate the fact that the question is important and the inquiry pertinent. I will thank you for an early reply.

Very truly yours,

JOHN C. BOX.

Mr. BOX. On March 9, 1926, I received from Hon. Harry E. Hull, Commissioner General of Immigration, a reply to the identical letter which I had written to him and the two Assistant Secretaries of Labor above quoted. My letter covered a little more than a page. The reply covered four closely written pages and a portion of another. It is so long that I can not have it all read here now, but I ask for permission to insert the whole of the letter at the conclusion of my remarks. I now ask that the Clerk read several excerpts from Commissioner General Hull's reply, containing the high points and substance of the whole letter:

The Clerk read as follows:

Hon. JOHN C. BOX, M. C.,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN BOX: Reply to your letter of March 3 has been deferred pending the return of the chief supervisor of this service, in order that I might discuss with him the subject matter thereof.

As regards the clipping from the Los Angeles Times of February 12, 1926, copy of which accompanied your communication, setting forth in part a plan which has been inaugurated in southern California to handle the situation which has proved very perplexing and created considerable feeling against the administration of the immigration laws, you are advised that for a number of years the ranches in southern California have been depending upon migratory Mexican labor, and when an attempt was made to more strictly enforce the law in this particular section, the labor situation became more or less acute. The bureau was flooded with protests from the interests involved, and the chief supervisor was sent to California to find, if possible, some way of relieving the situation.

* * * * * * *

* * * Aliens were naturally apprehended with the smugglers, and they were generally held in custody as witnesses against those responsible for bringing them unlawfully into the country and proceedings instituted looking to their deportation. The procedure was effective, but necessarily involved more or less expense in the way of operation.

* * * * * * *

Coincident with this, raids were made periodically upon ranches contiguous to the boundary where considerable numbers of Mexicans unlawfully in the United States were found to be employed. The funds available did not permit of incurring the expense of instituting formal deportation proceedings in their cases, and aliens of this class were permitted to voluntarily return to Mexico. * * *

* * * * * * *

At about the same time that this change was made in the plan of operating the border patrol in that district, practically an entire new staff of officers was placed at Calexico, the port of entry for that district, the former force having become lax in the way of law enforcement. The two things coming together created more or less consternation, and, as previously stated, many protests were received. * * *

* * * * * * *

It was in the face of this situation that the chief supervisor was sent to Calexico.

He reports that after making a survey he became convinced that the farmers in that particular district had undoubtedly suffered because of the activities of our officers in the way of attempted law enforcement, and that they were actually threatened with severe losses if we were to continue along the lines that had been previously followed.

* * * * * * *

The service was also subject to the criticism that we were centering our raids upon this particular section of the country and leaving the labor in other parts undisturbed. It was alleged, and could not be successfully refuted, that Mexicans would not come into this locality from other parts of California for fear that they would be apprehended and deported—and, as you are no doubt aware, the crops in this section are for the most part perishable and must be gathered at maturity. The ranchers had so long been accustomed to depend upon this class of labor that it became necessary, to prevent the loss of the crops then matured, to either discontinue the raids altogether or hit upon some other scheme to protect the ranchers and others interested in these crops.

It is well known to those accustomed to deal with this particular class of aliens that seldom are they able to meet the fiscal requirements of the immigration laws upon the occasion of their entry, as they are more or less of an improvident people. It was, therefore, suggested to the ranchers and other parties interested that they assist the Immigration Service in providing a means whereby these aliens could gain a lawful residence in the United States.

* * * * * * *

After several conferences with the chambers of commerce, the interests involved agreed to appoint a representative to cooperate with the Immigration Service to stabilize labor conditions in these parts.

* * * * * * *

To assist the aliens in complying with the law the Associated Labor Bureau of Imperial Valley arranged with the different banks to accept deposits from these aliens until they had accumulated an amount sufficient to enable them to obtain the immigration visa and pay the head tax.

* * * * * * *

The Immigration Service is not a party to the plan.

* * * * * * *

We have gone so far as to require the employers in this particular district to furnish a periodical report giving the names of Mexican laborers working for them, showing whether they have been lawfully admitted or have taken steps to gain lawful admission, which is the nearest thing to a registration of aliens that has ever been accomplished.

I conceive of no way in which the plan does violence to the immigration law, and I am quite sure that after you are thoroughly conversant with it you will agree with me that it is the best solution which can be found for remedying an admittedly bad situation. * * *

* * * the Associated Labor Bureau of Imperial Valley having raised several thousand dollars by subscription to render the plan effective. * * *

* * * * * * *

A number of circulars and other material have been printed, the circulars to the employers of labor reading in part as follows: * * *

If we, the citizens of the Imperial Valley, will perform our part of the understanding in good faith we are assured of the same good faith and friendly cooperation from the officials of the Immigration Service.

Mr. Wixon has a copy of the printed matter which has been gotten out by the Associated Labor Bureau, and I will be glad to have him call upon you, if you so desire, and go over the plan more fully than has been possible within the compass of this communication.

Mr. BOX. Some four or five days after I received Commissioner General Hull's letter, from which I have quoted, Secretary of Labor Davis called me over the telephone and advised me that he knew nothing of any "gentlemen's agreement" or other agreement, such as was reported in the press, governing the handling of Mexican laborers subject to deportation in the region mentioned. I then called his attention to my letter, just quoted, the accompanying newspaper clipping and Commissioner General Hull's answer, and requested that if Mr. Hull's letter did not correctly state the attitude of the department that he, Secretary Davis, write me in answer to my letter and state the attitude of the department. In this conversation I advised Secretary Davis that I construed Commissioner General Hull's communication as an effectual confirmation of what was stated in the press report. He again said that he knew nothing about any such an agreement and suggested to me that Mr. Wixon, the chief supervisor, who had been handling the situation, would come to me and explain the whole transaction and submit printed matter issued by private parties pertaining to it. This was almost the identical suggestion made in the last paragraph of Commissioner General Hull's letter. I advised Secretary Davis that I would be glad to see Mr. Wixon and receive any information he had to give. Secretary Davis did not write me, as I suggested, but the following morning, at the time agreed upon, Commissioner General Hull and Mr. Wixon came to my office, where they met me and the gentleman from Georgia [Mr. RUTHERFORD], my colleague on the House committee. Mr. Wixon stated that they had made no agreement, but that they had come to an understanding. He and Commissioner General Hull both insisted that the arrangement made did not involve any violation of the law, but was made to facilitate the enforcement of the law. I asked their permission to have a stenographer present to report exactly what was said during our conference, but Commissioner General Hull objected that it was not a committee hearing and we had no use for a stenographer.

At the same time these gentlemen submitted some of the printed matter which Mr. Hull had first mentioned, and I asked and obtained permission to have some of it copied. There were two blank cards. One entitled "Registration," with "No. —" to the right. It had a space on the left-hand margin designated as a place for a photograph, and carried numerous blank lines with margins on the right for figures, indicating that writing, probably signatures and dates, were to be written in the lines, and figures in the right-hand column. At the bottom of this card was a paragraph in Mexican or Spanish which I could not read.

The other card appeared to be a brief type of pass book, the form being numbered 1 and having a blank for the name and a blank at the bottom under which was written "signature depositor."

The other two pieces of printed matter which they submitted to me are longer, and I will ask that they be inserted in the RECORD at the end of my remarks. One was headed "Associated Labor Bureau of Imperial Valley," and was addressed "To Mexican laborers." It was signed "Associated Labor Bureau." Among other recitals in it are the following:

Your employers want to assist you to comply with the law, so that you can remain here and work, and have arranged a plan which will make it easy for you to comply with the law and enable you to continue in your employment.

This is the plan: All who have not met the requirements will register at Brawley, at 149 Sixth Street; El Centro, at 139 North Fifth Street; or Calexico, at Chamber of Commerce, as soon as possible, with the secretary of the Associated Labor Bureau. When you appear at one of the above places to register you must—

1. Arrange to secure papers showing the place where you were born.
2. Demonstrate that you are able to read in some language.
3. Present six small photographs of yourself.
4. Pay an initial installment to apply on the consular fee and head tax at the nearest bank.

You will then be given a pass book with which you can go to any bank and make additional weekly payments.

The closing paragraph of this address to "Mexican laborers" reads:

Ask your boss when and where to register. If you do not understand the plan fully, the secretary of the Associated Labor Bureau will be glad to give you all the information that you want. You should hurry and take advantage of this opportunity, for unless you have been lawfully admitted to the United States to work you are subject to deportation and may be returned to Mexico at any time.

The fourth piece of printed matter appears to be a form for the report of the employer of these peons to make to the Immigration Service. It appears to be in compliance with the clause in Commissioner General Hull's letter in which he said:

We have gone so far as to require the employers in this particular district to furnish a periodical report giving the names of Mexican laborers working for them, showing whether they have been lawfully admitted or have taken steps to gain lawful admission, which is the nearest thing to a registration of aliens that has ever been accomplished.

It begins: "We have working for us the following-named Mexican laborers, who are listed as follows:", after which follows several blank spaces, apparently for names. The next subdivision is headed as follows:

"Have in their possession installment payment plan books." Then follow blanks for statement of the name, whether the laborer has a family, and the number in his family.

The next subdivision is entitled "Have not started installment plan payments." This is followed with blanks for statement of the names, whether the laborer has a family, and the number in his family.

The next subdivision is entitled, "Have head tax receipts or other reasons for not making payments"; which also is followed by blanks for statement of names, whether the laborer has a family, and the number in his family, and the—

reasons for not making payments—

It then closes with—

Yours truly, ——— ———, employer, ——— address.

As stated, Secretary Davis advised me that he knew nothing of any such an agreement, and in the same brief conversation advised me that Mr. Wixon would come to see me and bring for my information the printed matter just referred to. Without quibbling about the difference between "agreement," "understand," and "arrangement," I concluded that the Immigration Service and the Department of Labor has participated actively in reaching whatever "understanding," "agreement," or "arrangement" was arrived at.

In the face of my direct inquiry, "What will be the attitude of the department as to permitting such a practice, and what steps will be taken, if any, to see that such illegal practice is discontinued?" I have received no response from anyone connected with the department except Commissioner General Hull's denial that the Immigration Service was a party to the plan, and his explanation and defense of it.

I invite attention to some of the omissions and statements in the reply of the Commissioner General to my inquiry:

1. My letter was addressed to the two Assistant Secretaries and the Commissioner General. Neither of the Assistant Secretaries answered, and Mr. Hull's letter is properly to be taken as the department's reply to my inquiry, but I doubt if Mr. Hull is solely responsible for what was done. His action was in all probability taken under the direction or with the approval of his superiors. I will also express the doubt whether the proposition was originated by Assistant Secretary White or Assistant Secretary Husband, or harmonized with their personal views. My guess is that subordinates and superiors of these gentlemen made this arrangement. This is only a guess, but whatever action was taken was the action of the department.

Mr. SCHNEIDER. Mr. Chairman, will the gentleman yield?

Mr. BOX. I mean no discourtesy, but I must decline, because I want to finish this statement in the time allotted me.

2. Neither Mr. Hull nor any other representative of the department denied any part of the newspaper statement I sent to them with my inquiry. Read Mr. Hull's letter and see if he does. The other gentlemen did not answer.

3. The reply does not indicate any purpose on the part of Commissioner General Hull, his superiors, or assistants, to disregard any such agreement.

4. Commissioner General Hull says:

"The Immigration Service is not a party to the plan." If that statement is true, any such agreement was made by outsiders and amounts to nothing, and Mr. Hull's long explanation and defense of it are useless. Other parts of the letter show that the Immigration Service was a party to the plan. The commissioner general tries to show the existence of a bad situation, creating a necessity for the arrangement. Part of his language is: "It was in the face of this situation that the chief supervisor was sent to Calexico."

The chief supervisor of the Immigration Bureau is the Mr. Wixon whose words are quoted in the newspaper statement read. It was he who said:

It is absolutely untrue that I have issued any order whatever in regard to deportation of Mexican laborers. In fact, we have been working for weeks along lines exactly the reverse. We have succeeded, I think, in working out a gentlemen's agreement which will permit all Mexican laborers now in the country to remain here.

This is the representative the service sent out to deal with this situation. The truth of the newspaper statement was submitted to Mr. Wixon by the commissioner general before the latter answered my letter. The opening paragraph of his reply is:

Reply to your letter of March 3 has been deferred pending the return of the chief supervisor of this service, in order that I might discuss with him the subject matter thereof.

Mr. Hull's letter quotes, without repudiating, the following statement from these commercial interests, saying:

If we, the citizens of the Imperial Valley, will perform our part of the understanding in good faith, we are assured of the same good faith and friendly cooperation from the officials of the Immigration Service.

Why does the commissioner general quote with approval this statement that the understanding was made with officials of the Immigration Service if that service was not a party to it? Moreover, the commissioner general concludes his letter to me by saying:

Mr. Wixon has a copy of the printed matter which has been gotten out by the Associated Labor Bureau, and I will be glad to have him call upon you, if you so desire, and go over the plan more fully than has been possible within the compass of this communication.

Mr. Wixon was the chief supervisor sent out there. He was the man who made the "gentlemen's agreement" to have the department violate the law. Mr. Hull will "have him call upon" me, if I desire, "and go over the plan more fully than has been possible within the compass of this communication." Why all this if the department did not authorize and does not recognize the plan?

Then Mr. Hull, in his letter, upholds the plan to which he denies that the service is a party. He says:

After several conferences with the chambers of commerce, the interests involved agreed to appoint a representative to cooperate with the Immigration Service to stabilize labor conditions in these parts.

But that service denies that it was a party to the plan.

You will remember that the Secretary of Labor himself is at times strong on the registration of aliens. The commissioner general says that this plan "is the nearest thing to a registration of aliens that has ever been accomplished." But remember that the service denies that it was a party to the plan. Why deny it and then confess in many paragraphs of this letter the department's participation therein? Why deny it if it violated no law? If it is a good thing and is securing the registration of aliens and works other beneficent law-enforcing wonders? Why fill several pages with type defending and praising it if the service was not a party to it? Men do not deny their good actions. Officials do not deny their straightforward steps taken in the faithful performance of official duties. Why did Mr. Hull's superiors leave him alone in the performance of the difficult task of writing this letter denying that the service is a party to this illegal agreement and at the same time trying to prove that the service is subject to no blame but entitled to credit for having made it?

5. Let us see with whom the Immigration Service made this agreement, which it did not make. I read from the commissioner general's letter again:

After several conferences with the chambers of commerce, the interests involved agreed to appoint a representative to cooperate with the Immigration Service to stabilize labor conditions in these parts.

They made it with the chambers of commerce on or near the border of southern California. On the 12th day of January, 1926, as appears on page 22 of the hearings of that date, Assistant Secretary White said to the House Committee on Immigration and Naturalization:

We are having quite a little difficulty in the southern California district from our own people, who claim the law is being enforced too stringently. It seems to come principally from chambers of commerce along the border.

These are apparently the people who protested and among whom "consternation" was caused by the transfer from their community of lax enforcement officers, the establishment of the border patrol, and by the arrest of aliens illegally in the country and holding them as witnesses against the smugglers, as told in Mr. Hull's letter. The conferences were with them. The arrangement was with them. It is now left with them to collect the visa fees due to the consulates in Mexico and the head tax due at the border. These interests which, according to Mr. White's testimony and according to the fact, were indignant, protesting, and giving trouble because of the enforcement of the law, are now being intrusted with a part of its enforcement, and a "gentlemen's agreement" is made with them by which certain vital parts of the law are to go unenforced. This "gentlemen's agreement" provides that smuggled aliens may, if they will, voluntarily come in and register, not with the Government officials, but with these people among whom law enforcement causes consternation, and through them pay on the installment plan the fees due before they entered the country, in the meantime remaining in the country in violation of law.

Mr. Wixon, who was sent out there to handle the situation, declares that—

Such Mexicans will be given the opportunity to register with the chamber of commerce nearest them. Each will then be presented a registration card upon the signing of which he agrees to pay that organization a small stipulated sum per week until the total of $18 has been paid.

* * * * * * *

Only those who fail to show a registration card after a reasonable lapse of time will face the possibility of deportation. * * *

The law says that—

* * * any alien who shall have entered the United States by water at any time or place other than as designated by immigration officials, or by land at any place other than one designated as a port of entry for aliens by the Commissioner General of Immigration, or at any time not designated by immigration officials, or who enters without inspection, shall, upon the warrant of the Secretary of Labor, be taken into custody and deported.

Mr. Wixon, the chief supervisor of the Immigration Service, says:

It is absolutely untrue that I have issued any order whatever in regard to deportation of Mexican laborers. * * * In fact, we have been working for weeks along lines exactly the reverse.

There will be no more consternation among labor importers in those parts and no more protests from them, but I am protesting against this prostitution of the law.

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 13 minutes remaining.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield the gentleman from Texas 20 additional minutes.

The CHAIRMAN. The gentleman from Texas is recognized for 20 additional minutes.

Mr. BOX. Let us examine another reason given by the service for making this agreement to which it "was not a party":

The service was also subject to the criticism that we were centering our raids upon this particular section of the country and leaving the labor in other parts undisturbed. It was alleged, and could not be successfully refuted, that Mexicans would not come into this locality from other parts of California for fear that they would be apprehended and deported.

Now, Mr. Hull and his superiors know that this charge that they were "leaving the labor in other parts undisturbed" could be refuted. Assistant Secretary White, as shown on page 20 of the hearing already referred to, said:

In our published records, as to the number deported, no account is taken of the number picked up along our borders who are given the opportunity of returning voluntarily. In one district last year three thousand one hundred and some odd were permitted to return in this way.

The CHAIRMAN. In what district?

Mr. ROBE CARL WHITE. In the San Antonio district.

* * * * * * *

Mr. BOX. How many did you say went back voluntarily from San Antonio to Mexico last year?

Mr. ROBE CARL WHITE. It was over 3,000.

* * * * * * *

They were Mexicans, apprehended and subject to deportation, and rather than be detained expressed a preference to return of their own will. They signed releases and waivers, and we carted them back.

* * * * * * *

Mr. BOX. You carry them back across the Rio Grande in truckloads, then?

Mr. ROBE CARL WHITE. Yes; and they are delivered to Mexican authorities.

* * * * * * *

Mr. BACON. You say there were 8,000 from the San Antonio district. How many are there for the El Paso border?

Mr. ROBE CARL WHITE. I haven't the figures in my mind now as to the entire Texas border, but the number is quite large in both the El Paso district and the California district.

* * * * * * *

Mr. BOX. Now, then, this 14,000 that you say returned voluntarily and you carried back, you carried them to the border and there unloaded the truck?

Mr. ROBE CARL WHITE. We turned them over to the Mexican officials.

In order to apologize for the making of an agreement which the Immigration Service denies it made it pleads guilty to a discrimination of which it probably is not guilty.

In further excusing this plan, made by parties unknown, Commissioner General Hull in his letter says:

I can conceive of no way in which the plan does violence to the immigration law.

7. Let us now examine this plan and determine from the law and facts whether the plan does violate the law.

Prospective immigrants from every country, quota or nonquota, are required by law to apply for immigrants' passports and visas, to which their photographs and other papers are to be attached in foreign countries before presenting themselves at the border for admission, and pay the visa fee, amounting to $10 at American consulates in foreign countries from which they come. This "gentleman's agreement" sets all that aside and permits them to pay this fee, not to the American consulates abroad but to local commercial organizations within the United States, in installments.

Paragraph 1, subdivision F, of the rules governing the Immigration Service, declares:

No immigrant, whether a quota immigrant or nonquota immigrant, of any nationality shall be admitted to the United States unless such immigrant shall present to the proper immigration official at the port of arrival an immigration visa duly issued and authenticated by an American consular officer.

This rule is the very essence of the law.

The immigrant must then present himself at an immigration station for examination, and if admitted pay a head tax of $8. Entry at any other place makes it the duty of the service to deport him under the law read to you. Under this "gentlemen's agreement" surreptitious and illegal entry is rewarded and made much easier than legal entry. If he comes as required by law, through the consulate and the immigration station, he must pay the $10 visa fee and $8 head tax in cash before entry. If he enters surreptitiously he may then, under this "gentlemen's agreement," pay this fee and tax in installments at his convenience, all the while remaining at large in the country and being under only a persuasive or mildly threatening inducement to go in and register with private parties and begin to pay his installments on the legal fees.

One apology the service makes for this is that—

this particular class of aliens * * * seldom are * * * able to meet the fiscal requirements of the immigration laws upon the occasion of their entry, as they are more or less an improvident people.

Are our immigration laws against importing paupers and the like, and subjecting them to these taxes partly to prevent their coming, to be set aside to admit the very classes they were designed to keep out? Does not the Commissioner General of Immigration know any better than that? Does not the Secretary of Labor want the law observed any better than that?

That the House and country may have the outstanding provisions of these laws by which to judge the action of the Department of Labor and that that department may refresh its memory of the laws, I quote extracts from an outline prepared by the State Department for the guidance of consular officers in issuing or withholding immigration visas:

The following classes of aliens are generally excluded by the immigration laws of the United States:

1. Mentally defective includes—
(a) Idiots.
(b) Imbeciles.
(c) Feeble-minded persons.
(d) Insane persons.
(e) Epileptics.
(f) Persons having previously had attacks of insanity.
(g) Persons of constitutional psychopathic inferiority.
(h) Persons with chronic alcoholism.

No exceptions stated in the law.

2. Paupers or vagrants includes paupers, vagrants, and professional beggars.

No exceptions stated in the law.

Diseases includes—

(a) Persons afflicted with tuberculosis in any form.

(b) Persons afflicted with a loathsome or dangerous contagious disease.

Any medical certificate produced by an immigrant applicant should state whether or not he is suffering from leprosy, trachoma, syphilis, plague, or tubercular affection of any kind. It should also state whether he is free of body parasites and their eggs.

4. Persons who are mental or physical defectives includes persons certified by examining surgeon at port of entry as being mentally or physically defective when such physical defect is of a nature which may affect the ability of the alien to earn a living.

5. Criminals includes—

(a) Persons convicted of a crime involving moral turpitude.

(b) Persons who admit having committed such crime.

[NOTE.—Moral turpitude is an act which in itself is one of baseness, vileness, and depravity in the private and social duties which a man owes to his fellow man or to society, as distinguished from an act which is wrong merely because prohibited by law.]

6. Polygamists includes—

(a) Persons who practice polygamy.

(b) Persons believing in or advocating the practice of polygamy.

No exceptions stated in the law.

7. Anarchists (including specifications of many classes).

No exceptions stated in the law.

8. Members of unlawful organizations includes—

(a) Members of or affiliated with organizations entertaining and teaching disbelief in or opposition to organized government.

(b) Advocating or teaching the duty, necessity, or propriety of the unlawful assaulting or killing of an officer, either specific individuals or officers generally of the Government of the United States or other organized government because of his or their official character; or

(c) Advocating or teaching the unlawful destruction of property.

No exceptions stated in the law.

10. Prostitutes and procurers includes—

(a) Persons coming to the United States for the purposes of prostitution.

(b) Persons coming to the United States for any immoral purpose.

(c) Persons directly or indirectly procuring or attempting to procure or import prostitutes or persons for the purpose of prostitution or any other immoral purpose.

(d) Persons who receive the proceeds of prostitution.

No exceptions stated in the law.

11. Contract laborers includes—

(a) Persons included, assisted, encouraged, or solicited to immigrate to the United States by offers or promises of employment, whether offers or promises are true or false, to perform labor in the United States of any kind, skilled or unskilled.

(b) Migrating to this country in consequence of agreements, oral, written, or printed, express or implied, to perform labor in the United States of any kind, skilled or unskilled.

(c) Persons coming in consequence of advertisements for laborers, printed, published, or distributed in a foreign country.

12. Persons likely to become a public charge. * * *

13. Persons previously deported. Persons who have been excluded or deported from the United States may not apply for readmission within one year.

14. Persons financially assisted to come to the United States includes—

(a) Persons whose ticket or passage is paid for with money of another.

(b) Persons who are otherwise assisted by others to come.

(c) Persons mandatorily excluded. Persons whose ticket or passage is paid for by any corporation, association, society, municipality, or foreign government, directly or indirectly.

16. Children unaccompanied includes (a) children under 16 years of age unaccompanied by or not coming to parent.

18. Illiterates includes (a) aliens over 16 years physically capable of reading, unable to read English or any other language or dialect, including Hebrew or Yiddish.

An enumeration of all the particulars in which many provisions and the purpose of them are defeated by this "gentlemen's agreement" would be too long. Nor is it necessary. Any person of ordinary intelligence can see them, one after another, by comparing the law and this agreement.

But I will indicate some of the many respects in which the purpose of the law is defeated by it:

1. The revenue provided by the visa fee and head tax is the smallest value in it. The check and control of immigration before entry which they give is the chief reason for these charges. But both purposes are largely defeated by this "gentlemen's agreement." The plan does not count them and collect the fees as they enter. It says, "After entry in violation of

law, you will not be deported as the law requires, but you may, if you wish, come in to the commercial club and register and pay the fees, in installments, the department being pledged not to round you up and deport you. If you smuggled-in peons wish to voluntarily recognize American law, which its high officials will not enforce, you will please do so." Of course, nothing like all of them will come in and pay the fees. Handled in this manner, all the advance check and control which these passports, visas, and the examinations preceding them offered, are lost.

2. Assisting pauper immigrants to pay the visa fees and head tax is a violation of this law, but the service is facilitating the violation of it and pleading the poverty of the peons and the protests of labor importers against enforcement of the law as its excuse for helping to violate the law.

3. The examination of immigrants at the ports, and all the purposes it was designed to serve are in large measure defeated. On pain of immediate deportation (which the service now agrees not to enforce) they are required to come through the ports of entry to be examined for the detection of disease in order to protect our people from infection. Their criminal records are to be looked into to protect the country from the importation of criminals. So it goes as to illiterates, anarchists, the insane, degenerates, paupers, and all such. They must submit themselves to examination at the ports of entry or be deported—that is, under the law—not under this "gentlemen's agreement."

There is no surer way to nullify all these laws than to let it be known on the border and among the smugglers, aliens, and labor importers that by slipping around the consulates and the immigration stations and entering fraudulently they can be aided to pay the tax they otherwise could not pay, and indefinitely avoid an examination which many of them could not stand, all the while being assured that the penalty of deportation will not be imposed upon them.

This is an outlaw's agreement. It makes the smuggler's entry easier and safer than an effort to enter lawfully. Every official who has participated in it or recognized it has proven himself unfit for his position. Every guilty one ought to be removed for incompetency or gross unfitness.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. BOX. Yes.

Mr. OLIVER of Alabama. If that practice is followed, the purpose then of the House in increasing the appropriation to improve that border patrol and deport these aliens would be defeated, would it not?

Mr. BOX. Very largely. Two years ago the House committee came in here in force and helped put over an increase of $1,250,000, I think it was, to establish the border patrol and strengthen the work of deportation and enforcement. This year Hon. ALBERT JOHNSON, chairman of the House Committee on Immigration and Naturalization, and other members of the committee, including myself, finding that the permanent increase of $1,000,000 or $1,250,000 made two years ago for deportation, border patrol, and other enforcement purposes was not sufficient, took the floor, and, with such assistance as the other Members of the House could give, successfully urged the addition of still another $1,000,000 to the deportation, border patrol, and enforcement appropriation.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BOX. I regret I can not yield. I yielded to the gentleman from Alabama because he is on the Committee on Appropriations and is familiar with this situation and helped actively to deal with it. This is an unworthy and a regrettable official action. I mention it with pain, only because knowing the facts and the interests involved and knowing the will of the American people; it is my duty to do it. [Applause.]

Let me show you what California is experiencing, partly at least as a result of this outrage. The body of the officials and people of that State do not know how large a portion of these aliens have entered or been permitted to remain illegally. They seem to think that it is from the legal entry of Mexican peons from which they are suffering. In my judgment their illegal entry and stay is doing most to create the bad conditions shown by the recent report of the California commission of immigration and housing made to the governor of that State in January of this year. I read from it:

The fact that there is quite a falling off in the number entering the United States legally in 1925 may be due to the tax imposed. The number who have entered illegally can not, of course, be given.

The Mexicans as a general rule become a public charge under slight provocation and have become a great burden to our communities.

In Los Angeles, where approximately 7 per cent of the population is Mexican, the outdoor relief division states that 27.44 per cent of its cases are Mexican. The Bureau of Catholic Charities reports that 53⅓ per cent of its cases are Mexicans, who consume at least 50 per cent of the budget. Twenty-five per cent of the budget of the general hospital is used for Mexicans, who comprise 43 per cent of its cases. The city maternity service reports 62½ per cent of its cases Mexicans, using 73 per cent of its budget. The bureau of municipal nursing and division of child welfare both state that 40 per cent of their clients are Mexican, and in the day home of the Children's Hospital 23 per cent of the children cared for are Mexican, while 12 per cent of the outpatient department cases are Mexican.

In Pasadena, where 2.8 per cent of the population is Mexican, 6 per cent of the cases of its welfare department are of that nationality.

The Long Beach welfare department reports that 21 per cent of its cases are Mexican, using 16 per cent of its budget, while only 1 per cent of the population of the city is of that nationality.

Orange County, in which 10 per cent of the population is Mexican, reports that one-third of the general hospital cases are Mexican, as are also 50 per cent of the cases of the county aid commissioner, using 30 per cent of the budget.

The county of San Diego reports that half of the patients of the county hospital are Mexican, while in the city of San Diego, where 5 per cent of the population is Mexican, two-thirds of the milk delivered from the free-milk station goes to that nationality.

In San Bernardino County the welfare department reports 36.2 per cent of its cases Mexican, using 30 per cent of its budget. The county hospital states that 25 per cent of its cases are Mexican, using 35 per cent of its budget.

The Associated Charities of Santa Barbara, wherein the Mexicans are 13 per cent of the population, reports 23 per cent of its cases Mexican, using 15 per cent of its budget. The general hospital reports 47 per cent of its cases Mexican and the Cottage Hospital Dispensary 75 per cent of its cases of that nationality.

The Mexican population of Fresno County is estimated at 6 per cent of the total. Here the public welfare department reports 13.7 per cent of its cases Mexican, using 9 per cent of its budget.

For the most part the Mexicans are Indians and very seldom become naturalized. They know little of sanitation, are very low mentally, and are generally unhealthy. Their children, however, who are born here are citizens and have all rights and privileges as such. This second generation has given our school department, juvenile and other courts a tremendous amount of trouble, and no doubt this will continue.

To sum up the elements of danger from the unrestricted immigration of Mexicans:

1. They drain our charities.
2. They or their children become a large portion of our jail population.
3. They affect the health of our communities.
4. They create a problem in our labor camps.
5. They require special attention in our schools and are of low mentality.
6. They diminish the percentage of our white population.
7. They remain foreign.

A great array of facts of the same import can be presented from Texas and other States. When the people of California find that they are being denied the protection which the faithful enforcement of the law would give them, there will probably be another story for the country to hear.

Respectable Mexican people are not involved. Only pauper peons figure in this arrangement.

The big beet-sugar manufacturing companies and other large labor-employing interests of the Southwest and West have been heading this drive to amend or prostitute the law to let them in. It is their drive and that of certain commercial organizations, not so much that of the farmers, to which the Immigration Service has surrendered.

Commissioner General Hull's letter hints that there is foundation for the charge of discrimination in the enforcement of the deportation laws on the Mexican border. If they stop deportations in southern California and continue them elsewhere, the people of California will get the whole dose. The border is long and the pressure against it is hard. To make deportations elsewhere and to fail to make them there can not result otherwise. If they stop deportations along that entire border, the nullification of the immigration laws by executive dereliction will be nearly complete in that region. If they do not enforce deportation there, how can they insist upon enforcing it elsewhere on other borders and as to other classes, to whom it applies no more specifically than to this class?

The committee has gone thoroughly into this whole question. I have long had pending a bill proposing to place Mexico and American countries under the quota. The gentleman from New York [Mr. BACON] has a bill applying the quota principle to Mexico. The beet-sugar manufacturing companies and others under their direction and leadership have tried hard to

get the committee to report a bill or resolution abolishing or suspending for their benefit the visa fee, the head tax, and the contract labor laws. Some of the Members of this House appeared in opposition to my bill and the Bacon bill. But no House Member, so far as I recall, asked us to weaken the present law or its enforcement, as the sugar companies and other interests wanted us to do. The committee has not, and I believe will not, report a measure repealing or suspending the contract labor, visa, or head tax and other fundamental parts of the law.

It is a fact not generally appreciated that the act of 1924 imposed very effective restriction upon Mexican immigration. The establishment of the border patrol, in which the House committee, ably assisted by my colleague from Texas [Mr. HUDSPETH], took an active part, also has done much to check immigration from that source. The border patrol, wherever utilized, has checked illegal entries. The passport, visa, and the additional $10 fee which went with it, greatly checked immigration coming through border ports of entry. For the fiscal year 1924, the last year under the former law, 87,648 Mexican immigrants entered the country. For the fiscal year 1925, the first year under the act of 1924, only 32,378 entered—less than one-half as many as entered the year before.

The difficulty which Mexican peons meet in paying these taxes is one of the main new restraints which account for this reduction of this class of immigration under the new law. But if the Immigration Service is going to waive that to the extent of permitting the immigrant to work it out and pay it in installments, if he wishes to pay it, after he gets into the country, then the purpose of the committee and Congress accomplished by that tax will have been largely defeated. The beet-sugar manufacturers and other interests which made their drive before the House committee have found the weak spot in the barriers to be in the Department of Labor and have successfully attacked that.

The House committee, its chairman, and I have worked hard to secure increases in the appropriations for the enforcement of these laws, including especially deportation and the border patrol. We met with some success two years ago, when appropriations for these purposes were permanently increased by $1,000,000. My colleague [Mr. HUDSPETH] helped to accomplish that. Again this year the chairman and I and others presented to the House the fact that hundreds of thousands, indeed more than 1,300,000, counting early and late arrivals, are illegally in the country, more than 250,000 of whom have entered since June 3, 1921, and urged that at least another million dollars be added to the appropriations for the border patrol, deportation, and immigration law enforcement.

The Appropriations Committee and the House granted these increases within the last few weeks. Even while we were doing that the Immigration Service was off agreeing not to enforce certain indispensable parts of the law. I did right, and so did the House, in making these increases, but I can never be quite so hopeful that any measure will avail while the law is in the hands of men who have made or seem ready to execute and uphold this outrageous agreement.

The deportation provisions of the acts of 1917 and 1924 are the keystone to the structure of our exclusion laws. Unless the country can send away those it rejects, the undesirable and those entering illegally, it can not maintain its immigration policy. Without the enforcement of the deportation laws we might as well have no immigration laws.

I am disgusted and indignant. So will the country be if it can be made to know the facts and the inevitable results. [Applause.]

COMMISSIONER GENERAL HULL'S LETTER

MARCH 9, 1926.

Hon. JOHN C. BOX, M. C.,

House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN BOX: Reply to your letter of March 3 has been deferred pending the return of the chief supervisor of this service, in order that I might discuss with him the subject matter thereof.

As regards the clipping from the Los Angeles Times of February 12, 1926, a copy of which accompanied your communication, setting forth in part a plan which has been inaugurated in southern California to handle a situation which has proved very perplexing and created considerable feeling against the administration of the immigration laws, you are advised that for a number of years the ranches in southern California have been depending upon migratory Mexican labor, and when an attempt was made to more strictly enforce the law in this particular section the labor situation became more or less acute. The bureau was flooded with protests from the interests involved, and the chief supervisor was sent to California to find, if possible, some way of relieving the situation.

In order that you may be acquainted with just what led up to this condition, matters not directly pertaining to the issue will be touched upon and discussed.

As you are aware, Congress provided for the establishment of an immigration border patrol service, whose functions were mainly to prevent the surreptitious entry of aliens into the United States. For a number of months after the inauguration of this branch of the service the patrol officers were stationed at points on highways some distance removed from the boundary, which proved to be the most prolific field for apprehending smugglers against whom the initial drive was particularly centered.

Aliens were naturally apprehended with the smugglers, and they were generally held in custody as witnesses against those responsible for bringing them unlawfully into the country and proceedings instituted looking to their deportation. The procedure was effective but necessarily involved more or less expense in the way of operation. A few months ago the appropriations available for border patrol work became somewhat depleted and it was necessary to curtail operations to a certain extent and center our activities upon endeavoring to prevent the crossing of aliens at the boundaries. Coincident with this, raids were made periodically upon ranches contiguous to the boundary, where considerable numbers of Mexicans unlawfully in the United States were found to be employed. The funds available did not permit of incurring the expense of instituting formal deportation proceedings in their cases, and aliens of this class were permitted to voluntarily return to Mexico. Most of these activities were centered in the Imperial Valley, particularly in and about Calexico, Calif., the main force of patrol officers being stationed at El Centro.

At about the same time that this change was made in the plan of operating the border patrol in that district practically an entire new staff of officers was placed at Calexico, the port of entry for that district, the former force having become lax in the way of law enforcement. The two things coming together created more or less consternation, and, as previously stated, many protests were received, the allegation being made that if something was not done to relieve the situation the farmers and other interests in that district would suffer heavy financial losses and, in fact, that practically all business would be destroyed. It was in the face of this situation that the chief supervisor was sent to Calexico.

He reports that after making a survey he became convinced that the farmers in that particular district had undoubtedly suffered because of the activities of our officers in the way of attempted law enforcement and that they were actually threatened with severe losses if we were to continue along the lines that had been previously followed. He therefore sought means for law enforcement in a manner which would do less harm to these vested interests, and has, I believe, hit upon a plan which will result in more effectively enforcing the law than anything which has been previously undertaken without adopting radical means such as had heretofore been employed.

The following is a brief summary thereof: Mr. Wixon became convinced that very little was being accomplished in the way of effective law enforcement by picking up aliens found on these ranches and placing them across the boundary, as the aliens soon learned that the only punishment which awaited them, if such it could be termed, was merely an automobile ride to the boundary and a so-called voluntary return to Mexico. Naturally this was not much of a deterrent to a second, third, fourth, and indefinite number of subsequent unlawful entries, and our patrol officers not infrequently returned the same aliens day after day. Furthermore, it was questionable whether such operations were strictly in accordance with law, as the officers themselves are without authority to effect the deportation of an alien from the United States who has once gained entry, whether lawfully or unlawfully, except upon a warrant of deportation issued by the Secretary of Labor.

The service was also subject to the criticism that we were centering our raids upon this particular section of the country and leaving the labor in other parts undisturbed. It was alleged, and could not be successfully refuted, that Mexicans would not come into this locality from other parts of California for fear that they would be apprehended and deported—and, as you are no doubt aware, the crops in this section are for the most part perishable and must be gathered at maturity. The ranchers had so long been accustomed to depend upon this class of labor that it became necessary, to prevent the loss of the crops then matured, to either discontinue the raids altogether or hit upon some other scheme to protect the ranchers and others interested in these crops.

It is well known to those accustomed to deal with this particular class of aliens that seldom are they able to meet the fiscal requirements of the immigration laws upon the occasion of their entry, as they are more or less of an improvident people. It was therefore suggested to the ranchers and other parties interested that they assist the Immigration Service in providing a means whereby these aliens could gain a lawful residence in the United States, they having been given to understand that our service intended to enforce the immigration laws and that no substitute for law enforcement would be entertained. After several conferences with the chambers of commerce the interests involved agreed to appoint a representative to cooperate with the Immigration Service to stabilize labor conditions in these parts, and a circular was addressed to the Mexican laborers to the effect that the immigration laws require that all persons who are not citizens of this coun-

try, coming here to remain or take up employment, must obtain an immigration visa from an American consul and be admitted at regular ports of entry by United States immigration officers. To assist the aliens in complying with the law the Associated Labor Bureau of Imperial Valley arranged with the different banks to accept deposits from these aliens until they had accumulated an amount sufficient to enable them to obtain the immigration visa and pay the head tax. The plan does not contemplate that any alien shall be permitted to enter the United States for the purpose of taking up employment until he has complied with these requirements, and in fact every officer in that district is centering his efforts upon preventing the entry of Mexicans who have not conformed to the law's requirements.

The Immigration Service is not a party to the plan; has not agreed to admit any alien, even though he has accumulated sufficient funds obtain an immigration visa and pay the head tax, unless he is found to be admissible in every respect under the immigration law. We have simply discontinued for the time being making these daily raids on the ranches and, as previously stated, are centering our efforts upon preventing the unlawful entry of any additional aliens.

I am sure you will understand in the final analysis that there is no more justification for continuing the raids upon the ranches in the Imperial Valley, particularly the ones in and about Calexico, than there is for making similar drives at points in other parts of California or in Texas, where no doubt equally large numbers of aliens unlawfully in the United States would be found employed. We have simply gained the cooperation of the employers of labor in this particular district, a cooperation which is not being received from employers in other parts of the country. We have gone so far as to require the employers in this particular district to furnish a periodical report giving the names of Mexican laborers working for them, showing whether they have been lawfully admitted or have taken steps to gain lawful admission, which is the nearest thing to a registration of aliens that has ever been accomplished.

I can conceive of no way in which the plan does violence to the immigration law, and I am quite sure that after you are thoroughly conversant with it you will agree with me that it is the best solution which can be found for remedying an admittedly bad situation. The officers conversant with Mexican border conditions have heartily indorsed the plan, feeling that it provides a means for more effective law enforcement than anything which has heretofore been undertaken, and have expressed the hope that it may be extended to other districts, which, however, can only be accomplished through a wholehearted cooperation of the employers themselves; and this means quite a considerable outlay on their part, the Associated Labor Bureau of Imperial Valley having raised several thousand dollars by subscription to render the plan effective. These people have practically drafted for a limited period the cashier of the First National Bank of Calexico for the undertaking, they having sought a man of the highest possible type to represent them; and it is understood that he is being paid quite a liberal salary. A number of circulars and other material have been printed, the circulars to the employers of labor reading in part as follows:

"You, along with the rest of us, have sometimes blamed the immigration officers for their methods of enforcing the law. The law provides that all aliens in this country who have not made legal entry are subject to deportation. This law must be enforced.

"If we, the citizens of the Imperial Valley, will perform our part of the understanding in good faith, we are assured of the same good faith and friendly cooperation from the officials of the Immigration Service."

Mr. Wixon has a copy of the printed matter which has been gotten out by the associated labor bureau, and I will be glad to have him call upon you, if you so desire, and go over the plan more fully than has been possible within the compass of this communication.

Cordially yours,

HARRY E. HULL, *Commissioner General.*

ASSOCIATED LABOR BUREAU OF IMPERIAL VALLEY.

To Mexican laborers:

United States immigration officers have found it necessary to pick up and return to Mexico many Mexicans employed on ranches in the Imperial Valley because they have not been admitted to the United States.

The United States immigration laws require that all persons who are not citizens of this country, coming here to remain or take up employment, must obtain an immigration visa from an American consul and be admitted at regular ports of entry by United States immigration officers. Your employers want to assist you to comply with the law so that you can remain here and work and have arranged a plan which will make it easy for you to comply with the law and enable you to continue in your employment.

This is the plan: All who have not met the requirements will register at Brawley, at 149 Sixth Street; El Centro, at 139 North Fifth Street; or Calexico, at chamber of commerce as soon as possible, with the secretary of the associated labor bureau. When you appear at one of the above places to register you must:

1. Arrange to secure papers showing the place where you were born.
2. Demonstrate that you are able to read in some language.
3. Present six small photographs of yourself.
4. Pay an initial installment to apply on the consular fee and head tax at the nearest bank.

You will then be given a pass-book with which you can go to any bank and make additional weekly payments.

The cost of the immigration visa is $10 and the head tax fee is $8 for all aliens over 16 years of age. Children under 16 years of age are not required to pay a head tax but must obtain an immigration visa.

When you have deposited $18 for yourself, and a similar amount for each member of your family over 16 years of age, if you have a family in the United States you will go to the American consul and obtain an immigration visa and then apply at the United States immigration office for admission. The secretary of the associated labor bureau will assist you in every way that he can to arrange for your lawful admission. When you have been admitted, you will be given a paper showing that you have a right to be in the United States, after which you can go back and forth between Mexico and the United States without any trouble.

The deposit of funds can be made at any bank in any town in the Imperial Valley, and if you go from one town to the other you will not lose any money, and can make the next payment in the nearest bank. Remember that your money is absolutely safe and that there is no danger of your losing it, because, if for any reason you can not be admitted to the United States, it will be refunded to you.

Ask your boss when and where to register. If you do not understand the plan fully, the secretary of the associated labor bureau will be glad to give you all the information that you want. You should hurry and take advantage of this opportunity, for unless you have been lawfully admitted to the United States to work you are subject to deportation and may be returned to Mexico at any time.

ASSOCIATED LABOR BUREAU.

——— (Date).

To ASSOCIATED BUREAU,

Calexico, Calif.:

We have working for us the following-named Mexican laborers, who are listed as follows:

Have in their possession installment payment plan books:

Name	Has family	Number in family

Have not started installment-plan payments:

Name	Has family	Number in family

Have head-tax receipts or other reasons for not making payments:

Name	Has family	Number in family	Reasons

Yours truly,

———, Employer.
———, Address.

Mr. DICKINSON of Iowa. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAWLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10425, the legislative appropriation bill, and had come to no resolution thereon.

FEDERAL AID FOR ROADS

Mr. BRAND of Ohio. Mr. Speaker, I ask unanimous consent to print in the RECORD an article by Senator FESS, of Ohio, on Federal aid to roads.

The SPEAKER. The gentleman from Ohio asks unanimous consent that he may extend his remarks in the RECORD by printing therein an article written by Senator FESS, of Ohio, relating to Federal improvement of roads. Is there objection?

Mr. BLACK of Texas. Mr. Speaker, reserving the right to object, is this an article in some magazine?

Mr. BRAND of Ohio. It is an article published by the automobile clubs of America, and they have asked that it be put upon record so that the Members may have opportunity to see it before we vote on the matter of Federal aid next week.

Mr. BLACK of Texas. About what is the length of the article?

Mr. BRAND of Ohio. About one newspaper column, I should think.

Mr. BLACK of Texas. I have no objection.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRAND of Ohio. Mr. Speaker, I insert herewith the following article written by Senator FESS.

The matter referred to is here printed, as follows:

[Published by the American Automobile Association]

NO BACKWARD STEP IN FEDERAL AID FOR ROAD BUILDING CAN BE TAKEN—FEDERAL FUNDS FOR ROAD BUILDING ARE A FITTING APPROPRIATION TO A PUBLIC NECESSITY INDISPUTABLY NATIONAL IN CHARACTER, DECLARES SENATOR FESS

[Written for the American Motorist by SIMEON D. FESS, United States Senator from Ohio]

Federal aid for highways is now in its tenth year. The projected system is two-thirds completed, and the plans for the improvement of the remaining one-third are moving along in accord with a well-thought-out program of ordered economy. This has been accomplished without extravagance. It is believed that our interstate roads are at the moment lagging behind the gigantic requirements of highway transportation.

To date the United States Treasury has actually paid out approximately $481,000,000 as the Government's share of Federal-aid highway expenditures, while Congress has authorized, up to July, 1927, the expenditure of $690,000,000 on the Federal-aid system. A very considerable amount, you will say. But the total paid out to date is about one-half of the sum we spend in one year on the Army and the Navy, and the total authorization up to 1927 is far short of the sum of $940,000,000 that one class of road users, namely, the owners of motor vehicles, has paid into the Treasury since 1918.

GOVERNMENT COMMITTED TO FEDERAL AID

Propaganda hostile to Federal aid is active, but I am convinced that it will not succeed. The scrapping of the Federal-aid policy at this stage of progress is out of the question. It is a policy to which the Government is committed, not only because of Federal aid to the States under the act of 1921 but also because Congress and the country are convinced that in cooperating in the work of national road building the Government is following the constitutional obligations, namely, that it shall assume responsibility for national defense, for post offices and post roads, for the development of commerce between the States, all in the interest of and for the promotion of the national welfare. Measured in terms of results secured and advantages accruing from Government participation in road building, few Federal functions are giving the people more for the funds expended, and no Federal function that I know of partakes of a more truly national character.

Before proceeding further let us examine briefly some of the objections raised by the critics of Federal aid. Their arguments are specious, and they will not stand the acid test of facts or of sound logic. For example, we are told that this is a sectional matter; that the Eastern States are paying for road building in the Western States. But what are the facts? An analysis of the figures of Federal expenditures for the last fiscal year shows that the New England, Middle Atlantic, and East North Central States, which contain only 13.7 per cent of the land area of the country, received 28.2 per cent of the Federal aid. It shows that the Mountain and Pacific Coast States, which constitute 39.6 per cent of the total land area of the country, received only 18.8 per cent of Federal aid.

The expenditures for last year clearly demonstrate that every State and every section of the country takes advantage of every cent available from Federal sources under the law, and that there is nowhere a demand for a let down in Government aid and participation.

It would be difficult to conceive of a more fallacious argument than that put forward by those who contend that the necessity for Federal participation in highway construction lies in the far West or in the Middle West and South. The necessity is in no wise sectional but is in all respects national. It is even more essential that the populous sections of the East should have an adequate system of highways.

There is a totally erroneous impression that the roads in the East have generally been built. It is true that road improvement was begun in that section at an early date, but every mile of the original construction is being rebuilt to meet present-day traffic requirements, and the Federal funds are as eagerly used in this section as in any other. The Eastern States are benefiting to a marked degree by this Federal service for the very reason that their population is dense and that the number of interstate roads is great.

THE WEST IN NEED OF ROADS

Federal participation in the sparsely settled States of the West is not different in principle, although the need is more acute by reason of long stretches of sparsely settled areas in which the Federal Government still holds a large percentage of the land. High mountain passes and desert stretches must be crossed with adequate highways before we shall have that tie between the different sections of the country that will lead to a greater unity of purpose and broader understanding, which are in themselves worthy objectives of the Federal aid highway system.

That the Western States are alive to their responsibility in the matter of road building and are not leaving the job to the Federal Government or to the Eastern States is proven by the heavy per capita expenditures which they annually apply to highways, for such expenditures are not equaled in any other section of he country. There is no one effort for unifying the whole country into one people like road building, which connects all the people into one family.

There is another false premise underlying the arguments against Federal aid. They imply constantly that these highways benefit this or that section. They overlook the fact that in these days travel on the main highways is not limited to the borders of any county or any State. In some States there are important highways to-day on which it is known that more than half the traffic originates in other States. There are many counties traversed by main roads on which not more than 10 per cent of the traffic originates within the county. The through highways in which the Government is interested are essentially intercity roads. Yet these roads pass through counties in which there are no cities. If the residents of such counties are to be called upon to pay for the improvement of these roads, we could certainly not expect them to pay for a type of improvement that is more expensive than their own local traffic needs will justify. Here is where Government, State, and local cooperation plays a vital part and is sound economically as well as governmentally.

DOES NOT DESTROY STATE INITIATIVE

We are often told that Government participation in road building tends to destroy State and local initiative. This statement is not supported by the facts. It may be said in answer that of the $1,000,000,000 expended on all types of highways in the United States last year, the Federal Government supplied approximately 10 per cent while 90 per cent of the funds were supplied by States and counties. Considering the vital interest of the Government itself, this was certainly not a disproportionate or an exorbitant amount, and might raise the question of fulfillment of Federal duty.

It is worthy of notice in this connection that of the designated Federal-aid highway system, the States have completed or have under construction 65,000 miles without a cent of aid from the Federal Government, as compared with the 57,560 miles which have been completed or undertaken with aid from the Government. This does not look as if the States were laying down on the job.

Equally untenable is the charge that the providing of funds from the United States Treasury has encouraged extravagance. There is nothing to support this charge. The total Federal expenditure has been large enough to make Government participation effective without necessitating extravagant expenditures of State funds to meet it.

Opponents of Federal aid, including some of the leaders in the East, often put forward the argument that it is unfair that Eastern States should be paying taxes that are used to aid other sections of the country. This argument is highly specious. It overlooks the basic fact that the States are political and not economic units, and that from an economic standpoint all the States are independent. For instance, there are over 60,000 corporations in New York City, the overwhelming majority of which have a national business and derive their prosperity from distant regions and areas. The application of the taxes these corporations pay to the economic improvement of these distant sections and areas is in no sense a discrimination against a political unit, whether it be New York, Massachusetts, or New Jersey. And certainly road building is one of the fundamental requirements of the economic development of the Nation as a whole.

Finally, it is sometimes asserted that road building is not a Federal function. If it be true that roads do not figure in our scheme of national defense; if it be true that roads do not figure in the transmission of mail and the extending of rural delivery to some 30,000,000 people; if it be true that in helping to build highways the Government is not promoting commerce between the States; if it be true that roads do not promote the national welfare, then, of course, participation in road building is not a Government function. However, the framers of the Constitution thought otherwise. The courts have sustained the powers of the Government over the highways. I ask, How can the Government have power and repudiate responsibility for the development of these highways?

As a primary consideration, every mile of road to which Government funds are contributed is constructed with a view to its military use in time of national emergency. It can be demonstrated that through the extension of rural routes alone, made possible by motor transport, the Post Office Department is saving each year more than

the interest on the Federal-aid expenditure of the Government. As for the promotion of the national welfare, the building of good roads has, next to the establishment of schools, been the greatest factor in bringing better understanding and in developing solidarity and cohesion between our far-flung communities and States. This one consideration alone has more than repaid us as a Nation for all that the Government has spent in highway building.

Federal aid does much more for highway construction in the United States than the mere extension of so much money a year. It insures the building of gaps in highways that would otherwise not be filled. It insures a concentration of funds on a selected system of roads which is reasonably adequate to serve as much, perhaps, as 80 per cent of all highway traffic. It insures standardization on a high plane and uniformity of construction. Without the present system of supervision and cooperation, we would no doubt have expensively constructed roads seldom used and which would not be justified from the amount of traffic they bear, which would be the worst form of economic extravagance. As it is, we have assurance that the real earning value of a highway is the end sought. In a word, it means that we are building better roads in accord with a coordinated national plan.

Imagine what would happen if the States and the counties were spending a billion dollars a year with a view only to the requirements of States and local units and without any consideration for the requirements of interstate transportation. We might have roads, but we never would have a national system of highways. Federal aid has enabled us to escape such a contingency.

At the present rate of construction, and if nothing happens to retard progress, we will, within five more years, have a continuous interstate highway system connecting every city of 5,000 population or larger, and every section of it improved to take care of the requirements of present dense traffic. Therefore, I say again, that funds from the Federal Treasury to be diverted to the improvement of interstate roads are in no sense a discrimination against wealthy States, are in no wise a charitable contribution from the rich to the poor, but rather a fitting appropriation to a public necessity indisputably national in character. On the other hand, I agree fully with President Coolidge that Federal funds should be used for interstate highways only, but this principle has been observed since the launching of the Federal-aid program.

The problem of highway construction and operation is so gigantic that I sometimes doubt if the public at large appreciate its magnitude. Statements as to expenditures for highways confront us much more frequently than statements as to the cost of vehicular operation over the highways.

Occasionally one hears the complaint that the billion dollars, one-tenth from the Federal Government, three-tenths from the States, and six-tenths from local sources, annually expended for highway construction and maintenance in the United States is excessive. How many of those who give voice to this complaint, I wonder, realize that the American people pay each year more than $8,000,000,000 for the purchase, upkeep, and operation of motor vehicles; or that the annual sales of new cars and trucks amount to more than double the billion dollars expenditure for roads; or that if all the new cars and trucks sold each year were parked in a single line on the new roads built in the same year, the intervals between them would be less than 5 feet each? Yet these are the simple facts.

The entire cost of highway construction and upkeep is only about 10 per cent of the whole bill for highway transportation. That 10 per cent can not be escaped, because if the highways are not improved and maintained, the addition to the operating bill, already 90 per cent of the total, will more than offset whatever is denied the roads. In the end, if such a policy of denial were persisted in, our $15,000,000,000 investment in highway rolling stock would become practically useless because of highway deterioration.

The Government is not spending too much for highways. Apart from every other consideration, the users of the highway receive a splendid dividend in cheaper transportation. The difference between the cost of operation over improved and unimproved highways would pay for the cost of improvement in a comparatively few number of years. From this standpoint, no Federal expenditure is paying a higher dividend to our people than the annual appropriation for highways. To scrap this Federal policy would be nothing short of disaster. Public sentiment would not stand for it and national self-interest commits the Government to the fulfillment of the present program. Not until this program is completed can we have assurance that we have a true national highway system.

PROCEEDINGS UNVEILING OF STATUE OF GEN. JOSEPH WHEELER

Mr. BEERS. Mr. Speaker, I present the following privileged resolution from the Committee on Printing, which I send to the desk and ask to have read:

The Clerk read as follows:

House Concurrent Resolution 8

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound the proceedings in Congress together with the proceedings at the unveiling in Statuary Hall, upon the acceptance of the statue of Gen. Joseph Wheeler, presented by the State of Alabama, 5,000 copies, of which 1,000 shall be for the use of the Senate and 2,500 for the use of the House of Representatives, and the remaining 1,500 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Alabama.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall provide suitable illustrations to be bound with these proceedings.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

CAPITAL PUNISHMENT IN THE DISTRICT—WOMEN JURORS

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that I may have until Saturday night next, at midnight, to file minority views on the bill to abolish capital punishment in the District, and also upon the bill providing for women jury service in the District of Columbia. They are bills that are coming up next Monday.

The SPEAKER. The gentleman from Texas asks unanimous consent that he may have until midnight Saturday next to file minority views on the bills mentioned. Is there objection?

There was no objection.

ADJOURNMENT

Mr. DICKINSON of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 17 minutes p. m.) the House adjourned until to-morrow, Friday, March 19, 1926, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for March 19, 1926, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON AGRICULTURE

(10 a. m.)

Agriculture relief legislation.

COMMITTEE ON COINAGE, WEIGHTS, AND MEASURES

(10 a. m.)

Extending the use of metric weights and measures in merchandizing (H. R. 10).

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10.30 a. m.)

To amend the interstate commerce act.

COMMITTEE ON THE JUDICIARY

(10 a. m.)

To regulate, control, and safeguard the disbursement of Federal funds expended for the creation, construction, extension, repair, or ornamentation of any public building, highway, dam, excavation, drainage, or other construction project (H. R. 8902).

COMMITTEE ON IRRIGATION AND RECLAMATION

(10 a. m.)

To provide for the protection and development of the lower Colorado River Basin (H. R. 9826).

To provide for the storage for diversion of the waters of the North Platte River and construction of the Casper-Alcova reclamation project (H. R. 10356).

To adjust water-right charges, to grant certain other relief on the Federal irrigation projects, to amend subsections E and F of section 4, act approved December 5, 1924 (H. R. 10429).

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

(10.30 a. m.)

To amend and supplement the merchant marine act of 1920 and the shipping act of 1916 (H. R. 8052 and H. R. 5369).

To provide for the operation and disposition of merchant vessels of the United States Shipping Board Emergency Fleet Corporation (H. R. 5395).

COMMITTEE ON RIVERS AND HARBORS

(2 p. m.)

Louisiana and Texas intracoastal waterway.

COMMITTEE ON THE TERRITORIES

(10.30 a. m.)

To prescribe certain of the qualifications of voters in the Territory of Alaska (H. R. 9211).

EXECUTIVE COMMUNICATIONS, ETC.

397. Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting the ninth annual report of the Federal Farm Loan Board for the year ending December 31, 1925 (H. Doc. No. 272), was taken from the Speaker's table and referred to the Committee on Banking and Currency and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SNELL: Committee on Rules. H. Res. 171. A resolution providing for the consideration of the bill (H. R. 9958) to amend section 5219 of the Revised Statutes of the United States; without amendment (Rept. No. 577). Referred to the House Calendar.

Mr. WOODRUFF: Committee on Naval Affairs. H. R. 3994. A bill to authorize the admission to naval hospitals of dependents of officers and enlisted men of the naval service in need of hospital care; with amendment (Rept. No. 578). Referred to the Committee of the Whole House on the state of the Union.

Mr. STEPHENS: Committee on Naval Affairs. H. R. 7181. A bill to provide for the equalization of promotion of officers of the staff corps of the Navy with officers of the line; with amendment (Rept. No. 579). Referred to the Committee of the Whole House on the state of the Union.

Mr. LITTLE: Committee on Indian Affairs. H. R. 9730. A bill to provide for an adequate water-supply system at the Dresslerville Indian colony; with amendment (Rept. No. 583). Referred to the Committee of the Whole House on the state of the Union.

Mr. KNUTSON: Committee on Indian Affairs. H. R. 9967. A bill authorizing an expenditure of $6,000 from the tribal funds of the Chippewa Indians of Minnesota for the construction of a road on the Leech Lake Reservation; without amendment (Rept. No. 584). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODRUFF: Committee on Naval Affairs. S. 2058. An act for the relief of members of the band of the United States Marine Corps who were retired prior to June 30, 1922, and for the relief of members transferred to the Fleet Marine Corps Reserve; without amendment (Rept. No. 585). Referred to the Committee of the Whole House on the state of the Union.

Mr. LANKFORD: Committee on the Territories. H. J. Res. 139. Joint resolution authorizing the construction of a Government dock or wharf at Juneau, Alaska; without amendment (Rept. No. 586). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. PORTER: Committee on Foreign Affairs. H. R. 5627. A bill for the relief of George Turner; without amendment (Rept. No. 580). Referred to the Committee of the Whole House.

Mr. BRIGHAM: Committee on Indian Affairs. H. R. 2229. To reimburse John Ferrell; with amendment (Rept. No. 581). Referred to the Committee of the Whole House.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 10177. A bill for the relief of Commander Albert Newton Park, jr.; without amendment (Rept. No. 582). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (S. 1828) for the relief of Lieut. (J. G.) Thomas J. Ryan, United States Navy, and the same was referred to the Committee on Naval Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRIGGS: A bill (H. R. 10464) to provide for the purchase of land, livestock, and agricultural equipment for the Alabama and Coushatta Indians in Polk County, Tex., and for other purposes; to the Committee on Indian Affairs.

By Mr. BURDICK: A bill (H. R. 10465) granting the consent of Congress to the State of Rhode Island, or to such corporation as the State of Rhode Island may grant a charter, to construct a bridge across Mount Hope Bay, at the mouth of the Taunton River, between the towns of Bristol and Portsmouth, in Rhode Island; to the Committee on Interstate and Foreign Commerce.

By Mr. CULLEN: A bill (H. R. 10466) to provide for the sale of uniforms to individuals separated from the military or naval forces of the United States; to the Committee on Military Affairs.

By Mr. TIMBERLAKE: A bill (H. R. 10467) authorizing the city of Boulder, Colo., to purchase certain public lands; to the Committee on the Public Lands.

By Mr. HAWLEY: A bill (H. R. 10468) to amend chapter 137 of volume 39 of the United States Statutes at Large, Sixty-fourth Congress, first session; to the Committee on the Public Lands.

By Mr. COYLE: A bill (H. R. 10469) to authorize payment of six months' gratuity to dependent relatives of officers, enlisted men, or nurses whose death results from wounds or disease not resulting from their own misconduct; to the Committee on Naval Affairs.

By Mr. KNUTSON: A bill (H. R. 10470) granting the consent of Congress to the city of Little Falls, Minn., to construct a bridge across the Mississippi River at or near the southeast corner of lot 3, section 34, township 41 north, range 32 west; to the Committee on Interstate and Foreign Commerce.

By Mr. SOSNOWSKI: A bill (H. R. 10471) to authorize the erection of a Veterans' Bureau hospital at Detroit, Mich., or in a section adjacent thereto and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. MORIN: A bill (H. R. 10472) authorizing the Secretary of War to obtain by reciprocal loan, sale, or exchange with foreign nations, in such quantities as are required for exhibition and study, articles of military arms, material, equipment, and clothing; to the Committee on Military Affairs.

By Mr. HILL of Maryland: A bill (H. R. 10473) to amend the national prohibition act, to create Federal local-option districts, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 10474) to create Federal local-option districts, to provide revenue, to amend the revenue act of 1921, and for other purposes; to the Committee on Ways and Means.

By Mr. ROY G. FITZGERALD: A bill (H. R. 10475) to provide for the publication of the Code of the Laws of the United States, with index, parallel reference tables, and appendix; to the Committee on Revision of the Laws.

By Mr. KVALE: Concurrent resolution (H. Con. Res. 15) to print 80,000 additional copies of the Declaration of Independence of the United States of America; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 10476) granting a pension to Susan M. Noe; to the Committee on Invalid Pensions.

By Mr. BECK: A bill (H. R. 10477) granting a pension to Calsina Gilman; to the Committee on Invalid Pensions.

By Mr. BRAND of Ohio: A bill (H. R. 10478) granting a pension to Elizabeth Wycuff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10479) granting a pension to Emma L. Bragg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10480) granting a pension to Lovisa Sesler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10481) granting a pension to Lydia J. Dunn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10482) granting a pension to Nancy Jane Snodgrass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10483) granting a pension to Salina J. Martin; to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 10484) granting an increase of pension to Christiana Hodge; to the Committee on Invalid Pensions.

By Mr. DRANE: A bill (H. R. 10485) for the relief of William C. Harllee; to the Committee on Naval Affairs.

By Mr. EDWARDS: A bill (H. R. 10486) providing for a survey of the Altamaha, Savannah, Ogeechee, Ohoopee, and Canoochee Rivers, in Georgia, with a view of preventing devastating overflows and to reclaim vast areas of fertile lands; to the Committee on Flood Control.

By Mr. HAWLEY: A bill (H. R. 10487) for the relief of William Porter; to the Committee on Military Affairs.

By Mr. HUDDLESTON: A bill (H. R. 10488) granting an increase of pension to George T. Keith; to the Committee on Pensions.

By Mr. LEAVITT: A bill (H. R. 10489) to perfect the homestead entry of John Hebnes; to the Committee on the Public Lands.

By Mr. MENGES: A bill (H. R. 10490) granting an increase of pension to Phoebe Herman; to the Committee on Invalid Pensions.

By Mr. SCHNEIDER: A bill (H. R. 10491) granting a pension to Meta Sorenson; to the Committee on Pensions.

By Mr. SMITHWICK: A bill (H. R. 10492) granting an increase of pension to Margaret West; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 10493) granting an increase of pension to Jessie McManus; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 10494) granting an increase of pension to Isabella Speedy; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 10495) granting an increase of pension to Josephine B. Scranton; to the Committee on Invalid Pensions.

By Mr. WELSH: A bill (H. R. 10496) for the relief of John A. Thornton; to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 10497) granting an increase of pension to Lola Qualls; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: Joint resolution (H. J. Res. 203) authorizing a preliminary examination or survey of the ocean frontage of Afognak, Alaska; to the Committee on Rivers and Harbors.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1317. By Mr. BARBOUR: Resolution of Board of Supervisors of El Dorado County, Calif., requesting the erection of a public building at Placerville as a memorial to the late Hon. John E. Raker; to the Committee on Public Buildings and Grounds.

1318. By Mr. CARSS: Petition of American Yugoslav Club, of Eveleth, Minn., protesting passage of House bill 5583, providing for the registration of aliens residing in the United States, etc.; to the Committee on Immigration and Naturalization.

1319. Also, petition of American Yugoslav Club, of Ely, Minn., protesting passage of House bill 5583, providing for the registration of aliens residing in the United States and providing a fee therefor; to the Committee on Immigration and Naturalization.

1320. Also, petition of Izaak Walton League of Bovey and Coleraine, Minn., favoring enactment of House bill 7479, the migratory bird and marsh land measure; to the Committee on Agriculture.

1321. By Mr. FENN: Petition of citizens of New Britain, Forestville, and Hartford, Conn., protesting against the passage of House bills 7179 and 7822, so-called compulsory Sunday observance bills; to the Committee on the District of Columbia.

1322. By Mr. GALLIVAN: Petition of National Guard Association of Massachusetts, Maj. Gen. W. E. Lombard, president, Boston, Mass., recommending passage of House bill 9571 with the omission therefrom of the words "and regulations" on page 3, line 18; to the Committee on Military Affairs.

1323. By Mr. GARBER: Resolution of the Association of Team and Truck Owners, opposing Senate bill 1734 and House bill 8266; to the Committee on Interstate and Foreign Commerce.

1324. By Mr. GREEN of Iowa: Petition by H. J. Henrickson and others, in opposition to House bills 7179 and 7822, with reference to Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

1325. By Mr. HOOPER: Resolutions of the Presbyterian Men's Club of Hillsdale, Mich., protesting the repeal or modification of the eighteenth amendment or the Volstead law; to the Committee on the Judiciary.

1326. By Mr. KETCHAM: Petition of 16 residents of Paw, Gobles, and Bloomingdale, Mich., protesting against House bills 7179 and 7822; to the Committee on the District of Columbia.

1327. By Mr. KINDRED: Petition of the Associated Musicians of Greater New York, consisting of over 13,000 members, asking for a modification of the Volstead law to permit the sale of beer and light wines; to the Committee on the Judiciary.

1328. By Mr. KNUTSON: Petition of Mrs. Fred Childers, of Pillager, Minn., and others, protesting against compulsory Sunday observance law; to the Committee on the District of Columbia.

1329. By Mr. KVALE: Petition of members of the Association of Federal Employees of Central Minnesota, praying for the enactment of House bill 4005 and Senate bill 2363, proposing to place postmasters under the classified civil service; to the Committee on the Civil Service.

1330. Also, petition of members of Brotherhood of Railway Trainmen, Lodge No. 764, Montevideo, Minn., urging passage by Congress of House bill 7180, and remonstrating against the enactment of House bills 4019 and 5693; to the Committee on Interstate and Foreign Commerce.

1331. Also, petition of members of the executive board of the Minnesota Farm Bureau Federation, guaranteeing the organization's unqualified support for, and backing to the bill proposed for agriculture relief by the committee for farm organizations; to the Committee on Agriculture.

1332. By Mr. MANLOVE: Petition of 75 residents of Nevada, Vernon County, Mo., against compulsory Sunday observance; to the Committee on the District of Columbia.

1333. By Mr. O'CONNELL of New York: Petition of Alfred Brumme, Civil War veteran, of Brooklyn, N. Y., favoring an increase of pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

1334. Also, petition of Frank Smith, of Tupper Lake, N. Y., favoring an amendment to the World War veterans' act; to the Committee on World War Veterans' Legislation.

1335. Also, petition of the Immigration Restriction League (Inc)., of New York, opposing the passage of Senate bill 1091; to the Committee on Immigration and Naturalization.

1336. By Mr. SHREVE: Petition praying for immediate action by the Tariff Commission to establish adequate tariff on all dairy products by the following-named dairymen: F. J. Garfield, North East; W. J. Traphagan, North East; C. Jay Follett, Corry; C. J. Lilly, Union City; J. Sherman Lilley, Union City; and Arthur Morris, R. F. D. No. 5, Corry, all in the State of Pennsylvania; to the Committee on Ways and Means.

1337. By Mr. SWING: Petition of certain residents of Brawley, Calif., protesting against the passage of House bill 7179, for compulsory observance of Sunday; to the Committee on the District of Columbia.

1338. Also, petition of certain residents of Arlington, Calif., protesting against the passage of House bill 7179 for the compulsory observance of Sunday; to the Committee on the District of Columbia.

SENATE

FRIDAY, *March 19, 1926*

(Legislative day of Monday, March 15, 1926)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

DEATH OF JOHN C. COOLIDGE

Mr. DALE. Mr. President, this morning brings to all the people of this country heartfelt sorrow for the President of the United States and his family. This sorrow is accompanied by personal grief at the loss to each individual of a venerable man held in affectionate esteem.

Mr. President, I offer the following resolutions and ask for their adoption.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 175) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate, having heard with great sorrow of the death of John C. Coolidge, father of the President of the United States, hereby extends to the President and his family genuine sentiments of condolence in their present affliction.

Resolved, That as a further expression of esteem and condolence the Senate do now adjourn.

Thereupon the Senate (at 12 o'clock and 1 minute p. m.) adjourned until to-morrow, Saturday, March 20, 1926, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, *March 19, 1926*

The House met at 12 o'clock noon.

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

Our Father in heaven, Thou art on the heights, hidden now by the mist, but covered with fadeless light beyond the clouds. Thou art truly in our midst as we gather about Thy footstool and behold virtue receiving its crown. We would turn aside