

2806. By Mr. WINTER: Resolution adopted by Lions Club, Torrington, Wyo., urging adequate appropriation for reforestation; to the Committee on Agriculture.

2807. By Mr. WOOD: Petition of residents of Stockwell, Tippecanoe County, Ind., asking that the Civil War pension bill be enacted into law; to the Committee on Invalid Pensions.

2808. By Mr. WYANT: Resolution of No. 1042, U. N. A. of Post Office Clerks, favoring passage of House bill 25 and Senate bill 1727, otherwise known as Dale-Lehlbach bill; to the Committee on the Civil Service.

2809. Also, resolution of Greensburg Branch, No. 266, N. A. T. C., favoring passage of House bill 25 and Senate bill 1727, otherwise known as Dale-Lehlbach bill; to the Committee on the Civil Service.

2810. Also, resolution from William F. Scannell Chapter, No. 6, Disabled American Veterans of Liberty, N. Y., favoring legislation for disabled soldiers and sailors of the World War; to the Committee on World War Veterans' Legislation.

2811. By Mr. YON: Petition of Rachel C. Campbell and 50 other citizens of Pensacola, Fla., favoring pension increase for Civil War veterans and widows; to the Committee on Invalid Pensions.

SENATE

TUESDAY, January 31, 1928

(Legislative day of Friday, January 27, 1928)

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

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

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

S. 440. An act for the relief of Charles H. Send;

S. 1968. An act to authorize the Secretary of Agriculture to pay for the use and occupancy by the Department of Agriculture of the Bieber Building, 1358 B Street SW., Washington, D. C., and for other purposes;

H. R. 280. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Red River at or near Coushatta, La.;

H. R. 5547. An act granting the consent of Congress to the city of St. Joseph, in the State of Missouri, or its assigns, to construct a bridge and approaches thereto across the Missouri River between the States of Missouri and Kansas;

H. R. 5582. An act to extend the times for commencing and completing the construction of a bridge across the Rio Grande at or near the point where South Santa Fe Street, in the city of El Paso, crosses the Rio Grande, in the county of El Paso, State of Texas;

H. R. 5642. An act to extend the time for the construction of a bridge across Red River at Fulton, Ark.;

H. R. 7218. An act to legalize a bridge across Hillsborough Bay at Twenty-second Street, Tampa, Fla.; and

S. J. Res. 38. Joint resolution giving and granting consent to an amendment to the constitution of the State of New Mexico providing a method for executing leases and other contracts for the development and production of any and all minerals on lands granted or confirmed to said State by the act of Congress approved June 20, 1910, and to the enactment of such laws and regulations as may be necessary to carry said amendment into effect if it is adopted.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Copeland	Glass	Keyes
Barkley	Couzens	Gooding	King
Bayard	Curtis	Gould	La Follette
Bingham	Cutting	Greene	McKellar
Black	Deneen	Hale	McLean
Blaine	Dill	Harris	McMaster
Blease	Edge	Harrison	McNary
Borah	Edwards	Hawes	Mayfield
Bratton	Ferris	Hayden	Metcalf
Brookhart	Fletcher	Heflin	Moses
Broussard	Frazier	Howell	Neely
Bruce	George	Johnson	Norbeck
Capper	Gerry	Jones	Norris
Caraway	Gillett	Kendrick	Nye

Oddie	Sackett	Steck	Wagner
Overman	Schall	Steiner	Walsh, Mass.
Phipps	Sheppard	Stephens	Walsh, Mont.
Pine	Shipstead	Swanson	Warren
Ransdell	Shortridge	Thomas	Waterman
Reed, Pa.	Simmons	Trammell	Watson
Robinson, Ark.	Smith	Tydings	Wheeler
Robinson, Ind.	Smoot	Tyson	Willis

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

TOMBIGBEE RIVER BRIDGE, MISSISSIPPI

Mr. EDGE obtained the floor.

Mr. STEPHENS. Mr. President, will the Senator from New Jersey yield to me?

Mr. EDGE. I yield.

Mr. STEPHENS. I ask unanimous consent for the immediate consideration of calendar No. 150, the bill (H. R. 5657) granting the consent of Congress to the Board of Supervisors of Monroe County, Miss., to construct, maintain, and operate a bridge across the Tombigbee River at or near Aberdeen, Monroe County, Miss.

Mr. EDGE. Mr. President, a parliamentary inquiry. I am not sure that any business can be transacted under the pending unanimous-consent agreement.

The VICE PRESIDENT. Any business can be transacted by unanimous consent. This is a request for unanimous consent. Is there objection to the immediate consideration of the bill indicated by the Senator from Mississippi?

There being no objection, the bill was considered as in Committee of the Whole.

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

THE MERCHANT MARINE

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 744) to further develop an American merchant marine, to assure its permanence in the transportation of the foreign trade of the United States, and for other purposes.

Mr. BRUCE. Mr. President, I send an amendment to the desk.

SEVERAL SENATORS. Let it be read.

The VICE PRESIDENT. The amendment will be read.

The CHIEF CLERK. On page 3, line 9, after the word "authorized," insert the following proviso:

Provided, That all offices, employments, and positions under the United States Shipping Board and Emergency Fleet Corporation, except offices and employments calling for the exercise of executive, initiative, or discretion and positions calling for manual or menial services, shall be subject to the provisions of the Federal laws relating to the Federal classified civil service.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Maryland [Mr. BRUCE]. The Senator from New Jersey [Mr. EDGE] is entitled to the floor.

Mr. EDGE. Mr. President, I have already discussed certain features of the bill at some length. I now desire to present a very brief summary of my objections. The attendance during the debate has not been large and I am convinced many Senators have a wrong conception of the measure.

It really accomplishes but one object—the policy of permanent governmental ownership and operation of the merchant marine. Nothing more—nothing less.

Senators, during the debate, have apparently gathered the idea that the bill guarantees the rebuilding or replacing of the Government fleet. It does nothing of the kind. It merely announces such a desire. Only appropriations by Congress can bring a building program about and they could be made without the passage of this bill.

The measure, however, is a very important one inasmuch as it halts the gradual turning over of the fleet to private operators through its ultimatum that every member of the Shipping Board, seven in all, must vote "aye" before a spar or a sail can be sold, a requirement heretofore unheard of in administrative control.

Proponents of the bill are frank enough to admit this means perpetual Government ownership and operation unless Congress at some future time should reverse the policy thus provided. In my judgment, with the Shipping Board so entrenched, such a repeal will be practically impossible.

The Senator from New York [Mr. COPELAND] on Friday referred to the large number of ships operating from the Gulf, 116 I think, at a loss of over \$5,000,000 per year, and the Senator from Florida [Mr. FLETCHER] observed that 60 per cent of American cargoes came from that section. However, the losses are in no way confined to that part of the country.

I contend that if this bill becomes a law and Government ownership and operation is thus perpetuated, the loss will become greater and greater through the waste and extravagance of noncompetitive governmental administration.

However, if 60 per cent of our exports are from the southern section, and I have no reason to question the statement, then I can not understand, with all that available cargo, why shipping there can not be made to pay if it ever could under Government administration. With so much business at hand, I believe private operators could make a profit. But, under this bill, we, of course, will never sell the ships. Some Senators have in effect admitted they want to make it impossible to sell the ships, apparently so they can retain and allocate them without resistance in the future, and notwithstanding the loss involved.

The suggestion made, I think by the Senator from Idaho [Mr. BORAH], that a future Congress will insist on selling all the ships sounds very well, but I can not see on what logic the assumption is based. The Shipping Board is losing a tremendous amount of money now and yet we are perpetuating it. Does the Senate believe that by losing twice as much money, Congress will suddenly change its policy? As stated, the Federal shipping department will be then so firmly established and entrenched any change will be much more difficult than at present.

If there was no other way out, there might be some excuse for saddling this terrific burden on the taxpayers, but private ownership and operation, if properly encouraged, is ready to take hold at any time. Still opponents of that type of encouragement prefer paying out many more millions in deficits, not to reckon interest or cost of replacement, than any scientific subsidy or subvention would ever cost.

The VICE PRESIDENT. The Senator's time has expired.

Mr. EDGE. I ask for five minutes on the pending amendment, as provided under the arrangement.

The VICE PRESIDENT. The Senator is entitled to five minutes on the pending amendment.

Mr. EDGE. The real force behind this bill is unconcealed Government ownership and operation, nothing else. I am not criticizing those who believe in that policy, but I can not understand Senators who frankly say they do not believe in it, but will vote for this bill in order to save the merchant marine. All that is necessary to save the merchant marine is to vote for appropriations to be wisely spent at the proper time, not to vote for perpetual Government ownership even before we consider appropriations.

By passing this bill we serve notice on private operators that we are now permanently entering the field with an unfair competition they can not meet. By the passage of this compulsory unanimous-consent clause, we strike an irreparable blow at all private initiative in shipping. Why not meet the desire of practically all Senators and provide through appropriation and liberal loans a balanced merchant marine and at the same time permit a method of selling and avoid the responsibility of permanent operation? The aim of this bill seems to put the cart before the horse.

The very fear that ships will be sold seems to inspire some Senators to support this bill. When ships are sold they are not withdrawn from service. It would be far better to insert a clause making it compulsory that they remain in service for a reasonable time or to fix a minimum price rather than to close forever the door to private initiative and operation.

In my time I wish to draw the attention of the Senator from New York [Mr. COPELAND], if he has not already seen it, to an article in a New York newspaper of this morning to which he will probably refer if he has seen it. The article states that one of the large operators in New York, Mr. Herbermann, announces to the Shipping Board in a telegram that he is prepared at once to build three large liners in the United States for overseas service if the amendment which the Senator from New York or a similar amendment providing for long-term mail contracts is agreed to as a part of this bill. I ask that the extract to which I refer may be printed in the RECORD as a part of my remarks.

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

HERBERMANN READY TO BUILD THREE LINERS IN UNITED STATES—WIRES SHIP BOARD PROPOSAL IS CONTINGENT ON PASSAGE OF COPELAND BILL PROVIDING FOR MAIL CONTRACTS

Henry Herbermann, president of the Export Steamship Corporation, telegraphed the Shipping Board yesterday that he was prepared to construct at least three 18-knot combination passenger and cargo liners if the Copeland bill or similar legislation providing for the payment of long-term mail contracts is enacted. Aid would also be sought from the construction loan fund, created for the purpose of promoting shipbuilding in American yards.

The telegram addressed to the shipping commissioners follows: "We contemplate placing order for three combination passenger and cargo vessels with a speed of 18 knots for operation between New York and Alexandria, Egypt, with calls at Gibraltar and Algiers en route. This new construction conditional upon the passage of Copeland bill or similar legislation providing long-term mail contracts and loan from construction loan fund to partly finance new construction. We estimate three vessels of this type would maintain fortnightly service between New York and eastern Mediterranean. We are also willing to consider new construction for the New York-West Coast of Italy services under similar conditions."

PRIVATE MARINE FORECAST

This proposal of the Export Line bears out the contention of private ship operators that enactment of either the Copeland and Wood bills, or a combination of both, would make possible the maintenance and development of a permanent merchant marine under private ownership.

Mr. JONES. I understand the pending amendment is intended practically to include in the civil service only the clerical force under the Shipping Board.

Mr. BRUCE. The amendment does not include any officer in a position calling for the exercise of executive, initiative, or discretion, nor does it include the position of laborer nor the position of seaman, nor any position on passenger ships requiring menial service; in other words, it relates only to positions of a clerical or ministerial character.

Mr. JONES. I shall interpose no serious objection to the amendment, but I suggest that it be read for the information of the Senate.

The VICE PRESIDENT. The clerk will read the amendment.

The Chief Clerk read as follows:

Provided, That all offices, employments, and positions under the United States Shipping Board and the Emergency Fleet Corporation, except offices and employments calling for the exercise of executive, initiative, or discretion, and positions calling for manual or menial services shall be subject to the provisions of the Federal laws relating to the Federal classified civil service.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Maryland.

Mr. FLETCHER. My recollection is that under legislation which we passed last year we struck out the word "Emergency," leaving the title of the corporation simply "the Fleet Corporation."

Mr. JONES. The word "Emergency" should be left out.

Mr. FLETCHER. The word "Emergency" should be stricken out, because I think it has been eliminated from the title of the corporation.

Mr. BRUCE. I was not aware of that fact. I will modify my amendment in that respect. What is the present name of the corporation, I will ask the Senator from Florida?

Mr. FLETCHER. Its present designation is the Fleet Corporation.

Mr. BRUCE. I will ask that the amendment be so modified.

The VICE PRESIDENT. The Senator from Maryland modifies his amendment as indicated.

Mr. PHIPPS. Mr. President, I regret that I have not found available sufficient time to make as careful a study of the pending measure as I should like to have done, but I wish to say that I feel that our experience in the matter of extending civil-service requirements to employees of the Government has been such as to lead me for one to make up my mind that they should not be further extended. I think our recent experience in extending the civil service law to employees engaged in the enforcement of the prohibition law has been such as to show that, as a rule, it is unworkable and undesirable.

Mr. President, I wish to say just in a word that I am not inclined to favor either the proposed amendment or the bill itself. My views are practically in accordance with those expressed in the paper prepared by the United States Chamber of Commerce which I hold in my hand and which I desire to present for the RECORD. I think that Senators generally have been furnished with copies of this memorial, and it will not, therefore, be necessary to have it read at this time.

The VICE PRESIDENT. Without objection, the memorial will be printed in the RECORD.

The memorial is as follows:

CHAMBER OF COMMERCE OF THE UNITED STATES,
Washington.

THE MERCHANT MARINE ISSUE IN CONGRESS

To Members of the Senate:

No body of citizens has more reason to want a strong American merchant marine than the members of the Chamber of Commerce of the United States. This is a purpose to which the national chamber since its beginning has devoted much effort.

It is our firm belief, however, that a Government owned and operated merchant marine can never permanently serve the needs of the Nation. Accordingly, we are very much opposed to the Jones bill, S. 744, which would extend Government ownership and operation.

We are told that we can not have a private merchant marine without a Government subsidy and that Congress will never vote such a subsidy. Therefore, it is argued, the only alternative is a Government ship program such as is embodied in the Jones bill. With that conclusion we can not agree.

We realize that Members of Congress are striving earnestly for a sound and practical solution of our shipping problem. The shipping venture of the Shipping Board has cost tremendously. If the principle of the Jones bill is adopted, expenditures at a great rate will continue indefinitely. Facing that situation it is hard to believe that Congress will definitely refuse to consider constructive plans that would not only save money for the taxpayers but also would lead to a firmly established, privately owned merchant marine.

The national chamber believes this can be accomplished by private enterprise through trade route and mail contracts embodying the healthy principle of competition. Such a plan can not succeed, however, until the Government definitely adopts a policy of withdrawal from the shipping business.

Specifically, the national chamber opposes the Jones bill because—

(a) It would embark the Government upon a new program for use of the taxpayers' money in merchant-ship construction for Government operation;

(b) It would prohibit sale of Shipping Board ships except by unanimous approval of the Shipping Board, which, in view of the attitude of some members of the board, would be the practical equivalent of stopping all sales of commercially useful ships; and

(c) It would not further the establishment of our shipping in private ownership and operation, the only basis on which a permanent and successful merchant marine can be maintained.

By referendum 9 (item 4), referendum 48 (item 7), and by resolution of the fifteenth annual meeting in May, 1927, the chamber definitely advocates maintenance of the trade-route services and mail lines needed in the interest of our foreign commerce and the national defense. The resolution referred to states:

"We view with grave concern and are opposed to proposals that the Government should enter upon a new program of building merchant ships and are opposed to Congress placing added restrictions upon the authority of the Shipping Board to dispose of ships to private parties. Such a policy as proposed is against the public interest and national welfare.

"The Government has already sold many of the principal trade routes, and these are being successfully operated under private ownership. Additional shipping services needed for the development of the Nation's foreign commerce can also be transferred to and successfully maintained by private enterprise through trade route and mail contracts let whenever possible on a competitive basis.

"The explicit statement made before the transportation session of the Chamber of Commerce of the United States on May 4, 1927, by Chairman O'Connor of the Shipping Board, that the board does not contemplate the investment of public money in new ship construction, and his clear statement at that time that the board is determined to dispose of all ships and trade routes to private enterprise at any sacrifice, if with reasonable assurance of continued service on those routes, accord with the adopted principles of the chamber, and at this time it is necessary only to impress upon the Shipping Board the need of energy in placing this shipping in private operation and with such support as is necessary to make private operation effective."

The proceedings of the transportation session of the annual meeting which adopted that resolution have been quoted from several times during the debate in the Senate. In order that the full text of these proceedings may be available I am sending you a copy herewith. Also inclosed is a copy of the national chamber's referendum 48, on the merchant marine, in which attention is especially invited to pages 12 to 18 outlining the methods by which the merchant marine can be successfully placed on a permanent basis of private ownership and operation.

The first consideration of business in seeking the rehabilitation of the merchant marine is the service that shipping renders in furthering the disposal of our surplus agricultural and industrial products. The United States is an exporting Nation. If it is to progress, it must compete with all comers in the markets of the world. Moreover the World War made apparent the extent of our dependence on adequate supplies of essential raw materials from abroad, and the interest of American industry in having American-flag shipping service to meet these needs. An efficient, economically operated merchant marine is our first arm of commercial defense.

Business requirements call for the maintenance of essential trade routes in the interests of the laborer, the farmer, the miner, the investor, the exporter, and importer—all who are in any way engaged in the production, manufacture, and transportation of American products.

Why should Government be expected to attempt to meet these requirements itself when business is so well qualified to provide the necessary service?

There is nothing new or mysterious or difficult about the process. It consists in calling for bids for the maintenance of these essential trade routes and mail lines on a contract basis by private parties, either with their own ships or with ships to be bought from the Government. The Government under such a plan would pay for the maintenance of the service a stated sum annually, instead of, as at present, not only paying a percentage of freight money to Shipping Board agents but also covering losses that arise from ship operations amounting annually to millions, besides the overhead costs of the Fleet Corporation and other expenses. The net result would be that all the services now maintained by the board could be continued, but with greater efficiency. The Government would be eliminated from the shipping business. Local interests would be enabled to take over many of the services. A long step would be taken in the establishment of a successful, privately owned merchant marine. We believe another result would be a saving of millions annually to the Treasury of the United States and expenditure of taxpayers' money for ship construction would be wholly unnecessary.

We hope that Congress will decide for private enterprise as against continuation of Government ownership. Definite abandonment of the Jones bill in favor of constructive measures as outlined above would give new hope to American citizens who are working for the upbuilding of our private American merchant marine.

On behalf of the great body of American business men who make up the Chamber of Commerce of the United States, I respectfully bespeak your support of measures in accordance with the well-established American tradition of private initiative.

LEWIS E. PIERSON, *President.*

JANUARY 28, 1928.

Mr. KING. Mr. President, in my opinion, the civil-service system has not justified the predictions of its advocates, as it has been applied in the various branches of the Federal Government. Those who supported the early civil service law had high hopes of its accomplishments and prophesied beneficial results from its administration. A dispassionate review of the workings of the civil-service system as applied to the Federal Government, will furnish, as I believe, substantial arguments against its validity; and convincing proof that it has miserably failed to promote the public welfare. Those who advocate it postulate an unchanging condition from that which obtained at the time of and prior to the passage of the law. They assume a status quo condition with respect to the Government and governmental activities, forgetting that progress attends to the social and political activities of the world. Concede that under the so-called spoils system there were injustices and inefficiency, no one is justified in asserting that injustices and inequalities have not existed and still persist in those branches of the Government where the civil service law applies.

There is inefficiency to-day in the Government service. There always will be inefficiency and incompetency under a civil-service system. The application of the civil-service principle to governmental affairs makes for bureaucracy, with its evils; it makes for caste, a bureaucratic caste, which has always been opposed to democracy and hostile to genuine social and political reforms. Any policy which breeds caste is wrong, and the civil-service system is developing a governmental caste which is not consonant with the application of liberal principles and the democratic spirit in governmental activities.

The number of employees in the Federal Government is double the number required for the performance of the duties imposed by law. Of course, there are thousands of employees in the Government service who render valuable and efficient service. They are handicapped in the fine work which they are doing by the inefficient and the incompetent and by the chains which the civil service law forges. Initiative, responsibility, freedom in the development of innovations and improved methods and new policies—these qualities are indispensable if there is to be efficiency and accomplishment in the Government service, as well as in private business. But the civil-service system and bureaucracy stifle ambition, suppress initiative, hamper the adoption of improved methods, and create obstacles which prevent proper development and effective achievements.

I have talked with scores of men and women in various branches of the Government service who appreciate the limitations and restrictions imposed by civil-service requirements and governmental regulations. There is not sufficient encouragement, no proper incentive, no certain recognition of ability and worth and service under existing conditions; and inevitably the result is that persons in this category are restrained and ultimately feel compelled to submit to conditions which they can not change.

The amendment offered by the Senator from Maryland [Mr. BRUCE] is ambiguous, as I read it, and is not susceptible to

uniform interpretation by those who will be called upon to administer the law. It can not be determined from its phraseology who will be included within its terms and who are excluded, but it is quite certain that the eagerness of Government officials who may administer the law will bring within its terms all employees of the Government whom it is possible to include within its provisions; and if all the employees of the Shipping Board or the Fleet Corporation are not brought within the terms of the amendment, if it should be adopted, then supplemental legislation will be sought, because the appetites of those who seek the extension of the civil-service system are insatiable, and measures will be projected and contests made until this branch of the Government, as well as all branches, will be brought within the powerful grasp of the Federal bureaucracy, resting in part upon the civil service law. One reason why the costs of the Government are so great grows out of the inefficiency and incompetency of Federal employees and officeholders, and the failure of the Government in those activities becomes more apparent when it engages in business enterprises and undertakes the performance of obligations and activities which come within the realm of individual endeavor. The success which has come to the business men of our country is attributable to the adoption of efficient business methods. The great industries of our country have achieved their unparalleled success because of executive ability of those in command and the freedom of those in authority to devise new policies, initiate reforms, select competent officials and employees, and remove dead weights and blights which were developed.

The successful business organizations of our country are daily changing their business policies, introducing reforms, improving their methods. Scientific investigation is conducted by trained experts with a view to introducing economies and improved methods. Employees are encouraged to suggest reforms and changes. Promotions follow industry and energy and efficiency. The brakemen of to-day on the railroads may be superintendents on the morrow. The messenger boys in the banks become presidents of great financial institutions. Mr. Ford's remarkable success is due primarily to his organizing genius, but in a great measure to the efficient management that he has adopted in his plants. The same may be said of the railroad organizations which have achieved success, as well as many other business corporations which have made themselves known to the country.

Life tenure in office is more compatible with monarchical institutions than with democratic government. In my opinion, it were better in a government such as this that there should be a reasonable rotation in office rather than an inflexible system which gives life positions to hundreds of thousands of employees, which will soon, as bureaucracy grows, pass beyond the million mark. A civil-service system means pensions, retirement privileges, and Government bounties, and when the civil-service system is applied to governmental activities in industrial fields and in business activities its imperfections will become more glaring and its evils will defy contradiction.

The Senator from Maryland desires governmental ownership and operation of hundreds of ships and the control by the Government of the merchant marine of this Republic. He and others must know, who are familiar with the shipping business, that it is a highly competitive business; that success attends it only when men of vision and courage and genius control; when they have a large degree of freedom, unhampered by incompetent overlords and not handicapped by inefficient and incompetent associates and employees. The Government can not economically and wisely operate merchant vessels. Great Britain's success and Germany's success as maritime nations resulted from private initiative and because the heavy hand of bureaucracy was not placed upon the organizations and individuals who were pushing the trade and commerce of those countries into all ports of the world.

Mr. President, the bill under consideration, if it should be enacted into law, is foredoomed to failure; that is, it will not develop a merchant marine worthy of this Republic. Under this bill, if it becomes a law, hundreds of millions will be taken from the Federal Treasury and wasted and squandered in feeble and futile attempts to maintain a merchant marine. The evils of paternalism, of socialism, and bureaucracy will be manifest and those evils will grow and multiply until hundreds of millions from the Public Treasury will be squandered and the public will arise in their wrath and wipe out this paternalistic experiment and policy which is now so eloquently championed upon the floor of this Chamber.

But, Mr. President, there is not that frankness attending the discussion of this measure which I think should exist. There are some advocating it who say that it is not designed that the Government shall permanently own and operate vessels in foreign trade. They say it is necessary for the Government tempo-

rarily to operate ships which it now owns and build a number of other vessels as a proper complement to the present fleet. But, as I understand their position, when routes have been established and sufficient vessels are being operated to carry the greater part of our foreign trade, then the Government may dispose of its ships and transfer its interests therein to corporations and private persons.

The VICE PRESIDENT. The Chair regrets to say that the time of the Senator from Utah has expired.

Mr. KING. Mr. President, I will occupy five minutes in discussing the bill.

There are others supporting the measure before us on the ground that it does mean governmental ownership. They seem to rejoice in the adoption of a policy which puts the Government irrevocably into private business. For some reason unknown to me they seem to think that bureaucracy is more efficient than democracy; that paternalism is more beneficent than individualism; that the Government can better control the business and private affairs of the people than they themselves can control them. In other words, Mr. President, as I interpret their position, it is that the people are incompetent to handle their own affairs, to carry on business, to develop trade and commerce, and to discharge the responsibilities that belong to a dynamic and progressive people.

Some Senators, if I have understood them correctly, welcome the Government's advent into the industrial activity and life of the people. They fail to distinguish between the Federal Government and its duties and limited powers and the sovereign States and the municipalities therein. States, of course, may do that which the Federal Government may not do, and municipalities may own and control certain public utilities, perhaps, to advantage of the people.

The people within the cities are familiar with their needs and can watch over their public officials, but any argument that justifies the operation of public utilities by municipalities has no place in this discussion and furnishes no sufficient reason for the General Government to engage in private business. The people have been unwilling to permit the States in which they live to embark upon socialistic and paternalistic enterprises. They have perceived that the genius and spirit of democracy were opposed to paternalism, to the assertion by the Government of authority over the industries and private affairs of the people. Inefficiency, waste, extravagance, and corruption have uniformly attended in all ages the control by governments of industry and business and activities which belong to the field of private endeavor. The Senator from Tennessee [Mr. TYSON], who addressed the Senate yesterday, eloquently declared that we have come to the parting of the ways, and that the most important question that had come before Congress for many years was now presented for determination. He indicated that this bill committed the Government to the ownership and operation of the merchant marine; that we were departing from the policy that has characterized this Government from the beginning.

Mr. President, the Senator is right. This bill seeks to prevent private ownership and operation of ships in foreign trade and to plunge the United States into the great sea of governmental ownership and operation of our merchant marine. It is obvious that no amendment will be permitted by those in control in the Senate which will permit private ownership of the merchant marine ships. The Senator from Maryland [Mr. BRUCE] so interprets this bill. The very fact that he is seeking to give life positions to thousands of individuals, putting them under the aegis of the civil service law indicates that he regards this bill as committing absolutely and irrevocably the Government to the ownership and operation of ships in foreign trade. I can not understand how Senators reconcile their position in favor of this bill with their life-long convictions in favor of democracy.

Mr. President, where will the end be? History is replete with examples of departures from political standards and governmental policies—departures leading from individual freedom, liberty, and action in private matters and business activities. One usurpation by a government has generally been followed by another. The conference upon the government of one duty, right, or privilege belonging to individuals or to local communities whets the appetite of the transferee of such right and it will demand additional powers and authority until finally it absorbs the liberties of the people. Governments have become top-heavy and fallen because of the gravitational forces set in operation which transferred from the people and from the local communities their rights and liberties.

Governments are not organized to go into business. This Republic is an example of the wisdom of a policy which de-

veloped the individual and permitted him unrestrained to engage in trade and commerce and business pursuits, and which restricted the Government to certain boundaries and forbade it to impinge upon the rights of persons or States.

Mr. President, we are by this measure departing from sound principles and wise policies. We are striking at the foundation of democracy and at the same time injuring our institutions and our individual life. There is too much opportunism in our politics to-day; too much expediency; too little regard for fundamental principles. An evil, real or fancied, becomes the basis for iconoclastic changes, and departures from the principles and policies which have made our country great. The shipping industry will take care of itself. American genius will meet every situation if not stifled and throttled by socialistic, governmental, and deadly paternalistic methods.

Mr. President, there are unmistakable evidences of the growing sympathy for socialistic nostrums. This bill is the outgrowth of this changing spirit existing in our country. If the Government owns and operates our merchant marine there are reasons to urge that it should own and operate transportation companies of our country. The railroads carry freight and passengers and ships carry freight and passengers. A considerable portion of our exports originate in the interior. They are carried by the railroads to the various ports of our country, and there shipped to foreign ports. It may well be argued that the transportation system, both of land and sea, should be placed in the hands of the Government; one subdivision is controlled by the Government. And if the Government owns and operates railroads and the merchant marine, where will its activities terminate? So argued the bolsheviks, and then took over all industries, as well as all property. Efforts have been made, and these efforts still persist, to have the Government take over anthracite fields, as well as the bituminous coal fields of our country.

It is a dangerous thing, Mr. President, to create bad precedents. It is reassuring, to me at least, that the President has indicated that he does not approve of this visionary and socialistic project. I hope that if it should finally reach him he will promptly veto it. I believe that the sober, sound judgment of the American people would applaud him for so doing. I can not believe that the mass of the American people are willing to have our country embark upon policies which I regard as destructive of progress, of initiative, and of political and industrial development; policies which are not progressive but reactionary and archaic.

I understand that some Senators favoring this bill are favorable to the candidacy of Secretary Hoover whose name is often mentioned in connection with the Presidency. Mr. Norman F. Titus, of Mr. Hoover's department, has stated that Mr. Hoover is opposed to any ownership or operation of any public utility, and wants private initiative preserved. Mr. Titus also states that—

He [Hoover] advocates the development of a plan of some kind and wants the shipping industry to put its own house in order. It is evident that we all believe in self-government, not only in the sense that we have the right to elect our own representatives, but also by indirection—that we can run our affairs without the aid of Government.

And in a very able address delivered by Secretary Hoover on September 29, 1924, he opposed governmental ownership of utilities and stated that the—

wasteful distribution of the hundred and fifty million of capital invested annually in the Post Office, Reclamation Service, Shipping Board, rivers and harbors, and roads would not be a patch on the waste in appropriations when our legislative bodies get a chance to handle two billions per annum of new capital outlay.

Mr. Hoover eloquently declares against the evils of bureaucracy and states that the Government can not operate as economically as private enterprise. Referring to our experiment in the operation of ships, he stated:

Our national shipping is a daily sample of all the arguments I have given, and more. We paid three billions of the taxpayers' money for a fleet—some part of it was truly for war purposes—but we have written it down 90 per cent in six years to \$300,000,000; and if the accounts were based upon true costs with interest and depreciation we should find that we are losing over \$100,000,000 of the taxpayers' money a year in operating it. Yet private shipping is earning profits. Nor is this the fault of the Shipping Board; it is inherent in the system.

Mr. President, I know that any opposition to this bill will prove futile at the present time in this Chamber. It will pass the Senate with all of its iniquities, and in spite of its economic unsoundness and its attempt to commit our Government to a

policy at variance with the principles upon which this Republic was founded, and in violation of the spirit, if not the letter of the Constitution of the United States. There will be an awakening sooner or later, and if this bill should become a law, some day an indignant people will sweep it from the statute books and demand a return of this Republic to the paths of safety and to wise and just economic policies.

Mr. ROBINSON of Arkansas. Mr. President, unquestionably the administration of the law as it relates to the civil service has been in many instances defective and justifies criticism; but I am one of those who believe that civil service is essential, if not indispensable, to the administration of a government so large and complex as is the Government of the United States at this time.

It is certainly true that instances are known in which the principles of civil-service reform have been disregarded; but it is also true that if there were no classified service in the United States under the civil service law inefficiency, and probably corruption, would run riot in every department of the Government.

You may answer that that is true now, and undoubtedly to some extent it is true; but, to illustrate the force of what I am attempting to say, suppose there were no civil service law and no classified service, and all selections of employes in minor positions were determined solely by political influence. Whenever there occurred a change of administration you would have many, many thousands of new and inexperienced persons inducted into the Government service, and those who have established their right to continuous service would be discharged.

I merely want to say at this time that I am in favor of the amendment proposed by the Senator from Maryland [Mr. BRUCE] because I believe that on the whole the effect of the civil service law has been to increase, rather than to diminish, efficiency in Government positions.

Just a moment with regard to the more important subject, the merits of the bill.

I think it has been demonstrated by those in charge of the measure, and who have given prolonged study to the subject, that if the United States is to maintain a merchant marine under present conditions this measure, or some similar measure, is necessary. I do not believe in, and I do not desire to perpetuate, Government operation of the merchant marine if the end can be accomplished through private ownership and private operation; but those who are assailing this bill, in my judgment, have almost totally failed to answer the arguments or to refute the conclusions presented by the Senator from Washington [Mr. JONES] and the Senator from Florida [Mr. FLETCHER].

Mr. BORAH. Mr. President, the senior Senator from New Jersey [Mr. EDGE] is of the opinion that this bill is entering upon a permanent policy of Government ownership.

I listened to the speech of the able Senator from Florida [Mr. FLETCHER] a few weeks ago, in which he discussed the history of the sale of these ships. It impressed me that something ought to be done to protect the property of the United States against its disposal in the manner in which it had been disposed of.

As I see this bill, the only difference between the situation as it will be after the bill is passed and as it is now is that it requires seven men to determine upon the sale rather than four. I think it is not an extraordinary request that at least seven men shall be called upon to determine the great policy of the United States with reference to the question of merchant marine. It is true that it requires a unanimous vote, but it is a very small body of men; and, even opposed to Government ownership as I am, I should not want to leave it to seven men or to four men to determine whether or not we should have Government ownership. We have the ships now; and if we determine not to keep them the Congress ought to determine the matter and not leave it to four men or to seven men. Of course, we do in this bill leave it to seven men, but we retard the accomplishment of it by requiring a unanimous vote. I should like to vote so as to leave the matter to Congress. I would not, if I had my way, permit sales except upon the action of Congress upon the report of the board.

I see nothing in this bill other than the increasing of the degree of unanimity which is necessary in order to dispose of the ships. If there is anything else in the bill other than that, I have been unable to detect it.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

Mr. BORAH. I yield.

Mr. CARAWAY. In other words, then, the only thing this bill does is to make it more difficult for the Government to get out of the shipping business?

Mr. BORAH. Yes.

Mr. CARAWAY. That is all?

Mr. BORAH. That is all.

Mr. JONES. Mr. President, I think I ought to correct the Senator on that. There is a very important provision in the bill which authorizes appropriations for the building of new ships.

Mr. BORAH. It is merely an authorization? There is no appropriation?

Mr. JONES. Oh, no; there is no appropriation. We could not do that in this bill.

Mr. BORAH. The Senator from Arkansas asks the question if the bill does not make it more difficult for the Government to get out of the shipping business. It does make it more difficult for the Government to get out. I do not think the Government ought to get out until the Congress of the United States itself determines that question. It is true that under this bill seven men may do so, but I would leave it so that Congress alone could determine the policy in that respect.

Mr. CARAWAY. As a matter of fact, does not the Senator know that that is exactly what this bill does? There will always be one man who will not vote himself out of a job. Out of seven there will always be one man who will want to hold his job.

Mr. BORAH. I should think, on the same line of reasoning, you would find one in four who would want to hold on to his job.

Mr. CARAWAY. We have done it so far.

Mr. BORAH. From the manner in which they were disposing of ships, as painted by the Senator from Florida, I think they were trying very hard to get out of a job.

Mr. CARAWAY. Possibly so. I am not defending anybody this administration appointed to office; but I desire to ask the Senator another question.

We are engaging now in a subsidy under another name, are we not, and intending to make it permanent? Is not that what this bill does?

Mr. BORAH. I think it points in that direction; yes.

Mr. CARAWAY. It points to paying about \$45,000,000 a year as a subsidy to keep the merchant marine on the sea, does it not? Is not that the Senator's understanding?

Mr. BORAH. I do not know the exact amount, but it is something. Whatever it is, that is the effect of it.

Mr. CARAWAY. That is the substance of it. It may be, as some have pointed out, that it is the only way to keep ships upon the sea, and we may have to do it. I think, if we do it, we ought to do it with thorough knowledge of what we are doing; and those people who heretofore have been saying that under no circumstances would they vote for a subsidy ought to be made to realize that that is what they are doing; ought they not?

Mr. BORAH. Well, Mr. President, the situation is this: We have the ships. We are now in possession of them. They belong to the Government. The question here is, how we are going to dispose of them; whether we will dispose of them through the vote of four men or seven men.

The VICE PRESIDENT. The time of the Senator from Idaho has expired.

Mr. BRUCE. Mr. President, it certainly afforded me the most intense gratification to hear what our Democratic leader, the senior Senator from Arkansas [Mr. ROBINSON], had to say with reference to the amendment which I have offered to the pending bill. Along with many other things, it tends to show that he indeed has the breadth of view and the intellectual stature with which so many of his firm friends believe him to be generously endowed.

I was so infatuated as to believe that the time had passed when any Member of the Senate would rise to his feet and utter words of real disparagement of the Federal merit system of appointment.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

Mr. BRUCE. The Senator knows I have but a very short time; otherwise I would gladly yield to him.

As the Senator from Arkansas [Mr. ROBINSON] intimated, it would be absolutely impossible to work the institutions of this country without chaos and confusion, and a vast volume of intrigue and corruption, but for this beneficent system of appointment.

Go back to the old spoils system of politics as it existed before the enactment of the Pendleton bill! That, indeed, in the vigorous language of the Scriptures, would be a dog re-

turning to his vomit. Year by year during my lifetime the Federal merit system of appointment, in spite of all the selfish obstacles that have been sought to be thrown in its way, has been extended until now we have arrived at a time when it is considered nothing less than discreditable—I had almost said dishonorable—for a President of the United States, whether he be a Republican or whether he be a Democrat, to leave office without, by the exercise of an Executive order, giving a still larger scope to that system of appointment.

If we were to indulge the spirit of the Senator from Utah [Mr. KING], we might believe that we were back again in that Republican National Convention in which, when something was said about offices, the ravenous Mr. Flanagan, of Texas, arose and exclaimed, "Mr. Chairman, I should like to know what we are here for if we are not here for the offices." Such utterances show the degraded, sordid, and squalid consequences to which the spoils system of politics invariably leads.

The Senator from Florida told me only a few days ago that Mr. O'Connor, of the Shipping Board, had told him that for the lack of the merit system of appointment at one time there were 3,600 employees of the United States Shipping Board, that the number was subsequently reduced by the application of the squeezing process, with which we are all so familiar, to 1,600, and that in his opinion 600 would have answered all the purposes of the case. So in connection with the United States Shipping Board and the Fleet Corporation themselves, not to go any further, we have illustrations of the intrigue, the corruption, the demoralization, the degradation, the inefficiency, the waste that always result from the old system of patronage.

The Senator from Colorado [Mr. PHIPPS] said that he would not give his support to this amendment because we had had an example in the recent examinations of prohibition administrators and agents of what the merit system of appointment really means. Why, I ask—

The VICE PRESIDENT rapped with his gavel.

Mr. BRUCE. I believe I have five minutes on the bill; and that I have a right to go a little further in what I was saying with regard to the amendment before I reach the discussion of the bill.

I was one of the few Members in this body, civil-service reformer as I was, to vote against the placing of those prohibition administrators and agents under the merit system of appointment, because I thought, to begin with, that the duties of prohibition administrators and agents called for the exercise of faculties, and for the performance of duties, to which this merit system of appointment, flexible and adaptable as it is, was not adapted, assuming that there are any subordinate positions to which it is not suited; a thing which I am inclined to deny.

By what tortuous course of reasoning can the Senator from Colorado reach the conclusion that he does? It was that civil-service system, that very system which he disparages, which brought out in the most vivid and damning colors the unfitness in practically every respect of the existing personnel of the prohibition force for the duties of prohibition enforcement. Just think of it, 75 per cent of this whole body of men, whose conduct has so often been marked by the grossest profligacy, lawlessness, and corruption, were unable to meet successfully the highly practical tests given by the United States Civil Service Commission for the purpose of testing their efficiency.

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

Mr. BRUCE. But for the fact that the civil-service system was made applicable to them, their shortcomings, their limitations, and their unfitness would never have been disclosed.

Mr. PHIPPS. Is the Senator aware that practically all of them failed because they were asked to answer hypothetical questions, which were not recorded, and the answers to which were not recorded?

Mr. BRUCE. I read those questions, and I think that they were most aptly and intelligently framed for the purpose of determining how far those men were or were not qualified for the duties which they wished to discharge.

Mr. PHIPPS. I know of cases where they did not record the questions or the answers.

Mr. BRUCE. Every one of the questions was a question asked as to what the prohibition agent would do under a given set of circumstances; and pray what duty is devolved upon a prohibition agent when in action except that of deciding, under a given set of circumstances, exactly what course he should pursue?

No; they failed because they had all been appointed as a result of the exercise of personal or political favoritism, or partiality, or of Anti-Saloon League influence, or of church influence, if you please, or in other words, of all sorts of influences except those that were really calculated to ascertain whether they were or were not fit for the positions they sought.

Mr. PHIPPS. May I say to the Senator that I know some who were appointed because they were recommended by the Anti-Saloon League and the Ministerial Alliance?

Mr. BRUCE. General Andrews testified that they were largely appointed at the instance of the Anti-Saloon League and similar influences in one form or another, and, of course, they were unfit, and, of course, had they been appointed by any other kinds of influence, without open competition, without competitive examination, without any real tests of fitness, they would have been just as unfit, perhaps.

A word with regard to the bill, and I am done. I recollect many years ago, when the first negro who ever practiced law in the State of Maryland was arguing a case in the court of appeals, he called on the court bailiff—an old white bailiff from southern Maryland, who, of course, had all the prejudices of his region—for a glass of water. As the bailiff passed by me he said, sotto voce, "I never thought that I would be toting water to a nigger." So I never thought that I would be voting for a scheme of Government operation; but I am compelled to vote for the pending bill because there is no other alternative, none whatever, so far as I can see. Our country has built up a great commerce throughout the world, including South American countries, and it is absolutely indispensable that our American shippers should not be compelled to rely for transportation upon foreign shipping interests, which would be in a position at any time to discriminate unfavorably against them.

The VICE PRESIDENT. The Senator's time has expired.

Mr. BRUCE. There are many other things I would like to say on this subject, but under the time limitation there is nothing for me to do but to conclude.

Mr. SWANSON. Mr. President, I do not know to what extent and how far the civil service amendment offered by the Senator from Maryland goes. Before I support it, I would like to ask him some questions about it. I am a believer in civil service, but I can not disclaim having a great deal of sympathy for that young man who was being examined once for the position of rural mail carrier. One of the questions was, "What is the distance from the earth to the moon?" He replied, "I don't know the distance, and if that is part of my route, I don't want the job." I have always thought there was a great deal of sense in that answer.

Mr. BRUCE. Mr. President, if the Senator will allow me to interrupt him, I recollect when that canard was put out. The facts were run down by the Civil Service Commission, and it was discovered that the origin of the story was that an applicant for the position of assistant astronomer at the Washington Naval Observatory had been asked how far it was from the moon to the earth, a most appropriate question to be put to him.

Mr. SWANSON. I want to ask the Senator a practical question. The civil service law provides that appointments under it shall be prorated among the States according to population, except as to positions in the Government Printing Office and the Bureau of Engraving and Printing. Under that law, I do not believe there has been a name certified for a clerical position from Maryland, the District of Columbia, or Virginia for about 10 or 15 years. If this amendment puts the employees of the board under the civil service law, and the offices are to be prorated among the States according to population, it seems to me it would result in the dismissal from the service of all the clerks in the Shipping Board who are from Virginia, Maryland, or the District of Columbia. I would like to know what the effect of the amendment would be.

Mr. BRUCE. It would not affect them at all. Its operation would be purely prospective. It would relate only to appointments made after the enactment of the law.

Mr. SWANSON. Does it mean that no man residing in Virginia, Maryland, or the District of Columbia can be certified for a position in the Shipping Board until the names on the eligible list from all the other States have been exhausted? I have not read the amendment.

Mr. BRUCE. The Senator knows that under the general civil service laws each State has a quota, and because of the unfortunate proximity of his State and my State to Washington our quotas are exhausted. Is there anything unjust in that? After the State of Maryland has its quota supplied and the State of Virginia has its quota supplied, is it not only fair that things should be evened up a little bit by the distribution of Federal places among the other States of the Union?

Mr. SWANSON. I thought the idea was to get the best men, free of politics, irrespective of locality, the best, noblest, most efficient men in the world, to fill these positions. I do not see why a man who, better than everybody else, could fill a job, should be excluded because he comes from Maryland. If the Senator's amendment would result in prorating appointments to the Shipping Board according to absolute merit, as in the

case in the Printing Office and the Bureau of Engraving and Printing, irrespective of location, I am for it. If it makes utterly impossible the appointment of a man from Maryland, a man from Virginia, or a man from the District of Columbia, though he is the best man of all and stands the best examination, if he is to be excluded on account of his locality, I could not support the amendment. Therefore I ask the Senator, what is the effect of the amendment in that respect?

Mr. BRUCE. It does not differ at all from the general effect of the civil service laws. Under the civil service laws which have been in effect for the last 30 or 40 years, of course, appointments are equitably distributed among the different States.

Mr. SWANSON. Not in the Bureau of Engraving and Printing and not in the Government Printing Office. If the Senator's amendment applies to the Shipping Board, the same principle that applies to the Government Printing Office and to the Bureau of Engraving and Printing, I am for it, but I am unwilling to extend the civil-service provisions to other departments, when the best men in the world to fill the jobs are from Maryland, and are prohibited by the political distribution of patronage.

Mr. BRUCE. Much as I love the dear State in which I reside, I do not feel that it is just that she should have more than her fair share of the appointments under the civil service law.

Mr. SWANSON. Does this amendment apply to that situation or the other? Does it apply to the Bureau of Printing and Engraving?

Mr. BRUCE. It does not relate to the Bureau of Printing and Engraving at all.

Mr. SWANSON. Does it apply that principle to it?

Mr. BRUCE. No; it does not.

The VICE PRESIDENT. The time of the Senator from Virginia has expired.

Mr. JOHNSON. Mr. President, the Senator from Maryland in my opinion is eminently right in this situation. I recognize the evils that result from civil service. I recognize that the system has its disadvantages and often very great inequalities that we would prefer did not exist, but the system as it is, sir, is better than no system at all. I feel, therefore, that the amendment ought to be adopted.

In another aspect I think the Senator from Maryland is entirely correct. This is not after all the application of the principle of Government ownership. It is a case of dire necessity, and being a case of dire necessity, the Government itself being the only place to which we may look to see a merchant marine nurtured, fostered, protected, conserved, and finally one of the character that we desire, to the Government itself we must go.

But, sir, let me call your attention to the sacrilege of some of these gentlemen who inveigh against Government ownership.

Why, sir, the very light that comes with its soft radiance from above and illumines the granite countenance of statesmanship in this body comes from an electric-light plant owned, operated, maintained, and conducted by the Congress of the United States. The very heat that warms the decrepit limbs in this body comes from a plant maintained, operated, conducted, and owned by the Government of the United States and the Congress of the United States. Sir, I have in my hand a magazine called Power. It speaks in most complimentary terms of what the United States Government is doing to-day with its plant and what the Congress is doing with its power plant and its heating plant in the city of Washington. What a terrible thing, how awful this is to those gentlemen who speak of Government ownership. Here they sit, sir, running a power plant in the city of Washington in opposition to and in competition with private initiative in this city, sir, that takes from the widows and the orphans, who own the stock and the bonds of private public-utility corporations, their wee bit of earnings from these great corporations. Here they sit, sir, these Senators and Congressmen of the United States, robbing widows and orphans who own the stock and the bonds of public-utility corporations, interfering with private initiative, in competition with the electric-light plant of the city of Washington. Here they sit doing it, sir, according to an official organ of electric power, at a lower cost and more efficiently than any private power plant in the city of Washington.

Oh, what an example these gentlemen set to the rest of the world; how they stifle industry and how they are stamping out competition in this land. Oh, sir, the sacrilege of it! You who are Senators and you who are Congressmen, who run this light plant and this power plant for the Capitol and who run it efficiently and economically in opposition to the private plants in the city of Washington and run it better than those plants, what a sacrilege!

Mr. BINGHAM. Mr. President, before the Senator takes his seat will he permit me to ask whether he is speaking now for the Shipping Board or for Boulder Dam?

Mr. JOHNSON. I am speaking for those gentlemen who have shed their salty tears in this body over the idea that the United States should enter into competition with private initiative and with enterprise that is conducted by private corporations. You are doing it, sir, right now. Stop it, of course, for it is a terrible thing. It is sacrilege. It is treason.

Mr. BINGHAM. But the Senator has not said a word about Boulder Dam.

Mr. WILLIS. Mr. President, having learned about the decrepit limbs of the Senator from Connecticut [Mr. BINGHAM] and having heard how the Senator from Virginia [Mr. SWANSON] is able to get about three times the appropriate quota that really belongs to his State in the civil service, I think it would be useful to have the amendment read which I understand is before the Senate.

Mr. SWANSON. Mr. President, if the Senator will permit me, the trouble is we have not any quota.

Mr. WILLIS. That is not my understanding. I understand the Senator's State and the State of Maryland and the District of Columbia have gotten practically all of the civil-service appointments. There is nobody left in their States to take those places. If he will look over the list he will find that every department is filled by people from Maryland, Virginia, and the District of Columbia. I ask for the reading of the amendment.

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

The LEGISLATIVE CLERK. On page 3, line 9, after the word "authorized," insert the following proviso:

Provided, That all offices, employments, and positions under the United States Shipping Board and the Fleet Corporation except offices and employments calling for the exercise of executive, initiative, or discretion, and positions calling for manual or menial services, shall be subject to the provisions of the Federal laws relating to the Federal classified civil service.

Mr. BRUCE. Mr. President, I should like to ask the Senator one question.

Mr. WILLIS. It will have to be very brief, because my time is limited.

Mr. BRUCE. May not the state of things to which the Senator refers be due to the fact that the State of Ohio concentrates on such lofty positions as the Presidency while Maryland and Virginia are satisfied with only the small places? [Laughter.]

Mr. WILLIS. That is very persuasive, but notwithstanding I can not support the Senator's amendment.

Seriously I believe in the civil-service system. I believe in the merit system. But I am utterly unable to understand how this amendment could be made operative. Listen to it:

Except offices and employments calling for the exercise of executive, initiative, or discretion.

Just what does that mean?

Mr. SACKETT. Are those the offices held by Virginians and Marylanders?

Mr. WILLIS. I do not know. It does not appear here. It says "offices and employments calling for the exercise of executive." What is an office calling for "the exercise of executive"?

Mr. BRUCE. The chief of a bureau or division, or anyone exercising executive function.

Mr. WILLIS. I had not finished my question. The amendment goes on to say "and employments calling for the exercise of executive, initiative, or discretion." Who is going to determine that? How can we make that work out practically in the law? "Or discretion." What office is it that has discretion or does not have discretion?

We can not afford to legislate in such a fashion as that and adopt an amendment which we can not interpret. I am in favor of the civil service, but I think the amendment which the Senator from Maryland has proposed, if attempted to be carried into effect, would be utterly unintelligible, and, therefore, with great regret and notwithstanding my affection for him and his generosity, I shall be compelled to vote against the amendment.

Mr. GLASS. Mr. President, does the Senator from Ohio labor under the delusion that there is a fair enforcement of the civil service law?

Mr. WILLIS. I do not labor under a delusion. My opinion is very definite that there is a fair apportionment, and I do not criticize the Senator and his colleague, though I think his State has more than its share.

Mr. GLASS. I said a fair enforcement.

Mr. WILLIS. Oh, I did not understand the Senator. I thought the Senator said "apportionment." I would not like to condemn the whole civil service because there are some things in it that do not meet with my approval.

Mr. GLASS. I had gotten the impression that the Senator from Maryland acknowledges that the prohibition law is not enforced, and that because it is not enforced it ought to be repealed. Therefore I am somewhat surprised that the Senator from Maryland should offer an amendment to the bill relating to the civil service law, which is not enforced any more than the prohibition amendment is enforced—not a bit more. I have an utter contempt for the evasions and for the pretenses that I encounter here in the so-called enforcement of the civil service law.

I had one experience within a few weeks where a boy who had gone across the ocean and offered his life for his country and was shot to pieces, and had, in a competition for a position as rural carrier, stood first on the list, but was turned down for a bomb-proof artist by the Civil Service Commission and the Post Office Department. Then Senators talk to me about the enforcement of the civil service law! It is not enforced half as well as the prohibition law.

Mr. BRUCE. Mr. President, may I ask the Senator from Virginia the name of that person and that rural mail carrier and what his route is, so that I may have an opportunity to verify the statement?

Mr. GLASS. He bears a very distinguished name. His name is Jefferson.

Mr. BRUCE. The Senator is sure it was not Andrew Jackson?

Mr. GLASS. He was located in the State of Virginia, and he went across the ocean and was shot to pieces in defense of his country. He was first on the civil-service list after taking the examination and he was turned down for the lowest man on the list, who did not get shot, who did not even get across the ocean.

Mr. BRUCE. Perhaps he was shot so badly that he did not have the physical strength to discharge the duties of the position.

Mr. GLASS. Oh, yes; he had. He was not shot so badly but that he was enabled to take the civil-service examination, and he was first on the certified list.

Mr. NORRIS. Mr. President, may I inquire who turned him down?

Mr. GLASS. He was turned down for the lowest man on the list. The Post Office Department turned him down.

Mr. NORRIS. I have no knowledge, of course, as to that particular case; but I would like to make the suggestion that when the Senator said the Civil Service Commission turned the applicant down, I have an idea that upon investigation he would find that all the Civil Service Commission did was to hold the examination and place the names on the list in their order.

Mr. GLASS. No; the Civil Service Commission did this: Under a mere technical pretense it gave military status to a fellow who did not get within 3,000 miles of France during the war. He did not even get to a military camp in this country. He went to school in Virginia, and by some sort of hocus pocus he was certified as having a military status, and the man who had really gone to war and was shot to pieces was turned down.

Mr. NORRIS. The Senator said that the one who was turned down stood first on the list?

Mr. GLASS. Yes; he did.

Mr. NORRIS. Somebody made the selection, and that was not the Civil Service Commission. He was not turned down by the Civil Service Commission, therefore. Perhaps it was submitted to some Congressman or some Senator or some governor, who made the selection out of the three highest on the list, and he selected the other one for partisan or political reasons.

Mr. OVERMAN. Or some chairman of a committee. That is what happened in my State.

Mr. NORRIS. There is an illustration, I think, which demonstrates that the real spirit of the civil service law is not enforced; but it is a demonstration, in my judgment, that the evil which the civil service law was intended to obviate and do away with has not been removed but still exists to some extent and interferes with the proper and real enforcement of the civil service law and theories.

Mr. GLASS. If the Senator wants to know what really happened in that Virginia case—

Mr. NORRIS. I hope the Senator will not take my time.

Mr. GLASS. What really happened was that the man in charge of the sale of patronage in Virginia wanted this other man to have the job.

Mr. NORRIS. Exactly. That makes it plain. That is not the fault of the Civil Service Commission; that is the fault of our defective civil service law, which enables the dealer in patronage or other partisan traffic policemen to defeat what ought to be a real good civil service law but which is not so on account of that defect.

Mr. GLASS. But if the Civil Service Commission had not given military status to this "bomb-proof" artist, he could not have been appointed.

Mr. NORRIS. Very well; then some other "bomb-proof" artist would have been appointed, and they would not have selected the man who stood first on the list and who ought to have been appointed under a fair interpretation of the law. Such things occur because we have not as yet removed from the law the partisanship that we ought to take out of it. It is our fault that we have not passed the right kind of a civil service law. The law does not go the full length that it ought to go. The object of the civil service law is to eliminate the evils of partisanship and political corruption that otherwise sometimes come in the selection of public appointees.

Mr. BRUCE. Mr. President, if the Senator will permit me for just one moment, I desire to suggest that he knows that allowance has to be made for military status under the law itself.

Mr. GLASS. But it means a real military status.

Mr. NORRIS. I hope the Senators will not take up my time. I think we have got an idea of just what happened. A dealer in political patronage was the man who was to blame.

We ought so to amend the law as to exclude that kind of influence and enact a real civil service law that would take away from Senators and Representatives in Congress, from political chairmen, and from partisan dealers in corrupt politics the right to make selections or to have anything to say about the appointment of public officers. Then we should have a civil service law that would be more completely effective than it now is.

Mr. President, I think the evil of pie-counter methods of appointment to office and the old spoils system is well illustrated by what the Senator from Virginia [Mr. SWANSON] has said. As I understand him, he is going to vote for or against this particular amendment according to whether it will let Virginia get in and secure some more offices or whether it will keep Virginia out. There is another illustration of the evil that we are trying to get away from in a fair civil service law.

Mr. SWANSON. No; if the Senator from Nebraska will permit me, I desire to say that I said I would not vote for a law that would discriminate.

Mr. NORRIS. That is, one that will not let Virginia get in.

Mr. SWANSON. No. Let me make my own answer and not have the Senator from Nebraska make it. I said I would not vote for a law which provided that a Virginian who passes the best examination and stands highest on the eligible list can not secure an appointment until the quota from Nebraska shall have been filled.

Mr. NORRIS. Yes; in other words, Virginia, though it already has its quota, has got to have an additional quota; otherwise, we lose the vote of the Senator from Virginia.

Mr. SWANSON. Oh, no. I say the best man ought to get the job.

Mr. NORRIS. Of course, the best man ought to get the job; but he must come from Virginia. That is the position. The Senator from Maryland [Mr. BRUCE] well says, I think that even if the amendment should operate against his State, if that State has received her quota we ought to let other States have an opportunity to fill their quotas. That is the theory of the law.

Mr. President, I believe if we will consider the matter thoroughly and conscientiously we must reach the conclusion that if we should repeal the civil service law and should put all of the thousands of appointive places on the political pie counter we would have corruption running rank in Government offices; we would be unable to carry on the Government in any kind of a systematic and efficient manner. It would almost bring destruction and ruin to the Government. We ought to devote our time to improving the civil service law and getting rid of the defects which, I admit, already exist, rather than to cut it down and place all the offices from janitor on up in all the various departments of the Government on the political pie counter subject to sale, as has been described with reference to a rural carrier, in thousands of instances by the dealer in political corruption and in political offices.

Mr. GLASS. Mr. President, the Senator from Nebraska, I am sure, does not understand that I am in favor of repealing the civil service law?

Mr. NORRIS. No; I did not wish to intimate that.

Mr. GLASS. My complaint is that it is not properly enforced.

Mr. NORRIS. I agree with the Senator that it is not always properly enforced, and one of the reasons, as I have said many times, is because the law itself is defective. I know that to be so from complaints which come to me from Nebraska and which doubtless come to other Senators. We hear of persons who claim that some particular person who obtained a promotion contrary to the rule got it because he or she had a "pull" with some Senator or with some Member of the House of Representatives or with some governor or with some political chairman somewhere in the United States. So the idea has become somewhat general that it takes a political "pull" to secure a promotion even under the civil service. I know that such statements are frequently exaggerated; I have often found when I investigated that they were exaggerated and were without foundation; but there is some reason for the complaint. I have no doubt there are many instances where such things have occurred.

The civil service law, of course, is imperfect, just as every law is imperfect which is enacted and administered by human beings, none of whom are perfect. There will always be cases where injury may be done and where there is not a fair enforcement of the law; but Senators ought to recognize, it seems to me, that if, because it is imperfect, because injustices arise from time to time, we should repeal the law and refuse to put these employees or other employees under the civil service, we would get into a position where we would be a thousand times worse off than we now are.

I think it has been generally known that, not being under the civil service, the Fleet Corporation and the Shipping Board during the last few years have constituted a sort of rendezvous for politicians where they could push their friends and get jobs for them. The Senator from Maryland has given us some information that it seems to me is very valuable. They had more than twice as many employees as they ought to have had because they were not under the civil service.

The PRESIDING OFFICER (Mr. BINGHAM in the chair). The time of the Senator from Nebraska has expired.

Mr. SWANSON. Mr. President, my only objection to the civil service law as at present administered is that it does not secure the most efficient employees. I think a civil service law that requires the commission to certify on a pro rata basis applicants who have an average of 70 in preference to applicants who have obtained an average of 90 is wrong. I think if we are going to have a merit system it ought to be a genuine merit system.

Mr. JONES. Mr. President, a parliamentary inquiry. Has not the Senator already spoken on the pending amendment?

The PRESIDING OFFICER. The Chair assumes that the Senator from Virginia is now speaking on the bill.

Mr. JONES. Very well.

Mr. SWANSON. As I have said, if we are going to have a merit system it ought to be a genuine merit system, and not a system under which appointments are distributed and pro rated on some other basis. I do not see, as I have said, why applicants who have averaged 90 in the examination should be set aside and preference given to applicants who have averaged perhaps only 70, because they come from a section of the country which has not its quota of civil-service employees. If we are going to have a merit system, I think the effort should be made to obtain the best results, and that can be only done by procuring the most capable and efficient men, not by a pro rata system. I think such a system as I have suggested would be the best one to follow and that under it we would procure the most efficient results.

My complaint of the present system is that it is not efficient. I do not know of anybody who has been certified from Virginia, Maryland, or the District of Columbia for almost 10 years.

People come from other States and acquire homes in Virginia, and are then charged up to Virginia's quota. To such an extent is this true that real Virginians have stopped taking the examinations. The present system has worked gross injustice. I repeat that not many real Virginians, not many real citizens of Maryland, and perhaps not many real natives of the District of Columbia are holding Government offices, but people come to those jurisdictions, acquire homes, and then are credited to them. I think if a young man from Virginia or Maryland or the District of Columbia or West Virginia or any of the near-by States is the most competent and capable and passes an examination of 95 he should be preferred over somebody who stands an examination of 70, and yet the man with the lowest grade is given the preference because he comes from a State which has not its quota filled. That is not an

efficient and capable civil service, and that is my objection to the present system.

Mr. FLETCHER. Mr. President, I am anxious to proceed with the bill, and will only take a few moments. I am glad the Senator from Maryland has submitted his amendment. I think we ought to have had legislation of this kind in the very beginning, and while the amendment may not accomplish all that the Senator from Maryland desires or all that we should like to have accomplished it will be helpful, and I hope it will be adopted. The Shipping Board and the Fleet Corporation during the last administration in a way furnished a political pie counter, and that sort of thing ought to be stopped.

Mr. President, I wish to offer for the RECORD in my time a letter from Fred Brenckman, Esq., Washington representative of the National Grange, with reference to the position of the National Grange on the pending bill. I ask that the letter may be printed in the RECORD.

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

THE NATIONAL GRANGE,
Washington, D. C., January 28, 1928.

DEAR SENATOR: We note that the Jones bill, amending the merchant marine act, is approaching a vote in the Senate, and wish to apprise you of the attitude of the National Grange, as expressed in the following resolution, which was unanimously adopted at our last annual session, held at Cleveland, Ohio, November 16-25, 1927:

"Whereas an adequate American merchant marine is vital to our prosperity and security as a nation; and

"Whereas private enterprise, under prevailing conditions, can not fully supply the need in transoceanic service; Therefore be it

"Resolved, That the National Grange favors continued ownership and operation of merchant ships by the Government through the agency of the United States Shipping Board, as necessity demands; and be it further

"Resolved, That we favor appropriations by Congress to keep our merchant fleet modern and efficient."

It is probably true that some of the ships of our war-time fleet should be disposed of in the most advantageous way that may be open. But we do not approve of disposing of the better class of ships for such an inadequate return as a mere five-year guaranty of operation.

We are strongly of the opinion that the time has arrived when this country must adopt definite and constructive measures to put our merchant fleet on a sound and continuing basis, unless we are to witness a painful repetition of the experiences of 1914.

We favor the Jones bill and hope you may see your way clear to support it.

Yours respectfully,

FRED. BRECKMAN,
Washington Representative.

Mr. FLETCHER. I also offer two editorials which were printed in the January issue of the Port of New York, one entitled "Government-owned ships in foreign trade," and the other entitled "Jute imports—A case in point." I ask to have them printed in the RECORD.

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

GOVERNMENT-OWNED SHIPS IN FOREIGN TRADE

If a majority of Democrats in Congress line up in favor of a Government ownership bill, as seems probable, and a majority of Republicans should join hands with them, as Senator W. L. JONES, chairman of the Senate Commerce Committee, has done, as did all of the Republican members of his committee, such a bill could be put through Congress by an overwhelming majority. We can not imagine the President vetoing such a bill, so supported.

Democrats and Middle West Republicans hitherto have opposed, and for 30 years have succeeded in defeating all attempts to obtain Government aid or protection for American ships in foreign trade. But they seem, now, to be willing to have the Government meet Shipping Board losses, so-called, occasioned through Government ownership, as for the past seven years such losses have been met, the period of such ownership having been prolonged because of the determined opposition of Congress to take money from the National Treasury to maintain American ships in foreign trade.

An effective policy of Government ownership should give the country lines of up-to-date ships, through new construction and replacements, adapted to the trade routes over which they operate, equal in every way to the foreign ships with which they have to compete. Could this country do anything less desired by foreign shipowners? Would not such ships give us merchant ships for national-defense purposes in war, and commercial purposes in peace, most acutely needed? Without Government aid what private interests could do that? Nobody dreams that any would or could. When it became obvious to all the world that our ships were in foreign trade to stay, cargoes would steadily gravi-

tate to them, and they might become self-sustaining. That would be the time to dispose of them to private interests with greater assurance of their remaining permanently upon the seas.

Why should not we get, while the chance of getting it seems so favorable, a real, effective American merchant marine in foreign trade, especially when opposition to such a program might defeat all other efforts to secure such an American merchant marine? All such ships would be American-built, American-owned, managed wholly by Americans, officered and manned by Americans—a real American merchant marine; our people would become more and more experienced and skilled in operating them, and all the while the essential needs of the Nation in respect to an American merchant marine would be met.

JUTE IMPORTS—A CASE IN POINT

It is an elementary truism with Britons that purchasers of goods have a right to say how they shall be carried, when the truism is not put to the acid test of a try out. The truism is an abstract proposition, but a concrete case in point is now offered to the world which is at complete variance with the truism. Upwards of 650,000 tons of jute are imported into this country, necessitating about 69 sailings from India each year to bring it here. Of these, American ships enjoyed four sailings, and latterly have been asking for one-fourth the carrying, which seems to be modest, to say the least. The British Cunard-Elleman-Bucknell Lines refuse to agree, as British lines are wont to do when they think they control, truisms to the contrary notwithstanding. So the Roosevelt Line of United States Shipping Board ships is determined to obtain at least 16 cargoes of jute annually for the United States, to secure which they have cut the freight rate from 35 to 25 cents a hundred pounds, quickly followed by a cut from \$7.90 to \$4.50 a ton by the Cunard Line. Vice Chairman E. C. Plummer, of the United States Shipping Board, in charge of traffic, announces for the board that it is prepared to cut the rate, if necessary, to 10 cents a hundred pounds.

Thus a locking of horns between the United States Government and a powerful combination of British shipping interests occurs. The contest, which we opine will result in American ships carrying at least one-fourth of the jute imported into this country, may be studied at close range. Needless to say, it will be watched with keenest interest, especially as showing to what lengths Uncle Sam will go in an ocean-freight-rate war to obtain a modest share of the carrying of our imports, and British shipowners to sustain what they probably regard as their rights—possession of all of the carrying.

Who knows? This may be the first gun in a contest to show whether John Bull really does command the trade and carrying of the world. Well, no one is better able to "tote his load" in such a contest than Uncle Sam!

Mr. FLETCHER. Mr. President, while I am on my feet—

Mr. WILLIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Ohio?

Mr. FLETCHER. I only have a limited time.

Mr. WILLIS. I wish merely to ask a question in regard to the pending amendment. I understand the Senator from Florida to be supporting it.

Mr. FLETCHER. Yes.

Mr. WILLIS. Will he explain what is meant by the clause, "except offices and employments calling for the exercise of executive, initiative, or discretion"? What is such an office?

Mr. FLETCHER. My construction of that expression would be that it is intended to cover such positions, for instance, as the president of the Fleet Corporation, the vice president, the trustees of the Fleet Corporation, and other officials of that kind, experienced experts who are selected to conduct and manage the business. We paid at one time \$95,000 a year salary to three men to take charge of the operation of the ships. Those men ought not to be subjected to civil-service examination. To one man we paid \$35,000; to another we paid \$30,000; and to a third we paid \$30,000. In that way we obtained talent and experience in connection with the operation of ships. Those men ought not to be included in any requirement for civil-service examination.

Mr. WILLIS. Mr. President, if the Senator will yield further, I agree with his views as to what ought to be done, but I submit to him that this language which he says he is going to vote for conveys no such impression.

The exercise of executive, initiative, and discretion—

If any human being can tell what that means well and good; I can not.

Mr. FLETCHER. I think it is intended to cover positions of the kind to which I have referred, calling for expert knowledge of shipping matters.

With reference to the suggestion with regard to the requirement of the unanimous vote of the Shipping Board for the sale

of the ships, I want to say that every man and woman in the United States is a stockholder in the Shipping Board and the Fleet Corporation. That is a corporation in which the people of this country own the stock; they are interested in it. That corporation has a vast property in their control and under their management, property that cost millions of dollars. Therefore, in order to safeguard the rights of the people of this country in their property, we require that there shall be unanimous consent before that property shall be disposed of in any way, and that it must be used for their benefit.

If it costs to operate the ships a little more than we get out of them in the way of returns, we must bear in mind that we are keeping down freight rates on the ocean and saving the shippers of this country million of dollars every month more than the actual deficit. We save monthly to the people of this country by reason of having these ships in operation, and we are extending our commerce and expanding our trade over the world, and keeping our flag on the seas. That is the thing to be accomplished and it can not be accomplished in any other way than as pointed out by this bill.

Mr. WALSH of Massachusetts. Mr. President, I am in favor of this amendment. From my experience in the public service I have concluded that the civil-service system promotes, on the whole, merit and efficiency. Whatever mistakes have been made in the administration of the civil service have been due in large part to the influences of partisan public officials in positions elected or appointed to high places. The abuses that have occurred in the civil-service system are due not to the law or to the commission, but are due, as I said, to the attitude which the administrative officers take with the approval of those in high positions toward adopting subterfuges to escape the strict intent and interpretation of the law.

Undoubtedly mistakes have been made in the administration of the civil service law by the Civil Service Commission itself. Undoubtedly there are wrongs and at times grave blunders by those directing the system; but it seems to me that, on the whole, the civil-service system has tended to improve the public service greatly, and I would dislike very much to see a return in any degree to the old system which eliminated the civil-service requirements. We should seek to improve and strengthen rather than weaken the system that has greatly eliminated the evils of the spoils system.

Therefore I shall vote with special satisfaction and pleasure for the amendment offered by the Senator from Maryland.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Maryland [Mr. Bruce].

The amendment was agreed to.

Mr. SWANSON. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to insert a new section, as follows:

SEC. 7. That in the allocations of the operations of the ships the Shipping Board shall distribute them as far as possible, and without detriment to the service, among the various ports of the country.

Mr. JONES. Mr. President, I simply desire to say that I do not think this amendment is necessary. I think the board has ample authority to do this now, but the amendment can do no harm, so I make no objection to it, and, so far as I am concerned, it may be adopted.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Virginia [Mr. SWANSON].

The amendment was agreed to.

Mr. COPELAND. Mr. President, on the desk is an amendment which I offered yesterday proposing to amend section 870 of the shipping act as found in the Code of Laws of the United States. May we have that amendment read, please?

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to insert at the proper place in the bill:

That section 870 of the shipping act, as found in the Code of Laws of the United States, shall be amended to permit the loan of 75 per cent of the constructional cost of the ships for a period of 20 years, and at the rate of interest which is paid by the Government at the time upon money borrowed.

Mr. COPELAND. Mr. President, the Senate will recall that the law at present permits a loan up to 66 $\frac{2}{3}$ per cent of the constructional cost under certain methods of protection of the Government. The period of the loan is for 15 years, and the amount of interest 4 $\frac{1}{4}$ per cent in foreign trade.

This amendment provides for an extension of the amount to 75 per cent of the cost of the ship, a 20-year period for the loan,

and there is to be charged the current rate of interest, whatever that may be. It is now about 3 $\frac{1}{4}$ per cent.

Of course, the purpose of this amendment is to encourage the building of ships by private owners. I hope the matter will receive the favorable attention of the Senate.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New York.

Mr. JONES. Mr. President, I think this amendment ought to be defeated. It amends a very important provision of the act of 1920, and that act, I think, was very liberal in itself. I hope the amendment will be defeated.

Mr. COPELAND. Mr. President, I had assumed there would be no opposition to the amendment. I hoped there would be no opposition to it.

Mr. JONES. I make the point of order that the Senator can not discuss his amendment twice.

The PRESIDING OFFICER. The point of order is well taken.

Mr. COPELAND. What was the statement of the Chair?

The PRESIDING OFFICER. The Senator from Washington raised the point of order that the Senator from New York, having spoken on his amendment, and having yielded the floor, is not at liberty to speak on it a second time.

Mr. COPELAND. If the Chair will bear with me for a moment—

Mr. KING. Mr. President, I will take the floor, and I should like to ask the Senator—

The PRESIDING OFFICER. The Senator from Utah has the floor.

Mr. KING. I should like to ask the Senator from New York to explain the amendment so that the Senator from Washington can understand it.

Mr. JONES. I object to that. I think that is contrary to the spirit of the unanimous-consent agreement, and contrary to the rules of the Senate.

Mr. COPELAND. Well, I am satisfied, Mr. President.

Mr. KING. Mr. President, I confess that I do not agree with the Senator from Washington. I just came into the Chamber. I should like to learn just what this amendment is. May I ask the Senator from Washington whether he opposes the amendment because it provides for the loaning of money to those who in good faith construct ships?

Mr. JONES. Mr. President, we have a law now which provides for the loaning of money to people who want to borrow it for the construction of ships. That was a very well matured provision in the law, and no substantial reason has been shown for changing it.

Mr. KING. I should like to ask the Senator from New York wherein the amendment improves the existing law, and what he hopes can be accomplished by his amendment if it becomes a part of that law that can not be accomplished under the present statute?

Mr. COPELAND. If the Senator heard what I said yesterday, he will recall that I presented here a ship-building proposal, which was made by the persons who built the *Saratoga*.

Mr. KING. I am familiar with the Wilder proposal.

Mr. COPELAND. The first request made by that concern was that the loan privilege be increased. It would make a difference of about \$10,000,000 in the amount that the firm could borrow, which in itself is not so important. The rate of interest would be the current rate, and, of course, the Government would not lose a cent. We now have about \$90,000,000 in the loan fund, and this amount will be increased automatically. As this concern, or any other undertaking to build ships, needs money, it will be there. That was the testimony of Chairman O'Connor before the Appropriations Committee the other day. The important thing about this amendment is that instead of the rate of interest being 4 $\frac{1}{4}$ per cent it would be 3 $\frac{1}{2}$ or 3 $\frac{1}{4}$, which would make a tremendous difference in the overhead charges of the concern. You understand, of course, no appropriation need be made—the money lies in the loan fund of the Shipping Board.

Mr. KING. I think the Senator from New York ought to understand by this time that the proponents of absolute Government ownership and operation of a merchant marine dominate the Senate, and they are going to prevent any amendment to this bill that would encourage private ownership and private operation of a merchant marine. We are embarking upon governmental ownership, and we can not disguise that fact. All this talk about this being only temporary is mere camouflage, and there is a good deal of hypocrisy about it—no Senators, of course, being included within that observation, because they are all sincere.

Mr. EDGE. Mr. President—

Mr. KING. I yield for a question.

Mr. EDGE. Do I understand likewise that the amendment increases the amount that can be borrowed from 66½ per cent to 75 per cent?

Mr. KING. Yes.

Mr. EDGE. In other words, if I understand the amendment, if it should be adopted, with this program of perpetual Government ownership before us, it would at least mean that the taxpayers of the country could save 25 per cent, which would be furnished by private capital. Otherwise, as has been many times stated and announced on the floor during the debate on this bill, the Government will pay 100 per cent. If this amendment is defeated, in other words, the practical effect would be that we refuse to take 25 per cent from private citizens or corporations under an agreement that they will build ships and prefer to pay 100 per cent of the taxpayers' money.

Mr. KING. Mr. President, as I stated a moment ago, the proponents of this bill do not want private operation. This bill is undoubtedly designed, as stated by the Senator from California [Mr. JOHNSON] this morning and in his speech of a few days ago, to commit the Government irrevocably to the owning and operating of the merchant marine; and any amendment, if it were clear as the noonday sun, that would indicate how we could have a merchant marine under private ownership would be rejected, in my opinion, by the Senate.

I regret exceedingly that we have passed out of the domain of private ownership in the shipping business and confess the incompetency of the American business man and the American people to run their own affairs, and that we have to build up a bureaucracy and crawl under the legs of bureaucrats because we are incompetent to run our own affairs.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New York [Mr. COPELAND].

Mr. EDGE. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. FLETCHER. Mr. President, before the vote is taken I desire to say that under the present law we have made exceedingly liberal and generous provisions for constituting this loan fund and providing for loaning upon a ship two-thirds of its cost at 4¼ per cent interest. That is exceedingly liberal. No private individual would loan over one-half the cost of the ship. The Government is now in position to loan two-thirds of the cost of the ship at this low rate of interest. That is exceedingly liberal. To make that 75 per cent would make it unsafe. Very likely a ship would depreciate in a year's time or in two years' time 25 per cent, in which case the Government would have to take back the ship if it had made a loan upon it.

Mr. EDGE. The Senator thinks the difference between 66½ per cent and 75 per cent is unsafe?

Mr. FLETCHER. Yes, I do; absolutely unsafe, and I do not think the amendment ought to be adopted.

Mr. HARRISON. Mr. President, I am going to vote against this amendment, but I do not want to have my view misconstrued with reference to this Wilder proposition. I have heard something about the Wilder proposition, that they expected to build a good many ships if they could make certain arrangements, and so forth, and remove the matter from the subvention or subsidy class.

When I vote against this amendment to-day I should not like to have the Shipping Board construe my action as being opposed to any policy with reference to this project that is now before the Shipping Board. I think it is most unfortunate that this amendment is offered to this bill, because evidently it will be defeated and some persons will accept it as giving a black eye to the proposal of the Wilder people.

I merely desire to say that, because no doubt there will be others who will vote against the amendment entertaining the same views as I do.

Mr. HOWELL. Mr. President, I would like to ask the Senator from New York as to the provision for repayment of these loans.

Mr. COPELAND. The law is not changed. I take article 870 of the code, where the conditions are made for the repayment on the present basis, which is for 15 years. The provision is:

If it is not to be repaid within two years from the date when the first advance on the loan is made by the board, the principal shall be payable in installments to be definitely prescribed in the instruments. Such installments shall be made payable at intervals not exceeding two years, and in amounts not less than 6 per cent of the original amount of the loan.

The law is not changed, except that the time is extended from 15 years to 20 years, the amount of money which can be advanced is made 75 per cent, instead of 66, and the rate of

interest is reduced from four and a quarter, as prescribed in the act, to the current rate, whatever it may be.

Mr. HOWELL. Mr. President, so far as the current rate is concerned, no private interest in this country should have the advantage of tax-free money. The Government can borrow on a three and a half per cent basis, provided the bonds issued are tax-free, but if the bonds were subject to taxation that rate would be about four or four and a quarter per cent, and I do not believe we should afford any commercial enterprise the advantage of a lower rate.

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

Mr. HOWELL. Certainly.

Mr. COPELAND. Of course, if the Senator believes in Government ownership and operation, as I assume he does, and I honor him for his position, he is opposed to any plan which will permit private parties to get into the shipping business. Of course, the reason for the introduction of the amendment is to help private interests to build ships, to operate them, and in order to assist the enterprise, to give them cheap money.

Mr. HOWELL. Mr. President, I am not opposed to lending Government funds on a proper basis to a public-utility enterprise, providing such private enterprise would carry out its agreements; but, unfortunately, private enterprise will not carry out its agreements with the Government. They make an agreement, and then, after they have been favored, as in the case of the railroads, they come to Congress and ask that it be modified—lobby therefor.

Again, I am in favor of public ownership, but I believe that the only way to carry on public ownership successfully is for the Government to do its business in a thoroughly businesslike manner, and a loan, such as proposed, is not a businesslike loan.

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

Mr. HOWELL. Seventy-five per cent of the cost of these ships is to be loaned on the basis of tax-free securities, and but 6 per cent to be paid back every two years. This is not, in my opinion, a businesslike arrangement in connection with the development of a merchant marine by private interests.

Mr. COPELAND. Will the Senator yield just a moment?

Mr. HOWELL. Certainly.

Mr. COPELAND. What about lending money to the farmer? Do we not do that?

Mr. HOWELL. Yes; the Federal land banks lend money to the farmer, and the farmer is paying now 5 per cent for that money.

Mr. FLETCHER. But they never lend over 50 per cent of the value of their property.

Mr. HOWELL. They never lend over 50 per cent of the value of their property, and the farmers have to pay up, or the loans will be foreclosed. But we propose here to secure loans for ships on this basis—

The PRESIDING OFFICER. The Senator's time on the amendment has expired.

The question is on the amendment offered by the Senator from New York [Mr. COPELAND]. The yeas and nays having been ordered, the Chief Clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON], who is absent. I understand that if present he would vote on this amendment as I am about to vote. Therefore I am at liberty to vote, and vote "nay."

Mr. FERRIS (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. FESS]. In his absence, not knowing how he would vote on the pending amendment, I withhold my vote.

Mr. FLETCHER (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. DU PONT], which I transfer to the senior Senator from Arkansas [Mr. ROBINSON], and vote "nay."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. In his absence, not knowing how he would vote on this amendment, I withhold my vote.

Mr. TYSON (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. GORF], who is absent. Not knowing how he would vote on this question, I withhold my vote.

The roll call was concluded.

Mr. KING (after having voted in the affirmative). I have a general pair with the junior Senator from Vermont [Mr. DALE], who is absent. Not knowing how he would vote, I am compelled to withdraw my vote.

The result was announced—yeas 20, nays 61, as follows:

YEAS—20			
Bingham	Gillett	McNary	Shortridge
Blease	Greene	Metcalf	Stelwer
Copeland	Hale	Moses	Wagner
Edge	Keyes	Phipps	Waterman
Edwards	McLean	Reed, Pa.	Watson
NAYS—61			
Ashurst	Dill	La Follette	Shipstead
Barkley	Fletcher	McKellar	Stimmons
Bayard	Frazier	McMaster	Smith
Black	George	Mayfield	Steck
Blaine	Gerry	Neely	Stephens
Borah	Glass	Norbeck	Swanson
Bratton	Gooding	Norris	Thomas
Brookhart	Harris	Nye	Trammell
Broussard	Harrison	Oddie	Tydings
Bruce	Hawes	Pine	Walsh, Mass.
Capper	Hayden	Ransdell	Walsh, Mont.
Caraway	Heflin	Reed, Mo.	Wheeler
Couzens	Howell	Robinson, Ind.	Willis
Curtis	Johnson	Sackett	
Cutting	Jones	Schall	
Deneen	Kendrick	Sheppard	
NOT VOTING—13			
Dale	Goff	Pittman	Warren
du Pont	Gould	Robinson, Ark.	
Ferris	King	Smoot	
Fess	Overman	Tyson	

So Mr. COPELAND's amendment was rejected.

Mr. COPELAND. Mr. President, I send to the desk an amendment to the pending bill.

The PRESIDING OFFICER (Mr. BINGHAM in the chair). The amendment will be reported.

The CHIEF CLERK. On page 2, line 15, after the words "section 4," strike out the word "the" and insert the words "If the board becomes convinced that there is a," so it will read:

If the board becomes convinced that there is a necessity for the replacement of vessels owned by the United States—

And so forth.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York.

Mr. COPELAND. Mr. President, of course I do not labor under the hope that this amendment will prevail. But Senators seem to be hopeful that the pending bill is going to solve all the troubles of the Shipping Board and perpetuate a merchant marine. Of course, there is nothing so desirable as that provided for in the bill. There is not a constructive thing in the bill. All it does is to make it impossible to sell the ships.

I want to show why there is so much enthusiasm on the part of certain boards of trade and chambers of commerce about the bill and why certain persons in seaports of the country are in favor of perpetuating the ownership of this fleet in the Shipping Board.

I have here the report of the Shipping Board for the year ending June 30, 1926. I find that in that year the Shipping Board paid out to private parties for commissions for the operation of these ships the sum of \$7,970,000. In other words, about \$8,000,000 was paid out for this purpose. Those men got their money whether the United States made anything or not.

During the next fiscal year ending last June that sum was increased to \$8,896,000. It had increased almost \$1,000,000.

These private operators are making plenty of money out of the operation of the Shipping Board ships. They are happy, and Senators are imagining that by the enactment of the bill pending, somehow or other, we are to have an effective merchant marine. Nothing could be more opposed to the truth.

We do not get one single thing in the bill that is not in the existing law, except that it is made impossible to sell any ships. That means that the antiquated ships will continue to be operated by the Shipping Board for ever and ever, so far as we can tell. Of course, if the Senate wants to have that system prevail and that method continued, the thing to do is to vote down all amendments and pass the bill.

Mr. KING. Mr. President, one is amazed at the revelations just given to the Senate by the Senator from New York, and yet, knowing the system which has prevailed and the incompetency and inefficiency of the board which has control of the ships, one is a little surprised at their moderation. It seems as if they have deliberately planned to evolve a system for the operation of the ships that would bring unsatisfactory results to the American people and great profit and benefit to those who seem to be the favorites of the Shipping Board.

I recall when Mr. Lasker was in charge of the Shipping Board. He came before the Congress and asked for \$50,000,000 for the operations for the ensuing year, plus all proceeds derived from the sale of ships and other property owned by the board.

My recollection is that the year before and the fiscal year following his testimony the cost to the Government in meeting the deficits of the board was approximately \$100,000,000. That

was a direct loss. In addition, there was subtracted, of course, from the assets of the board tens of millions of dollars. We have spent more than \$3,500,000,000 in building and operating merchant vessels. We had 2,600 or 2,700 ships. We now have about 800. More than a thousand were sold. All of the proceeds derived from the sale of these ships have been swallowed up by the Shipping Board. All the assets of the Shipping Board and Fleet Corporation to-day aggregate in value less than \$124,000,000. We might just as well face the fact that the Government has lost \$3,500,000,000 in this experiment of Government ownership and operation of a merchant marine.

Attention has been repeatedly called to the M. O. 4 contracts and the frauds which were perpetrated under them. Men were paid large sums for operating the ships. They were permitted to organize corporations upon the side to sell to themselves as operators, at enormous prices, articles and commodities necessary in the operation of the vessels. I am told that while that evil does not exist to the extent that it did formerly, it has not been eliminated, and that in addition to the \$8,000,000 paid last year to operators who incurred no risk whatever, they profited by selling supplies to themselves. Yet with this record of maladministration, of inefficiency, if not corruption, we are about to commit the Government to a continuation of a policy that has been condemned both by Congress and the country.

Mr. JONES. Mr. President, I hope the amendment will be defeated.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from New York [Mr. COPELAND].

The amendment was rejected.

Mr. COPELAND. Mr. President, I ask that the second amendment which I offered may be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. The second amendment offered by the Senator from New York is on page 2, to insert in line 15, before the word "necessity," the words "If the board becomes convinced that there is a," and in line 20, to strike out the words "is hereby recognized and," so as to read:

If the board becomes convinced that there is a necessity for the replacement of vessels owned by the United States and in the possession or under the control of the board and the construction of additional up-to-date cargo, combination cargo and passenger, and passenger ships, to give the United States an adequate merchant marine, the board is authorized and directed to present to Congress from time to time—

And so forth.

Mr. COPELAND. Mr. President, we have a chance to encourage the building of six master ships. We have a chance to build ships finer than any now afloat. Instead of smiling upon the offer and the suggestion of the advisability of building these ships, the Senate laughs at those private parties who make the suggestion.

I know perfectly well the fate of this amendment or any other amendment seeking to amend this useless measure. There is a firm and steadfast determination on the part of this body to pass the bill. I am aware of that. But I intend to take this one more chance to point out its weakness, because there are three or four Senators here who have not been present when the debate was proceeding.

The measure in the first section reenacts the first section of the present law. It does not add to it. It does not take from it. It reenacts what is already the law.

Leaving the second section for the moment, section 3 permits the Shipping Board to make any additional or ordinary repairs. They may recondition. There is nothing now which prevents the reconditioning of ships. That is the law. Section 3 adds nothing to it.

Section 4 permits the board to come before Congress and ask that more money be appropriated to build ships. They can do it now. There is nothing new about that.

Section 6 says that—

all acts and parts of acts inconsistent with this act are hereby repealed to the extent of any such inconsistency.

We do not have to repeal anything. Everything is left as it is. Nothing is taken from the present law and nothing is added to it. The only thing in the world in the pending measure is a provision that no ship may be sold except by the unanimous and affirmative vote of the board. For two weeks the Senate has occupied its time—and I have taken my full share of it, I admit—in reenacting laws that are already upon the statute books. The only other thing done is to let the country know that no more ships are to be sold and that private parties must not build or even suggest that they are to build ships.

"They are to be scared away. "Stop, look, and listen" is the sign put up by the second section of the bill. All citizens of our country who seek to build ships are given the warning that their efforts are useless and that we do not want them to help. We have reached that decision.

However, those in opposition have put the facts before the country. If I mistake not, the country will say that the passage of this bill to-day is the wrong thing and that the Senate has taken a step backward. We have not planned to build up the American merchant marine, but we have planned to destroy it. I can see nothing else in the pending bill than the destruction of the American merchant marine.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New York.

Mr. WALSH of Massachusetts. Mr. President, we have heard a good deal said during the discussion of the bill about certain prominent shipping interests of the country being interested in the development of an American merchant marine under private control. The Senator who now occupies the chair [Mr. BINGHAM] stated, in the course of one of his speeches in this connection, that there were several citizens, whom he named, "concerned in"—I use his language—"and connected with Transoceanic Corporation." The citizens and interests named are of high repute and excellent standing in the community. Some of us were rebuked for inquiring into the extent of interest and the good faith of those supporting the proposed project. However, I took the trouble to send a telegram to four of those named by the Senator who now occupies the chair. I sent them yesterday the following telegram:

JANUARY 30, 1928.

Mr. THOMAS H. ROSSBOTTOM,
Panama Railroad Steamship Co.,
New York City, N. Y.:

You are stated to be concerned in and connected with Transoceanic Corporation proposing 35-knot Atlantic liners. Is this true, and have you indorsed this proposition technically and financially? Kindly reply immediately.

DAVID I. WALSH, *United States Senator.*

To three of these telegrams I have received answers, which I send to the desk and ask the clerk to read.

The PRESIDING OFFICER. The clerk will read, as requested.

The Chief Clerk read as follows:

NEW YORK, N. Y., January 30, 1928.

Hon. DAVID I. WALSH,
United States Senate:

Telegram received. I am not concerned in nor connected with Transoceanic Corporation, either financially or in any other way. I was asked to act with Mr. Howland Gardner, of the Eastern Steamship Co., and with Mr. Oakley Wood, of the Barber Line, as a committee having operating experience to look over and comment upon figures prepared by or for Brown-Boveri Co., showing the expected operating expenses of a six-steamer fleet. Basing our consideration entirely upon the hypothesis laid down for us that the steamers would be of the size, speed, and capacity necessary to make the itineraries fixed by the Brown-Boveri Co., and expecting that hypothesis without any investigation on our part, we told them the extent to which we considered their figures of operating expenses should be modified. We did not concern ourselves with the practicability of the scheme nor with any figures showing estimated revenues or probable results of operation.

T. H. ROSSBOTTOM.

QUINCY, MASS., January 31, 1928.

Senator DAVID I. WALSH,
United States Senate:

Neither my corporation nor myself have any financial interest in the Transoceanic Corporation. I consented, with other engineers, to serve on a committee of propulsion to give technical advice to the Transoceanic Corporation.

S. W. WAKEMAN.

NEW YORK CITY, January 31, 1928.

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.:

Reference wire Transoceanic Corporation, have passed and approved of technical questions involved in boiler room. Other technical questions outside our province. Am not personally interested financially. As company and individuals heartily indorse this steamship proposition.

C. W. MIDDLETON.

Mr. WALSH of Massachusetts. Mr. President, I have no further information, but I wish to call attention to the fact that those who answered the telegrams that were sent state that they are not concerned nor connected financially with the

Transoceanic Corporation. I will let the telegrams speak for themselves.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New York [Mr. COPELAND].

The amendment was rejected.

The PRESIDING OFFICER. The bill is still before the Senate as in Committee of the Whole and is open to amendment.

Mr. JONES. Mr. President, on behalf of the present Presiding Officer, who asked me to propose an amendment that he has offered, I submit an amendment. I will say that while I do not think the amendment, if adopted, would accomplish anything at all; I have no objection to its adoption, and the Senator from Florida [Mr. FLETCHER] has also stated that he is perfectly willing to allow it to be incorporated in the bill.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 2, line 17, after the word "construction," it is proposed to insert the following: "either by the board or by private companies or corporations owned and controlled by citizens of the United States."

Mr. COPELAND. Mr. President, the Senator from Connecticut [Mr. BINGHAM] is in the chair, and while I shall not venture to speak for him, but on my own account I shall make a brief reply to the Senator from Massachusetts [Mr. WALSH].

It certainly makes no difference to the Senator from Connecticut, and I know it does not make any difference to me whether the company represented by Mr. Wilder shall build these ships or whether some other company shall do it. The principle is the same. The Brown-Boveri Co., of Chester, Pa., has just completed for the Government the *Saratoga*, a \$35,000,000 plane carrier. The other day we were thrilled by the fact that the *Los Angeles*, a great airship, settled upon the deck of the *Saratoga*. That boat is made to receive and send away planes; a hundred of them can be carried by it.

The company that built that great ship has come here with a proposition. We are not interested in this particular company. We are interested in trying to make the Senate see that every such company should be encouraged.

So far as my amendment providing a stabilization of the rates for carrying the ocean mail is concerned, I presented it at the last session of Congress. It has been pending before Congress for three years. So far as concerns the request that Mr. Wilder has made for a modification of the loan act, a similar request has been made by every one interested in building and operating ships.

Last year the Shipping Board appeared before the Committee on Commerce of the Senate on a proposition to sell the United States Lines. Everybody who testified stated that there were certain changes which must be made in our law before private capital could become interested. More liberal loans, cheaper money, and the assurance of long-term mail contracts on the part of the Post Office Department were universally regarded as essential.

I am sure that the Senator from Massachusetts would not desire to have the Senator from Connecticut embarrassed at all, because I know the position of the Senator from Connecticut is exactly the same as my own. We do not care, I do not care, who makes the bids; I do not care who builds the ships. But I want to see the ships built.

If the testimony of the experts in the shipping line may be depended upon, they can not be built unless existing laws are modified. Existing laws are not going to be modified by the passage of the pending bill. Existing laws will be simply repeated and reaffirmed by the passage of the bill. All in the world that this bill, should it become a law, would do would be to defeat the sale of any ship or line of ships and put upon the Shipping Board the impossible task of going on year after year in the operation of these old hulks until finally they will be worn out and sunk to the bottom of the ocean. Then the American merchant marine will be disposed of. If that is the desire of Senators, all they have to do is to pass the pending bill and time will do the rest.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Washington [Mr. JONES] on behalf of the Senator from Connecticut [Mr. BINGHAM].

The amendment was agreed to.

Mr. JONES. Mr. President, also on behalf of the Senator from Connecticut [Mr. BINGHAM], who occupies the chair, I offer the amendment which I send to the desk, to which I have no objection. It only calls for what we could call for by a Senate resolution.

Mr. McKELLAR. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 2, line 22, after the comma, it is proposed to insert the following:

together with such proposals, if any, which have been made to the board by private companies or corporations owned or controlled by citizens of the United States for the replacement of these vessels and their permanent operation under the United States flag in foreign trade.

The PRESIDING OFFICER. The question is on the adoption of the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. KING. Mr. President, I offer an amendment to be added to section 6. I hope the Senator from Washington will accept it, because, as I have interpreted some of his remarks, he insists that this bill does not commit the Government irrevocably to Government ownership and operation of ships. I ask that the amendment may be read. Frankness, however, compels me to state that he has written a report and made some speeches which prove that he is for Government ownership of the merchant marine.

The PRESIDING OFFICER. The amendment proposed by the Senator from Utah will be stated.

The CHIEF CLERK. On page 3, line 12, after the word "inconsistency," it is proposed to insert a colon and the following proviso:

Provided, That nothing herein shall be construed as committing the United States to the policy of permanently owning or permanently owning and operating a merchant marine, but, upon the contrary, it is hereby declared to be the policy of the United States to promote in all proper ways the establishment and maintenance of a privately owned and operated merchant marine.

Mr. KING. Mr. President, I can only repeat that Senators who have affirmed upon the floor that they did not believe in a permanently owned or a permanently owned and operated merchant marine must vote for this amendment.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. KING. I yield.

Mr. BORAH. Would the Senator be willing to limit his amendment to the first clause? The remainder of the amendment calls upon us to determine here and now the policy of the Government. I ask to have the amendment again read.

The PRESIDING OFFICER. The amendment will be again stated.

The Chief Clerk again stated the amendment.

Mr. KING. I am willing to strike out the portion of the amendment suggested by the Senator from Idaho.

Mr. President, I am sure that with the elimination of the latter part of the amendment it will commend itself to all Senators who do not believe that the United States should depart from its historic policy, which is also a sound political and economic policy, and engage in an undertaking which is sure to end in disappointment. The National Government was organized not to engage in trade and commerce or to own and operate railroads and ships. The amendment merely declares what has been stated by a number of Senators, that the pending bill does not commit the Government to the policy of permanently owning or permanently owning and operating a merchant marine. Senators who so interpret the bill or who are opposed to the United States owning and operating ships for trade and commercial purposes will vote for the amendment. Those who seek to rivet Government ownership of a merchant marine upon the United States and who favor an unsound and dangerous socialistic scheme will vote against it.

The PRESIDING OFFICER. Does the Chair understand the Senator from Utah to accept the suggestion offered by the Senator from Idaho?

Mr. KING. Yes; I accept the suggestion to strike out the latter part of the amendment.

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

Mr. FLETCHER. Mr. President, the objection to the amendment is that it will be used by those who advocate speedily getting out of the shipping business and disposing of the ships as a reason for giving the ships away and sacrificing the property of the Government. It would afford a foundation for that kind of activity if we should adopt the amendment.

One mistake we made in the merchant marine act of 1920 was to say that the primary purpose of the act was to establish and maintain an American merchant marine to serve our commerce in time of peace and as auxiliaries for the Navy in time of need but ultimately to be passed into private hands. In the administration of that law the last provision has been emphasized, and there has been an effort consistently and persistently to dispose of the ships without regard to whether or

not such sale meant the establishment and maintenance of an adequate merchant marine. The idea has been to lay stress upon the last provision, namely, that the merchant marine should ultimately be passed into private hands, and the board proceeded to do that, sacrificing the ships, giving them away, scrapping them, and that sort of thing. If we adopt this amendment as a part of the bill, those who have advocated that policy and have insisted on it and have put that construction on the act of 1920 will put a similar construction on this action if Congress shall finally adopt the amendment.

There will be time enough to talk about disposing of the ships and to take care of that suggestion when we shall have established a merchant marine. We can deal with that question hereafter; it is not necessary to emphasize it at the present time.

Mr. KING and Mr. BORAH addressed the Chair.

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

Mr. FLETCHER. I yield first to the Senator from Utah.

Mr. KING. The Senator from Florida has advocated the passage of this bill with much vigor and eloquence. Has he not consistently stated in support of its provisions that this bill, as he interpreted it, did not commit the Government to the policy of owning and operating a merchant marine? If that is true, why should he not be willing to accept the amendment and so declare?

Mr. FLETCHER. The bill provides a way for selling the ships. I have insisted on that time and time again. It does not say that the Government is to keep all the ships which it now has and keep all the lines now in operation and refuse to dispose of them on any terms or conditions whatever. It provides, on the contrary, for a way of doing that when we have accomplished the main purpose of establishing and maintaining an American merchant marine.

I insist, however, that as long as we keep saying here that we are going to transfer these ships into private hands, that will be seized upon by the people who have dangling before their eyes confidently the prospect of a subsidy, and private enterprise will hold off.

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

Mr. FLETCHER. I am opposed to the amendment.

Mr. BORAH. Mr. President, I have secured my consent to vote for this bill because, as I understood, it did not commit us permanently to governmental ownership and operation of the merchant marine. I was willing, in view of the fact that we are now the owners of the ships and operate them, to take that view of the matter; but I am not willing to vote down an amendment when the question is squarely raised, and I think it might strengthen the bill in the vicissitudes with which it will come in contact after it passes the Congress.

Mr. JONES. Mr. President, in my judgment there is nothing in the bill which justifies any such declaration as is proposed in this amendment. The policy of this country with reference to whether or not we shall have a Government permanently owned merchant marine will rest entirely within the jurisdiction and power of Congress.

I hope that the amendment will be defeated.

Mr. BROOKHART. Mr. President, I am not one of those who apologize at any time for standing by my Government. I have listened to-day to denunciation and condemnation of almost every Government enterprise. I have heard the Post Office Department condemned for its inefficiency; and yet the Post Office Department is the most efficient business of its magnitude in the world to-day.

There is no set of employees more loyal to their employer than those in the Post Office Department. I do not believe any of those who condemn Government ownership and operation of utilities of any kind want to sell the post office to any private enterprise.

Also the Panama Canal, one of the greatest enterprises in the world, is operated efficiently, perhaps more efficiently than any private enterprise of its magnitude in the world, and operated by the Government.

We ought to be proud of these things. The fact that the Government is inefficient in any degree is due to the corrupt mixing of business in government. If we could get rid of this corrupt business in government there would be no trouble in having the Government efficient all the way through.

What is the object of this amendment? It is to embarrass the Government establishment of this merchant marine. The reason why I am voting for this bill is because in its terms, as it stands now, it does give us something like a reasonable chance to start and to establish this merchant marine. There is no such thing as committing the Government to a permanent policy, anyway. This Congress has no power to pass any law

that the next Congress can not repeal. Then what is the use of all of this sort of play? Why not at least give our Government an even and fair chance to go ahead and establish this enterprise upon a businesslike basis? A business man would demand something like stability from the very start. Why embarrass the proposition with these dogmas and declarations, such as the Senator from Utah has proposed in this amendment?

Mr. KING. Mr. President, will the Senator permit a question?

Mr. BROOKHART. Yes.

Mr. KING. The Senator believes in the dogma of Government ownership and operation of railroads and of the merchant marine and other activities now controlled by private initiative, does he not? I am sure the Senator will answer that question affirmatively, and therefore I will ask him another question.

Mr. BROOKHART. I have no objection to Government and municipal ownership of the public utilities. They are a public function. It is the duty of the Government to do those things, and in nearly all of them when they are turned over to private enterprise the Government surrenders to that private enterprise certain Government functions, like eminent domain and the taxing power. I have no objection to the Government doing its duty to its people.

I found the State of Louisiana, for instance, owning and operating 11 miles of dock front in the city of New Orleans. I found every dock connected with every railroad station in the city by a belt-line railroad operated and owned by the city of New Orleans; and I did not find a business man in that city who was willing to surrender those utilities, or any of them, to private enterprise. In Chicago, however, I found a different situation. There every one of those fronts had been grabbed by some private enterprise, and the public had no chance and will have none until the Government interferes and gives the public a chance.

Mr. KING. Mr. President, does not the Senator differentiate between the Federal Government, with its limited and enumerated powers, and the power of the States and municipalities to govern their own internal affairs?

Mr. BROOKHART. Not at all, when the proposition is a big national proposition like this one of establishing a merchant marine for the whole people and within the constitutional powers; and I think the time is not far distant when all this talk and accusation against the efficiency of the Government is going to disappear. There is not a business in this country that is pointed out as efficient but that has charged the people of this country enormous and unconscionable profits; and when you take that into consideration and compare it with Government efficiency, you will find that the Government has outstripped this so-called efficiency of private business.

Mr. COPELAND. Mr. President, I congratulate the Senator from Iowa [Mr. BROOKHART], because he has pending here a bill that is going to do just what he wants done. This is a bill to put the American merchant marine permanently in the hands of the Government and have it operated permanently by the Government; so the Senator from Iowa is entirely consistent in voting for this bill.

If the bill did not mean exactly what I have intimated in these sentences, there would not be any objection to the amendment proposed by the Senator from Utah, because this bill reaffirms the primary object of the law. If the second object, to put the ships into private hands, were also in the heads of those who propose the bill, they would be perfectly willing to have this amendment made; but if the object of the pending measure is to put the Government permanently in the shipping business, in ownership and in operation, this amendment should be voted down. On the other hand, if we intend ultimately to turn over these ships to private operators, then the amendment should be adopted.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Utah [Mr. KING].

Mr. EDGE. I call for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. FERRIS (when his name was called). I have a general pair with the Senator from Ohio [Mr. FESS]. Not knowing how he would vote on this question, I withhold my vote.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. As he is absent, I withhold my vote.

Mr. TYSON (when his name was called). I have a general pair with the Senator from West Virginia [Mr. GOFF]. Not knowing how he would vote on this question, I withhold my vote.

The roll call was concluded.

Mr. MOSES (after having voted in the affirmative). I have a general pair with the junior Senator from Louisiana [Mr. BROUSSARD]. Learning from the roll call that that Senator has not voted, I transfer the pair to the junior Senator from Vermont [Mr. DALE], and will allow my vote to stand.

Mr. FLETCHER (after having voted in the negative). I transfer my general pair with the Senator from Delaware [Mr. DU PONT] to the Senator from Arkansas [Mr. CARAWAY], and will let my vote stand.

The result was announced—yeas 39, nays 42, as follows:

YEAS—39

Bayard	Edwards	Metcalf	Steck
Bingham	Gerry	Moses	Steinwer
Blease	Gillett	Phipps	Stephens
Borah	Greene	Pine	Thomas
Bratton	Hale	Reed, Pa.	Tydings
Copeland	Hawes	Robinson, Ind.	Wagner
Curtis	Keyes	Sackett	Waterman
Cutting	King	Schall	Watson
Deneen	McLean	Shortridge	Willis
Edge	McNary	Smoot	

NAYS—42

Ashurst	George	La Follette	Sheppard
Barkley	Glass	McKellar	Shipstead
Black	Gooding	McMaster	Simmons
Blaine	Harris	Mayfield	Smith
Brookhart	Harrison	Neely	Swanson
Bruce	Hayden	Norris	Trammell
Capper	Heflin	Nye	Walsh, Mass.
Couzens	Howell	Oddie	Walsh, Mont.
Dill	Johnson	Ransdell	Wheeler
Fletcher	Jones	Reed, Mo.	
Frazier	Kendrick	Robinson, Ark.	

NOT VOTING—13

Broussard	Ferris	Norbeck	Warren
Caraway	Fess	Overman	
Dale	Goff	Pittman	
du Pont	Gould	Tyson	

So Mr. KING's amendment was rejected.

Mr. COPELAND. Mr. President, so far as I am concerned, I am convinced that we are thoroughly whipped, and I congratulate the Senator from Washington, and ask permission to recall the further amendments which I have presented.

The PRESIDING OFFICER. Without objection, the amendments will be withdrawn.

Mr. WALSH of Massachusetts. Mr. President, I wish to address myself very briefly to the merits of this bill.

One would think, from the discussion which has gone on in this Chamber, that we were undertaking a new venture. I want to call attention to the fact that we went into the business of Government ownership and operation of a merchant marine during the war. When we found ourselves in need of ships to transport our troops and take care of our commerce, we found no privately owned ships to commandeer. We were forced into Government building and operating of ships. We took over the railroads, and after the war returned them to their owners. When the war was over we had no one to return ships to, but instead the problem of deciding what to do with the merchant marine which we built during that period and put upon the seas. There were two courses open to us, one to dispose of the ships by selling them to private interests and the other to proceed to operate the ships under Government control.

We have been doing both. We have been selling some of our ships to private interests, and we have discovered the spectacle of these private interests appearing before committees of the House and Senate during these 10 years stating that they will not be able to construct ships to take the place of those that are wearing out in operation, and whether they say it or not, we have before us the spectacle of not one vessel being ordered by these private owners for operation in the foreign trade of the United States. The published records of these hearings indicate forcefully one thing, and that is that a permanent American merchant marine—and, Mr. President, by permanent, I mean replacement, the two terms are synonymous in this connection—is impossible unless Government aid is given to the individual operator, owner or shipyard. Such aid has not been and will not be given by the Congress.

In the absence of such aid, what are we to do?

Because we can not give a subsidy, because we will not give a subsidy, must we see the merchant marine of the United States vanish from the oceans of the world? Because one remedy is impossible, are we forced to the conclusion that no other remedy can be applied?

Mr. President, the period since the war has witnessed in foreign countries the most remarkable development in the shipbuilding art that has taken place in any similar period in the history of the industry; that is, the construction of a huge number of modern motor cargo liners. It has witnessed the construction of a large number of passenger and cargo vessels of the highest type. In other words, during this period, the nations of the world, led by Great Britain and Germany, have

practically reconstructed the competitive portion of their merchant marine engaged in liner services throughout the world. We see to-day the picture of not one but many lines of ships operating at speeds of 13 and 14 knots, and within the year modern cargo vessels have been ordered in foreign countries with a speed of 16 knots.

What does this mean? It means that the nations of the world realize that success in the overseas cargo-carrying trade will go to that nation which possesses vessels having high speed, large carrying capacity, and are thus able to render a higher type and better service than their competitors.

What has the United States done during this 10-year period? I advert to an earlier statement that I have made, and repeat it here; there has not been constructed in the United States one cargo liner or passenger and cargo vessel for the foreign trade.

The merchant marine act of 1920 is utterly meaningless if this be its result. What we have witnessed during the last 10 years is the very reverse of a permanent American merchant marine. Our vessels, unsuited in most part for the competitive overseas trade, have been struggling along. We have taken a small step in undertaking to recondition some of them and install Diesel engines, but practically we are outclassed on the trade routes of the world by the ships of our competitors.

Mr. President, the time has come for us to take a definite position. I favor a permanent, not a temporizing marine policy. Permanency, to my mind, Mr. President, implies vessels operating by Americans to-day, next year, 20 years later—vessels being built to-day, next year, 20 years later—so that a continuous process of renewal and rejuvenation will be going on in order that the merchant marine may be self-perpetuating, and thus permanent.

Unless the Shipping Board can insure that when they dispose of vessels other vessels will be built to make good the obsolescence of those sold, there is no authority for them to sell, because permanency is lacking. There is no way in which permanency can be secured without the construction of ships to meet the needs of replacement arising from wastage, obsolescence, and loss.

Mr. President, from the purely commercial standpoint we must have a merchant marine. This is a country of about 120,000,000 people. Its wealth is estimated at four hundred billion; its annual import and export trade is nearly ten billion. In other words, the value of our trade and wealth are so vast that it is inconceivable that we will say that we will entrust the carriage of this vast commerce to the delivery wagons of our competitors.

In addition, we have another very important aspect of this question—that of national defense. Due to our lack of a merchant marine, we paid out \$3,000,000,000 for the creation, at war prices, of a merchant marine as submarine bait and paid enormous prices to foreign countries to transport our troops. Not only did we have to spend this huge sum, but under the circumstances in which the vessels were designed and constructed, it was impossible and impracticable to obtain types of ships which would be of real value after the war in the trade routes of the world.

Mr. President, I believe that Congress and the people of the United States have definitely resolved in overwhelming majority that they will insist on having a merchant marine, and that the Stars and Stripes shall not vanish from the oceans of the world.

I do not suggest we should assume an arrogant position in the trade of the world. I am only asking that a fair proportion of the commerce of these United States be carried in American flag ships, but I am prepared to insist to the uttermost that this proportion shall be at least 50 per cent, and I am prepared to do anything that will insure a permanent merchant marine of the "best equipped and most suitable types of vessels."

In conclusion, Mr. President, I desire to record that I am strongly in favor of a permanent American merchant marine, and the inevitable corollary of such a statement—replacement and new construction—and I sincerely believe that this body is carrying out the mandate of the people of the United States, which is, first, a permanent American merchant marine, publicly owned if necessary, but a merchant marine consisting of ships, self-perpetuating through replacements.

A great many Senators, including myself, would prefer private operation, but we do not prefer this theory at the expense of the American merchant marine. If Senators vote against the proposal now before this body, in my judgment, they vote against a permanent American merchant marine, because, so far as we can see at this time, and so far as the records of Congress indicate, the permanent American merchant marine in private hands in the foreign trade is an impossibility.

CHARGES OF RADIO MONOPOLY

Mr. BLEASE. Mr. President, I had not intended to say anything in reference to the pending bill, but simply to content myself with voting against it. But when the Senate places itself upon record refusing, as I see it, to say that this bill is not intended to lead us to a permanent Government-owned merchant marine I can not refrain from saying that I shall vote against it because I do not believe that it is good democracy. If I am not very much mistaken, we had a Senator in my State read out of the Democratic Party, whether right or wrong, for casting a vote in the Senate for just such measure. He went home and retired to private life. I have no objection to being retired to private life, but I do not want to be retired by voting for what my people have repudiated.

I further vote against the bill because I do not believe it is right to say that a unanimous vote should be required to get rid of this trash called ships which I understand the Shipping Board has in control. In that connection I wish to say that on February 18, 1927, I made some remarks in reference to the bill then pending to create a radio commission, which appear on page 4153 CONGRESSIONAL RECORD, volume 68, Part IV, and also inserted an article from a paper, which I do not wish now to take the time of the Senate to reread. But I desire to call special attention to my remarks on pages 4154 and 4155 of the RECORD of the same date, and I would like to ask if there is not somewhat of a prophecy contained in my remarks on that occasion.

In connection therewith I ask leave to insert an editorial from the Washington Post of January 7, 1928, and an editorial from yesterday morning's Washington Post.

The following is an extract from a letter from a firm of very prominent business men in the city of Philadelphia, dated January 26, 1928:

Radio is rapidly drifting toward a gigantic monopoly, and no one favoring such a monopoly should be permitted for a moment to serve on the commission.

I also wish to have inserted an open letter to Congressman WHITE of Maine, which was printed in the Long Beach Sun, dated January 10, 1928, and a letter to myself of the same date from a citizen of Long Beach.

I am not surprised at the turn things have taken. I am possibly the only Senator in this Chamber—or was at that time—who registered a protest against the final passage of the conference report on that iniquitous measure.

I predict that the same result is going to come from this more iniquitous measure that happened in the case of the radio measure.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina?

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

[From the Washington Post, January 7, 1928]

CHARGES OF RADIO MONOPOLY

Long-smoldering resentment toward the Federal Radio Commission on the part of the independent broadcasters has broken out. Ever since organization of the commission the small broadcasters have feared a monopoly of the air. D. W. May, manager of station WTRF, Midland Park, N. J., yesterday threw down the gauntlet to the Senate Interstate Commerce Committee, meeting to consider the nominations of Sam Pickard, of Kansas; Chester H. Caldwell, of New York, and Harold A. La Fount, of Utah, to be members of the commission, with the accusation that the commission is creating a monopoly through the National Broadcasting Co. chain.

It was anticipated generally that the commission would have a stormy career. When the radio law was enacted last March the ether was crowded to the point of suffocation. As various methods of bringing order out of chaos were experimented with, it became increasingly apparent that the only genuine relief lay in reduction of the number of stations. Finally the commission announced this as its policy, the reduction to be guided by the provision in the law granting preferential treatment to such stations as best served the public good.

The small stations feel that they are being discriminated against—that refusals to renew licenses have been directed against the independents. On the other hand, the commission insists that its only criterion has been the public benefit.

In the meantime, Mauritz A. Hallgren takes up the cause of the independent broadcasters in an article contributed to the current issue of The Nation. He says, in part:

"A review of the licenses granted in the last few months shows that almost without exception applications received from the Radio Corporation of America group have been approved, while those from dissentient concerns have usually been listed for future hearing. Lately the Federal Radio Commission has put into effect a new wave-length realloca-

tion scheme under which as many as 300 of the 685 broadcasting stations in the country may be refused license renewals after the first of the year. Already 25 licenses have been forced off the air. Most radio experts readily agree that this move may eventually clear away much of the interference in and overcrowding of the available broadcasting channels; but it is nevertheless noteworthy that none of the Radio Trust's stations has been among those which have fallen by the wayside."

Under present law the commission's executive powers will cease on March 15. Thereafter it will be merely a court of appeal with which broadcasters dissatisfied with rulings of the Department of Commerce may lodge their complaints. Legislation is to be introduced giving the commission another year of life, in the belief that it is better qualified, as the result of its year's experience, than any other body to deal with the intricate problems of radio control. Should such bills fail of enactment, however, the commission, as an appellate body, will continue to occupy a position of authority. Through it the charges of monopoly can be freely aired and thoroughly investigated.

[From the Washington Post, Monday, January 30, 1928]

WHAT IS THE RADIO TRUST?

Newspaper headlines and congressional hearings are calling attention to the evolution of the "Radio Trust." A group of corporations centered chiefly about the Radio Corporation of America is alleged to be trying to monopolize the air. The Radio Corporation was formed by the pooling of the wireless patents of the General Electric Co., the Westinghouse Electric & Manufacturing Co., and the American Telephone & Telegraph Co., as well as a number of smaller companies. This combination has been supplemented by the organization of a broadcasting company which controls the country's most important radio chains. Other companies have been formed by the same interests to control other important radio fields. If these interests are not seeking a monopoly of the most revolutionary art of this modern age, what constitutes monopoly?

It is charged that this Radio Trust is seeking in six ways to monopolize the air:

1. By obtaining for the broadcasting stations on its "chains" the lion's share of the best wave lengths, which have been cleared for them by the Federal Radio Commission.

2. By controlling through the wire system of one of its principal organizers all of the "hook ups" between chain stations, as well as the "hook up" between the transmitters, whether chain stations or independents, and the programs broadcast from outside of their own studios.

3. By a monopoly of the manufacture of all broadcasting machinery, thus requiring broadcasters to get licenses from the "trust" before they can have their stations built or equipped.

4. By a claimed monopoly of patents for radio-receiving apparatus under which they collect dividends or royalties from the manufacture of three-fourths of the receiving sets built in the United States.

5. By an attempt to obtain a control of the important short-wave channels whose development has only begun.

6. By acquiring control of inventions relating to television, telephotography, distance actuation, and other radio discoveries.

In all the investigations of the Radio Trust which have been made by the Congress, the Federal Trade Commission, and the courts the sponsors for combine have contended that it was created at the request of the Government, under the stress of war necessities. If this be true, the Radio Trust would be one of the most dangerous burdens bequeathed by the war.

The country is entitled to know more about it before a monopoly is permitted to intrench itself.

[From the Long Beach (Calif.) Sun, January 10, 1928]

ADVERTISING BY RADIO HIT IN LETTER TO CONGRESSMAN ANENT FEDERAL COMMISSION

C. Wood Arthur, engaged for a number of years in Government research work at Washington and now in southern California in the interest of "community radio stations," yesterday dispatched by air mail to Congressman WALLACE WHITE at Washington a letter commenting upon the latter's bill to extend the life of the Federal Radio Commission to March 15, 1929. Mr. Arthur, who resides at 1065 East Ocean Boulevard, wrote as follows:

"MY DEAR CONGRESSMAN: A Los Angeles newspaper of Sunday contains the inclosed statement from you, to the purport that the Radio Commission has failed to accomplish the intention for which it was formed. If you are properly quoted, and I assume that you are, I wish to congratulate you upon your fairness to the public in announcing the truth, knowing that you are partially responsible for the creation of that body.

"The statement of the failure of that body, coming as it does from your pen after the careful attention you must have given the record of the work of that body since its inception, which you so loyally fought

to bring into being, is of especial importance to those who are looking for real radio control.

"However, now that you have intimated that the result of the work has fallen short of the orders given the commission by the Congress, why ask to continue the personnel of the commission for a greater time?

"Had the conferee compromise enactment included the suggestion made to both yourself and Senator DILL, that 'direct advertising over the radio be (as was enacted by the Canadian Parliament in its 1926 session) made a misdemeanor,' the overcrowding of the air in congested commercial sections and the supplying of radio communication in the form of entertainment, education, and general information in isolated communities would have been brought about.

"This suggestion, however, was met by yourself and Senator DILL with the objection that 'certain large interests depended upon direct advertising to continue on the air,' when suggested by myself and delegation in the interest of the public.

"May I now ask you, after a year's experiment under the White-Dill conferee compromise, just who those interests referred to were? May I not also assume that the great increase in certain radio stock on the New York Stock Exchange from 51 points to 103 points might not represent the interests of those who would suffer if the advertising clause had been included in the bill?

"If this is true, has the commission not followed out the intent and purpose of the enactment? Or may I suggest that there are certain small community stations which are serving the public without filling the air with advertisements, which are objectionable to the interests of those large interests, whom the White-Dill compromise bill feared to hurt, and that the commission has failed, in that it has not got rid of them during the last year?

"Thinking people, and especially those who watched the nightmare dream of the Senate during the 'fillbuster' session between the banking bill and the farm relief bill, know that little, if any, real public relief thinking was done by that body before the law was enacted.

"Now, that you have turned your mind to the real welfare of the radio regulation question, would it not be heroic to give the matter a little deeper thinking as to how the suffering radio-set owners may be relieved from advertising programs that fill the air because the interests must not suffer?

"Is it not time that the community stations of our country, which are working in the interests of home talent and education, be given some real attention and encouragement from governmental radio control?"

1065 OCEAN BOULEVARD,
Long Beach, Calif., January 10, 1928.

HON. COLE BLEASE,

Senate Office Building, Washington, D. C.

MY DEAR SENATOR: Herewith I am sending you a copy of an open letter addressed to Congressman WALLACE WHITE, partial sponsor of the White-Dill conferee compromise radio law.

The Congressman complains that the commission has made a failure and asks in a bill in the House that its term may be extended.

During the 12 months of operation of that commission the stock of the Radio Corporation of America has increased from 51 points to 103 points, as suggested by me in a letter read in the Senate prior to the passing of the bill. Herein there has been no failure.

The air is still overcrowded with stations, who have kept the air filled with advertisement rather than entertainment and education.

No case has been brought before the Supreme Court to answer the question as to the right of the United States Government under its Constitution to control the air.

But there seems to be a policy of lese majesty in the commission. A small community broadcasting station operator was telling me this morning that he had been giving the community service from his station. That he had never taken a dollar for advertising or other forms of radio communication, and that his station, because of the wide scope of service, needed a better wave length, but he could not get it from the commission. That he did not dare make a complaint lest he offend the commission and lose his license.

This in America, too. It appears as if the Senate of the United States had at last created a monopoly to sustain a monopoly.

It would seem to me as an American citizen, whose father, grandfather, and great grandparent have fought in every war for liberty since the days of tax on tea, that the day might soon come when private or special privileges would be looked down on and that the rights of the little man as well as the corporation be guarded by those who represent us.

Your friend and admirer,

C. WOOD ARTHUR.

Mr. DILL. Mr. President, I do not want to take up the time of the Senate in debating the radio question, but I want to say to the Senator from South Carolina that the only protection this country has against a radio monopoly, which, in my judg-

ment, in its absence would have been consummated ere this, is the radio law that was passed last February.

Mr. BLEASE. Then, Mr. President, God help the free air that He has given to the American people!

Mr. DILL. At a later date I shall attempt to discuss the editorial which the Senator has asked to have inserted in the RECORD. I want simply at this time, in passing, to say that this editorial points out the efforts being made to form a radio trust, but the power is in the commission, and further power is proposed for the commission, that will make impossible the creation of such a trust.

THE MERCHANT MARINE

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 744) to further develop an American merchant marine, to assure its permanence in the transportation of the foreign trade of the United States, and for other purposes.

Mr. SMITH. Mr. President, I have already indicated, both by my votes and by what I have said on this floor, my attitude toward this measure. It is very evident to every student of this question that if we are to have a merchant marine we are restricted to one of two measures, either a ship subsidy or the Government establishing a merchant marine—at least demonstrating whether or not we can have one.

If the question were to come on whether we would have a merchant marine maintained by subsidizing private individuals or a merchant marine established by the Government and maintained for all the people, I want to declare here and now that I would vote for the Government project. I am a good enough Democrat to believe that equal rights to all and special privileges to none is the very fundamental of this Government. If we have to take out of the Treasury money to pay to private individuals in case they lose, and allow them to pocket the proceeds in case they make a profit, that is a special privilege that we are not warranted in granting, whereas if the Government runs the business and there is a loss, all the people lose, and if there is a gain it goes into the Treasury, and all the people benefit.

I am voting for Government ownership and operation in the dilemma in which we find ourselves of making a choice between the Government running and controlling the merchant marine because private interests say they can not and will not, or turning it over to private individuals and making good their losses and allowing them to pocket the profits.

Besides that, Mr. President, by the exigencies of war we came into possession of the splendid nucleus of a merchant marine. We taxed the people, we bought and built the ships. Now that we have them it is our duty to experiment with them, not alone in certain favored ports but in all the ports of this country—north, east, south, and west. South of the thirty-seventh parallel of latitude, when the emergency of war was upon us, there was scarcely a port out of which sailed an overseas ship.

This remedy may possibly remedy the horrible congestion which threatened the life of America when the war broke. It happened at that time to be chairman of the Interstate Commerce Committee. In one or two ports all the freight of the country, all of the munitions and the elements we had gathered together for the prosecution of the war, were so congested that we could not get our loaded freight cars in nor the empties out, while along 3,000 miles of our coast line adequate ports were idle and left without the splendid contribution that they might have given for the distribution of our war supplies. No, Mr. President, there is not a man on this floor but knows that this is an emergency which we should take hold of just as the bill requires us to take hold of it and relieve proud America of the shame of not having our flag on the seas of the world.

Mr. HEFLIN. Mr. President, I heartily concur with nearly everything the Senator from South Carolina [Mr. SMITH] has said. I am going to vote for this bill, because I want to preserve the ships that we have. I want to use those ships for the benefit of American farmers, manufacturers, and other citizens interested in reasonable freight rates. I brought to the attention of the Senate once before the method employed by the Shipping Board to dispose of the ships. I pointed out where they had ships that cost the Government \$800,000 which had been sold for \$2,100. I pointed out an instance where they sold a ship for \$1,600 which cost, I believe, \$400,000 or \$500,000, and the man who bought it had it insured and lighting struck it, and he collected \$35,000 from the insurance company. I want to take our ships out of the hands of such magnificent business men who are selling them to the Shipping Trust for a song.

I heard the able and eloquent Senator from California [Mr. SNOWDRANGE] suggest that he would be willing to give the ships away. I am not willing to do that. I do not want to put the Government in business, but I refuse to sit silent here and permit the ships of the Government to be given away or bartered for a little or nothing to those interested in the shipping business. This fleet of ships cost the Government \$3,000,000,000, and here we have some advocates who would leave many of these ships as they now stand—idle—just being kept up by the Government, until the Government might reach the point where it would be willing to give them away.

No doubt the Shipping Trust would be happy to see that occasion come. I am not in favor of that. I had rather put the Government in the business of operating these particular ships than to submit to such a thing as that. I do not want to put the Government in business; but before I will allow the Shipping Trust to rob the Government of its fleet of merchant ships, I will vote for such a measure as this. Of the two propositions which confront us, as the Senator from South Carolina [Mr. SMITH] said, this is the only wise and proper course to pursue, and I shall vote for the bill for that reason.

The PRESIDING OFFICER. If there are no further amendments to be proposed to the bill as in Committee of the Whole, it will be reported to the Senate.

The bill was reported to the Senate as amended.

Mr. WILLIS. I have asked for a separate vote on the amendment inserting section 2 of the bill.

The PRESIDING OFFICER. The question then is, with the exception of the one amendment mentioned, on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

Mr. EDGE. Mr. President, agreeably to the notice I gave in discussion yesterday, I am going to ask the Senate for another vote on the amendment to the amendment, on page 2, lines 7 and 8, to strike out the words "unanimous vote" and insert in lieu thereof the words "vote of four."

The effect of the amendment, as I have previously stated, and as I think is well understood, would be to provide that by a majority vote of the Shipping Board of seven members ships or other property in the custody of the Shipping Board may be disposed of.

To me it is unthinkable, whatever may be our convictions on the question of private ownership and private operation, temporarily or permanently, that we should establish a bureau of the Government on the basis of requiring a unanimous vote to actually transact any part of its business. It appeals to me that that innovation in itself, apart from all the theory we have discussed and the practical results we have discussed, is a most dangerous departure in the administration of the Government. I do not know of any board of directors in private enterprise, or any bureau or any court or tribunal of any kind except, as suggested by the Senator from Idaho [Mr. BORAH] in the debate a few days ago, perhaps the League of Nations, where it is required that a unanimous vote shall be recorded in order to transact any part of the business of the tribunal.

I think Senators should give careful thought to the innovation that we are proposing to establish in the Government. Personally, I oppose Government ownership and administration of affairs which private capital can and does usually administer. I think it is a wasteful effort to conduct business by the Government which can be better conducted by private interests.

I recognize also the problem we are facing to-day and that we must face for some time to come—public administration of the merchant marine. On several occasions I have been prepared to vote for liberal appropriations in order to make the necessary replacements to balance the merchant marine, but after that is done it is proposed to lock the door, to nail down the windows, and rivet the nails so that nobody in the future, unless some future Congress should change the policy of the Government, can do anything about it. We are asked to saddle this tremendous debt upon the people of the country, which is in my judgment unthinkable. So I want another vote on the one real issue which is contained in the bill. Stripped of all its whereases, stripped of all its hopes for the future of a merchant marine, it comes down to the one innovation requiring a unanimous vote of a board of the Government to transact business.

All this discussion about the sale of ships, Mr. President, contemplates that they are taking the ships away from the sea. When we sell a ship, we simply transfer its ownership from the Government, losing money, to some private operator who, I hope, can make money. The merchant marine is administered just the same. Ships are on the sea just the same. If we sold every one of the ships or if, as the Senator from Cali-

fornia [Mr. JOHNSON] said, we gave them away, it would be the best proposition the country could engage in. So before we enter for all time upon the policy of Government ownership, Government administration, unequitable, unscientific deficits, which have been \$40,000,000 to \$50,000,000 and which will in the future come up to \$60,000,000 or \$70,000,000 or perhaps \$100,000,000, before we spend the taxpayers' money in that unequitable way, let us give a little more thought to the scientific side of the situation, as suggested by the Senator from Arkansas [Mr. CARAWAY], rather than to an unscientific deficit.

Mr. WILLIS. Mr. President, I desire to make just one brief observation on the amendment offered by the Senator from New Jersey [Mr. EDGE]. Senators will recall that the subject was rather fully discussed the other day; that I offered an amendment to his amendment, then pending; and that my amendment to his amendment was adopted. That led to some confusion in the minds of Senators, I think. Therefore I shall not offer my amendment to the amendment now pending, but if the amendment offered by the Senator from New Jersey providing for a vote of four members of the board shall not be adopted—and I hope it will not be—I shall then offer an amendment to substitute "five" instead of his proposed "four." My belief is that in a matter of such great importance as the sale of these ships we ought to have a two-thirds vote of the board. If the pending amendment fails, I shall then offer an amendment to provide for a majority vote of not less than five.

Mr. BRUCE. Mr. President, I desire simply to say that if we are going to continue Government operation of our merchant marine, it seems to me most important that we should not be looking back over our shoulder, so to speak, at private ownership. The only effect of doing that is to enfeeble Government management.

Of course, the overwhelming majority in the Senate in favor of the bill indicates that there has been the most thorough consideration by the Senate of all the alternatives which are suggested by the bill. The Senate has come to the conclusion that there is really no other alternative except private operation, maintained by a subsidy, and the history of Congress for many years past evidences inflexible opposition on its part to ship subsidies. Effort after effort has already been made to sell our ships. That fact seems to be more or less lost sight of in this discussion. Wherever sales have been made they have been made at an enormous loss to the Government; and there is every reason to believe that a large percentage of all the ships which have been sold by us will pass under the British or other foreign flags. So really there is nothing left for us to sanction except Government operation. Therefore I do approve most strongly of the idea that if there is to be any sale of these ships it should be pursuant only to unanimous action on the part of the board. Otherwise we will have uncertainty, irresolution, nay, even paralysis, creeping into the operations of the Shipping Board under the bill. Hence I feel bound to register my opposition to the amendments of the Senator from New Jersey [Mr. EDGE] and the Senator from Ohio [Mr. WILLIS].

Mr. SHORTRIDGE. Mr. President, the bill as it stands provides that not one ship now owned by the Government may be or shall be sold without the unanimous affirmative vote of the members of the Shipping Board. As the Senator from New Jersey [Mr. EDGE] pointed out, there is not existent to-day on this rolling earth any tribunal, any legislative body, with the possible exception of the alleged League of Nations body, which has any such a restrictive provision governing its conduct of business. We might just as well propose that no bill, however meritorious, should pass the Senate except by the unanimous vote of the Senate as to suggest that no business in the way of selling even one poor sinking, rotting ship shall be transacted except by the unanimous vote of that board.

It may be idle to appeal to the experience of men, to the knowledge of Senators; but I do make a final appeal to intelligence and not to prejudice, to business capacity and not to partisanship, that we ought not to hamper, to hamstring, to control a board, by ourselves set up, so that it would be absolutely paralyzed and impotent to do a manifestly proper and wise thing.

Upon what theory which appeals to the intelligence of men is it that we are to say to our own appointees in whom we lodge discretionary power that they shall not do what every one of us would consider wise to do unless they shall be unanimous in favor of that action? We should repose at least a modicum of confidence in the membership of a board set up by the Congress; I submit that this proposition to prevent the sale of any ship, good, bad, or indifferent, without the unanimous vote of that board ought not to meet the approval of a majority of 96 Senators of a Nation such as ours.

Mr. TRAMMELL. Mr. President, if we do not retain in the pending bill the provision requiring the unanimous vote of the members of the board on any proposal involving the sale of

ships, the measure, in my opinion, will become absolutely futile, and will not accomplish the objects and the purposes desired by those who favor its passage.

In 1920, when we were considering what is now known as the merchant marine act, I pointed out that under its provisions while there were some who claimed that the primary purpose was that of the maintenance of an American merchant marine, under the policy outlined under the provisions of that measure the Shipping Board would not only be justified in proceeding but it would naturally feel that it was its duty to proceed to dispose of the ships as rapidly as it could, of course, considering the policy of the establishment of an American merchant marine.

The provisions of the bill which we are considering in no wise change or alter the law of 1920, except in the particular that it provides that ships may not be sold without the vote of the entire membership of the board. If we eliminate that requirement for a unanimous decision on the part of the board, what do we have confronting us? We have the old law confronting us. Section 5 of that law provides:

SEC. 5. That in order to accomplish the declared purposes of this act, and to carry out the policy declared in section 1 hereof, the board is authorized and directed to sell, as soon as practicable, consistent with good business methods and the objects and purposes to be attained by this act, at public or private competitive sale after appraisal and due advertisement, to persons who are citizens of the United States, except as provided in section 6 of this act, all of the vessels referred to in section 4 of this act or otherwise acquired by the board. Such sale shall be made at such prices and on such terms and conditions as the board may prescribe, but the completion of the payment of the purchase price and interest shall not be deferred more than 15 years after the making of the contract of sale. The board in fixing or accepting the sale price of such vessels shall take into consideration the prevailing domestic and foreign market price of, the available supply of, and the demand for vessels, existing freight rates and prospects of their maintenance, the cost of constructing vessels of similar types under prevailing conditions, as well as the cost of the construction or purchase price of the vessels to be sold, and any other facts or conditions that would influence a prudent, solvent business man in the sale of similar vessels or property which he is not forced to sell. All sales made under the authority of this act shall be subject to the limitations and restrictions of section 9 of the "shipping act, 1916," as amended.

So if we give no protection to the policy which many of us seem to favor by requiring a unanimous vote, then, acting under the old law, the board will naturally feel that it has authority to go ahead and proceed to sell the ships.

I voted against the act of 1920 for that very reason, and I then stated in a speech which I made at the time that under the provisions of the law which we were then proceeding to pass, although we declared that the prime purpose was that of establishing an American merchant marine, under the machinery and the procedure which we set up in the proposed act for the establishment of a merchant marine, it was apparent that it was the intention and policy of the Congress that it should be established through private ownership, and, therefore, that the ships should be transferred as rapidly as possible to private hands. The provisions of that law still remain. The only way we can check them in the provisions of the pending bill is to require a unanimous affirmative vote before the vessels may be disposed of.

So I hope that that provision will remain in the pending bill. If it does not remain in the bill, all the discussion and consideration of it will have been absolutely futile; and those of us who believe that our American merchant marine must be maintained, and, if necessary, through the Shipping Board and through the Government, will have been entirely defeated in our object and our purpose that that shall be the policy of the Government. I hope that the provision for unanimity of decision will be retained and that we shall not change that feature of the bill.

Mr. KING. Mr. President, the vote which has been taken to-day, evidencing the great strides which socialism has made in the United States, will afford the utmost gratification to the communists of Russia. When in Russia a few years ago several prominent representatives of the bolshevik government stated that the United States was the leading capitalistic Nation in the world, but that the Government would soon take over the railroads and the ships, and, finally, all "key industries," and then it would be ripe for the realization of communistic ideology and the communistic régime which they were attempting to establish throughout the world.

The only country in the world, as I now recall, that owns and operates its merchant marine is Russia, which is governed by a limited number of communists. We are taking bolshevik Russia as an example, and we may be surprised if its

government does not wire congratulations to the distinguished chairman of the committee for his efforts to embark the United States upon a bolshevik policy.

Mr. FLETCHER. Mr. President, will the Senator from Utah yield to me?

Mr. KING. I have only a few moments.

Mr. FLETCHER. I wish to call the Senator's attention to Canada and also to Australia.

Mr. KING. They are only dominions within the British Empire, and their activities in constructing and operating vessels in foreign trade are not important.

The Democratic Party was organized to preserve individual rights, to preserve the States from the usurpations of the Federal Government, to develop and maintain the spirit of local self-government. The philosophy of Jefferson opposed centralization of power; it regarded the individual as competent to deal with his own affairs. It opposed socialism and paternalism. It denied the General Government the authority or power to engage in business pursuits and enterprises unless they were inseparably connected with the proper functions of the Government itself.

I can not bring my judgment to support this bill—with due respect to those of different opinions. I am unable to comprehend how they justify this bill or find support for it upon the foundation which supports the principles and policies of Jefferson.

If two years ago it had been proposed by the Republicans that the Government of the United States should permanently own and operate the merchant marine of the United States, every Democrat, I believe, would have voted against the proposition. Yet to-day we find Republicans and Democrats joining and vieing with each other in supporting a measure which, I believe, is fundamentally obnoxious to Democratic principles.

Where will the end be? If the United States may own and operate ships it may own and operate railroads and the key industries and substantially all business enterprises of our country. Such a policy would destroy individual initiative, deter men from investing their capital in enterprises that will come into competition with those conducted by the Government, and lead to the paralysis of our industrial and economic life.

This bill will pass, but, as I said a few minutes ago, there is a man in the White House who, I think, has the courage and the conception of public duty that will lead him to promptly express his dissent.

Mr. HEFLIN. Mr. President, the Senator from Utah seems to think that those of us who support the pending measure will be congratulated shortly after its passage by the bolsheviks of Russia.

Mr. KING. No; I said the Senator from Washington would be congratulated.

Mr. HEFLIN. He would be congratulated on his success in getting the measure through.

I wonder what the patriotic people of America would think of us if we permitted American ships to be bartered away, as in the past they have been bartered away, for \$1,600, \$1,800, and \$2,000 apiece, when their construction cost hundreds of thousands of dollars. I think it is not asking too much to require that the entire board shall be unanimous in deciding whether or not a ship shall be sold. I shall vote in favor of allowing the situation to remain as it is, with the additional safeguard of requiring the entire board to agree before a single one of these ships shall go out of the hands of the Government for such small prices as have been received in the past. I think it is ridiculous that any ships have been sold for such prices, and I want to stop such sales as soon as possible. I repeat, if it takes Government management to operate these ships, I am in favor of putting the Government into this business, rather than to give the ships away and lose three thousand million dollars.

The VICE PRESIDENT. The question is on the amendment of the Senator from New Jersey [Mr. EDGE].

Mr. EDGE. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WALSH of Massachusetts. I inquire what is the amendment?

The VICE PRESIDENT. It is the amendment of the Senator from New Jersey, which the clerk will again state.

The CHIEF CLERK. The Senator from New Jersey reoffers the following amendment:

On page 2, lines 7 and 8, strike out the words "unanimous vote" and insert the words "vote of four."

The VICE PRESIDENT. The clerk will call the roll. The Chief Clerk proceeded to call the roll.

Mr. FERRIS (when his name was called). I am paired with the Senator from Ohio [Mr. FESS]. I do not know how he would vote on this question, and therefore withhold my vote. If permitted to vote, I should vote "nay."

Mr. OVERMAN (when his name was called). Again announcing my pair with the senior Senator from Wyoming [Mr. WARREN], I withhold my vote.

Mr. TYSON (when his name was called). I have a general pair with the Senator from West Virginia [Mr. GOFF]. Not knowing how he would vote on this matter, I withhold my vote.

The roll call having been concluded, the result was announced—yeas 31, nays 52, as follows:

YEAS—31			
Bayard	Edwards	McNary	Smoot
Bingham	Gillett	Metcalf	Steck
Blease	Greene	Moses	Steiwer
Copeland	Hale	Phipps	Thomas
Curtis	Hawes	Pine	Tydings
Cutting	Keyes	Reed, Pa.	Waterman
Deneen	King	Sackett	Watson
Edge	McLean	Shortridge	
NAYS—52			
Ashurst	Fletcher	Kendrick	Robinson, Ind.
Barkley	Frazier	La Follette	Schall
Black	George	McKellar	Sheppard
Blaine	Gerry	McMaster	Simmons
Borah	Glass	Mayfield	Smith
Bratton	Gooding	Neely	Stephens
Brookhart	Harris	Norbeck	Swanson
Broussard	Harrison	Norris	Trammell
Bruce	Hayden	Nye	Wagner
Capper	Heflin	Oddie	Walsh, Mass.
Caraway	Howell	Ransdell	Walsh, Mont.
Couzens	Johnson	Reed, Mo.	Wheeler
Dill	Jones	Robinson, Ark.	Willis
NOT VOTING—11			
Dale	Fess	Overman	Tyson
du Pont	Goff	Pittman	Warren
Ferris	Gould	Shipstead	

So Mr. EDGE's amendment to the amendment was rejected. Mr. WILLIS. Mr. President, I offer an amendment, which I send to the desk.

The VICE PRESIDENT. The amendment will be stated. The CHIEF CLERK. On page 2, line 7, it is proposed to strike out the words "unanimous vote" and insert the words "vote of five."

Mr. WILLIS. Mr. President, this is the amendment which was adopted by the Senate recently by a very considerable majority when this matter was under consideration. I am now offering it again, confident that Senators will vote for five instead of a unanimous vote, just as they did previously.

On this amendment I ask for the yeas and nays. The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. FERRIS (when his name was called). I have a pair with the Senator from Ohio [Mr. FESS]. Not knowing how he would vote on this question, I withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. How he would vote on this question, I do not know, and I therefore withhold my vote.

Mr. TYSON (when his name was called). I have a general pair with the Senator from West Virginia [Mr. GOFF], and in his absence I withhold my vote.

The roll call having been concluded, the result was announced—yeas 37, nays 47, as follows:

YEAS—37			
Bayard	Greene	Oddie	Steiwer
Bingham	Hale	Phipps	Stephens
Blease	Hawes	Pine	Thomas
Copeland	Keyes	Reed, Pa.	Tydings
Curtis	King	Robinson, Ind.	Waterman
Cutting	McLean	Sackett	Watson
Deneen	McNary	Schall	Willis
Edge	Metcalf	Shortridge	
Edwards	Moses	Smoot	
Gillett	Norbeck	Steck	
NAYS—47			
Ashurst	Dill	Johnson	Robinson, Ark.
Barkley	Fletcher	Jones	Sheppard
Black	Frazier	Kendrick	Shipstead
Blaine	George	La Follette	Simmons
Borah	Gerry	McKellar	Smith
Bratton	Glass	McMaster	Swanson
Brookhart	Gooding	Mayfield	Trammell
Broussard	Harris	Neely	Wagner
Bruce	Harrison	Norris	Walsh, Mass.
Capper	Hayden	Nye	Walsh, Mont.
Caraway	Heflin	Ransdell	Wheeler
Couzens	Howell	Reed, Mo.	
NOT VOTING—10			
Dale	Fess	Overman	Warren
du Pont	Goff	Pittman	
Ferris	Gould	Tyson	

So Mr. WILLIS's amendment to the amendment was rejected.
Mr. WILLIS. Mr. President, at the end of line 8, page 2, I move to add the following proviso:

Provided, That the foregoing provisions requiring unanimity of action by the board in the sale of ships shall not apply to sales of cargo ships heretofore built.

This amendment has been suggested to me by a number of Senators, particularly by the Senator from Oregon [Mr. STEINER]. It is drawn to meet the objection, and a very proper objection, that has been made here upon the floor; namely, that by this provision as it now stands it would not be possible for the board to sell even any old ships.

We seek now to remedy that difficulty by providing that while unanimity of action shall be required for the sale of any new ships or any liners, it is not required for the sale of these old cargo ships that are practically out of use anyhow. The amendment gives the board a little more leeway in that direction. I believe it is a wise suggestion.

Mr. JONES. Mr. President, I make the point of order against this amendment that it was not proposed as in Committee of the Whole.

Mr. WILLIS. Mr. President, I want to be heard on the point of order.

The VICE PRESIDENT. The amendment is in order.

Mr. ODDIE. Mr. President, I would like to ask the Senator from Ohio if this amendment would affect the three lines of ships on the Pacific coast which are now proposed to be sold by the Shipping Board?

Mr. WILLIS. I am not familiar with the facts as to those three lines. The amendment provides that the bill shall not apply to cargo vessels heretofore built. The Senator can apply it to the facts of the case he has in mind. I am not acquainted with the facts in that case and can not say whether those are cargo ships or liners.

Mr. ODDIE. They are cargo ships, but carry passengers. It seems to me that there is an inconsistency in this. The description is not clear enough. If it refers to those three lines of ships I shall certainly oppose the amendment, because those are the lines of ships that should not be sold under the present circumstances.

Mr. WILLIS. Answering the Senator's question, I think those ships would hardly be described as cargo ships. In the language of the sea, they would be called liners, instead of cargo ships. At all events, what we are seeking to reach here is a situation where the board will have the right to sell these old ships that are fast becoming obsolete.

Mr. ODDIE. Mr. President, the three lines of ships to which I refer are not obsolete. They are at present under operation from various ports on the Pacific coast.

I move to strike out of the amendment the words "cargo ships" and to insert the words "freighters only."

Mr. WILLIS. I accept that amendment.

Mr. ODDIE. And the words "and not now in the service of the Shipping Board from Pacific coast ports."

Mr. MCKELLAR. May the amendment be read?

The VICE PRESIDENT. The clerk will state the amendment as it would read if amended.

The CHIEF CLERK. As originally proposed by the Senator from Ohio the amendment was, on page 2, line 8, to insert the following:

Provided, That the foregoing provisions requiring unanimity of action by the board in the sale of ships shall not apply to the sale of cargo ships heretofore built.

The Senator from Nevada proposes to strike out the words "cargo ships" and to insert the words "freighters only, and not now in the service of the Shipping Board from Pacific coast ports."

Mr. FLETCHER. I hope the amendment will be defeated.

Mr. ODDIE. I withdraw that amendment and move to amend by adding the words "not now in the actual service of the Shipping Board," leaving off the words "from Pacific coast ports."

The VICE PRESIDENT. Does the Senator from Ohio accept the amendment?

Mr. WILLIS. I accept the proposed amendment.

The VICE PRESIDENT. The clerk will read the amendment as modified.

The Chief Clerk read as follows:

Provided, That the foregoing provisions requiring unanimity of action by the board in the sale of ships shall not apply to sales of freighters only not now in the actual service of the Shipping Board.

Mr. SACKETT. I offer as an amendment to strike out the word "not," because the Senator means just the opposite of the amendment as now read.

Mr. ODDIE. I accept the amendment.

The VICE PRESIDENT. Does the Senator from Ohio accept the modification?

Mr. WILLIS. I accept the modification.

The VICE PRESIDENT. The clerk will read the amendment as modified for the third time.

The Chief Clerk read as follows:

Provided, That the foregoing provisions requiring unanimity of action by the board in the sale of ships shall not apply to sales of freighters only now in the service of the Shipping Board.

Mr. BRUCE. Mr. President, I wish to ask the Senator from Ohio why, if this provision for unanimity is a good one with reference to other vessels, it should be a bad one with respect to freighters. I do not see any logic in the notion that there is any real substantial distinction to be made between different classes of ships as respects this provision of unanimity. Is it not fair to infer that if a ship is not serviceable, unanimity of action by the Shipping Board in all probability would be readily obtainable whatever the class to which the ship belonged? I hope the amendment will be defeated.

Mr. SACKETT. I offer as an amendment that the word "only" be stricken out.

Mr. JONES. Mr. President, I hope this amendment will be defeated.

The VICE PRESIDENT. The question is on agreeing to the amendment as modified to the amendment.

The amendment as modified to the amendment was rejected.

The VICE PRESIDENT. The question now recurs on concurring in the amendment made as in Committee of the Whole, inserting section 2.

The amendment was concurred in.

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

The VICE PRESIDENT. The bill having been read the third time, the question is, Shall it pass?

Mr. COPELAND. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. FERRIS (when his name was called). I have a pair with the junior Senator from Ohio [Mr. FESS], who is absent, so I withhold my vote. If the Senator from Ohio were present, he would vote "nay," and if I were permitted to vote I would vote "yea."

Mr. OVERMAN (when his name was called). Again I have to announce that I have a general pair with the senior Senator from Wyoming [Mr. WARREN], who is absent, so I withhold my vote. If the Senator from Wyoming were present, he would vote "nay," and if I were permitted to vote I would vote "yea."

Mr. TYSON (when his name was called). On this matter I have a general pair with the junior Senator from West Virginia [Mr. GOFF], who is absent, and I withhold my vote. If the Senator from West Virginia were present, he would vote "nay." If permitted to vote, I would vote "yea."

The roll call was concluded.

Mr. FLETCHER (after having voted in the affirmative). I announce my general pair with the junior Senator from Delaware [Mr. DU PONT], which I transfer to the junior Senator from Mississippi [Mr. STEPHENS], and allow my vote to stand.

The result was announced—yeas 53, nays 31, as follows:

YEAS—53

Ashurst	Gerry	McMaster	Shipstead
Barkley	Glass	McNary	Simmons
Black	Gooding	Mayfield	Smith
Blaine	Harris	Neely	Swanson
Brookhart	Harrison	Norbeck	Thomas
Broussard	Hawes	Norris	Trammell
Bruce	Hayden	Nye	Wagner
Capper	Heflin	Oddie	Walsh, Mass.
Caraway	Howell	Ransdell	Walsh, Mont.
Couzens	Johnson	Reed, Mo.	Wheeler
Dill	Jones	Robinson, Ark.	Willis
Fletcher	Kendrick	Robinson, Ind.	
Frazier	La Follette	Schall	
George	McKellar	Sheppard	

NAYS—31

Bayard	Deneen	King	Shortridge
Bingham	Edge	McLean	Smoot
Blease	Edwards	Metcalf	Steck
Borah	Gillett	Moses	Steiner
Bratton	Gould	Phipps	Tydings
Copeland	Greene	Pine	Waterman
Curtis	Hale	Reed, Pa.	Watson
Cutting	Keyes	Sackett	

NOT VOTING—10

Dale	Fess	Pittman	Warren
du Pont	Goff	Stephens	
Ferris	Overman	Tyson	

So the bill was passed.

INVESTIGATION OF CONDITIONS IN COAL FIELDS

Mr. JOHNSON. Mr. President, I had announced that I would to-day address myself to the resolution providing for an investigation of the coal fields of Pennsylvania and contiguous territory. The hour is so late, the Senate is so weary, we have done such a good job to-day, that I desire to announce that to-morrow, at the first opportunity accorded me, I shall take up the subject matter and address myself to it.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of the State of Mississippi, which was referred to the Committee on Commerce:

Concurrent Resolution 3, memorializing Congress to take over and assume flood control on the Mississippi River

Whereas flood control of the Mississippi River is obviously a matter of national interest and concern and falls within the legitimate scope of direct Federal action, the jurisdiction of the United States over the Mississippi River being paramount to that of the several States bordering thereon; and

Whereas the States bordering on the Mississippi River are wholly unable to cope with the flood situation and to prevent loss of human life and calamitous destruction of property caused by the overflowing of the river within their respective territories; and

Whereas in order to prevent further injury from floods emanating from the Mississippi River a governmental course or policy toward said situation should be adopted and immediate governmental action undertaken to restrain and control said floods: Now therefore be it

Resolved by the House of Representatives of the State of Mississippi (the Senate concurring), That the United States Government be, and it is hereby, urged to take over and assume at the earliest practicable moment the function of flood control on the Mississippi River as a matter of entire and exclusive Federal action; and that the Congress of the United States be, and it is hereby, memorialized to at once enact such statutes as may be necessary, proper, or incidental to said course and to effectuate the said policy of exclusive Federal flood control in areas affected by the overflow of the Mississippi River; be it further

Resolved, That officially certified copies of this resolution be mailed and presented to the President and Vice President of the United States and to the Members of the Congress.

Adopted by the house of representatives, January 5, 1928.

Adopted by the Senate, January 9, 1928.

I, Walker Wood, secretary of state of the State of Mississippi, do hereby certify that the above and foregoing instrument entitled "Concurrent Resolution 3" is a true and correct copy of Concurrent Resolution 3 of the Legislature of the State of Mississippi at the 1928 session thereof, as same appears on the enrolled act of said concurrent resolution now on file and a matter of record in the office of the secretary of state.

Given under my hand and the great seal of the State of Mississippi hereunto affixed this 20th day of January, 1928.

[SEAL.] WALKER WOOD, Secretary of State.

Mr. HARRISON presented the following concurrent resolution of the Legislature of the State of Mississippi, which was referred to the Committee on Commerce:

Senate Concurrent Resolution 1, urging Congress of the United States to enact adequate flood-control legislation for the lower Mississippi Valley

Whereas the lower Mississippi Valley States were visited in the spring of 1927 by the most disastrous flood in the history of these States, and

Whereas the loss of life was heavy, the loss of property almost incalculable, and the sufferings and privations of the people of the flooded areas well-nigh indescribable, and

Whereas these flood waters came as a result of drainage of 31 States of the Union into this area, and

Whereas the people of the lower Mississippi Valley are now subjected to almost unbearable burdens of taxation in an effort to protect themselves and their property from the destructive effects of overflows of the Mississippi River: Now therefore be it

Resolved by the Senate of the State of Mississippi (the House of Representatives concurring therein), That flood control in the lower Mississippi Valley is a national and not a local problem, that it is a protective and not a reclamation measure, and that the Federal Government should assume full control and bear all the cost of measures adequate for complete and permanent control of the waters of the lower Mississippi River, and the Congress of the United States is

hereby petitioned to enact legislation to accomplish this purpose; be it further

Resolved, That the secretary of the senate and the clerk of the house of representatives be requested to transmit copies of this resolution to the Members of the Mississippi delegation in the Congress, and to the chairmen of the Flood Control Committees of the National Senate and House of Representatives.

Adopted by the senate January 4, 1928.

BEDWELL ADAM,
President of the Senate.

Adopted by the house of representatives January 10, 1928.

THOS. L. BAILEY,
Speaker of the House of Representatives.

I, Walker Wood, secretary of state of the State of Mississippi, do hereby certify that the above and foregoing is a true and correct copy of Senate Concurrent Resolution 1 of the Legislature of the State of Mississippi at the 1928 session thereof, the enrolled act of which said resolution is on file in this office.

Given under my hand and the great seal of the State of Mississippi this the 28th day of January, 1928.

[SEAL.]

WALKER WOOD, Secretary of State.

Mr. HARRISON also presented a petition of sundry citizens of Bond, Miss., praying for the passage of the bill (H. R. 7900) granting allowances for rent, fuel, light, and equipment to postmasters of the fourth class, and for other purposes, which was referred to the Committee on Post Offices and Post Roads.

Mr. JONES presented a petition of teachers of Queen Anne High School, Seattle, Wash., praying for the passage of legislation creating a Federal department of education, which was referred to the Committee on Education and Labor.

Mr. COPELAND presented a petition of sundry citizens of New York, N. Y., praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

Mr. WAGNER presented petitions of sundry citizens of Brooklyn, N. Y., praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. McLEAN presented petitions of Branch No. 32, of Bridgeport, and Branch No. 86, of Hartford, both of the National Association of Letter Carriers, in the State of Connecticut, praying for the passage of the so-called Dale bill, providing increased annuities for retired Government employees, which were referred to the Committee on Civil Service.

He also presented resolutions adopted by Roosevelt Council, No. 8, of New London; Washington Council, No. 7, of Noank; Stonington Council, No. 5, of Stonington; and the board of officers of the State council of Connecticut, all of the Junior Order United American Mechanics, in the State of Connecticut, protesting against the repeal of the national origin provisions of the existing immigration law, which were referred to the Committee on Immigration.

He also presented a resolution adopted at the annual meeting of the Connecticut Farm Bureau Federation, at Hartford, Conn., favoring the making of additional appropriations for agricultural education through the extension service and county farm bureaus, which was referred to the Committee on Agriculture and Forestry.

Mr. ROBINSON of Arkansas presented a resolution adopted by citizens of South Hadley, Mass., in favor of the renunciation of war as a means of settling international disputes, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens, being drainage taxpayers of southeast Arkansas, praying for the passage of legislation to establish a moratorium for the payment of drainage bonds, until such time as agriculture has recovered from its depressed condition, which was referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES

Mr. REED of Pennsylvania, from the Committee on Military Affairs, to which was referred the bill (S. 2594) transferring a portion of the lighthouse reservation, Slip Island, Miss., to the jurisdiction and control of the War Department, reported it without amendment and submitted a report (No. 185) thereon.

He also, from the same committee, to which was referred the bill (H. R. 7009) to authorize appropriations for construction at military posts, and for other purposes, reported it with amendments and submitted a report (No. 186) thereon.

He also, from the Committee on Immigration, to which was referred the bill (S. 2370) to amend section 24 of the immigration act of 1917, reported it without amendment and submitted a report (No. 191) thereon.

Mr. WAGNER, from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 1665) to authorize the board of park commissioners of the city and county of San Francisco to construct a recreation pier at the foot of Van Ness Avenue, San Francisco, Calif. (Rept. No. 187);

A bill (H. R. 164) to authorize appropriations for construction at the Pacific Branch, Soldiers' Home, Los Angeles County, Calif., and for other purposes (Rept. No. 188); and

A bill (H. R. 7553) for the relief of James Neal (Rept. No. 189).

Mr. ROBINSON of Indiana, from the Committee on Military Affairs, to which was referred the bill (S. 43) for the relief of Frederick N. Carr, reported it without amendment and submitted a report (No. 190) thereon.

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

A bill (H. R. 4777) to compensate Robert F. Yeaman for the loss of certain carpenter tools which was incurred by reason of a fire in the Government area at Old Hickory ordnance depot (Rept. No. 193); and

A bill (H. R. 8369) for the relief of Josephine Thibodeaux (Rept. No. 194).

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

A bill (S. 1771) for the relief of Peter S. Kelly (Rept. No. 195); and

A bill (H. R. 6162) for the relief of Thomas M. Ross (Rept. No. 196).

Mr. FLETCHER, from the Committee on Military Affairs, to which was referred the bill (S. 46) for the relief of Daniel F. Roberts, reported it without amendment and submitted a report (No. 197) thereon.

Mr. TYSON, from the Committee on Military Affairs, to which was referred the bill (S. 723) authorizing the President to appoint, by and with the advice and consent of the Senate, Joseph H. Landrum a first lieutenant of Field Artillery in the Regular Army of the United States, submitted an adverse report (No. 198) thereon, which was agreed to, and the bill was ordered to be indefinitely postponed.

Mr. BLACK, from the Committee on Military Affairs, to which was referred the bill (H. R. 4079) for the relief of William A. Hynes, reported adversely thereon, and, on his motion, the bill was ordered to be indefinitely postponed.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. SMOOT. From the Committee on Appropriations I report back favorably with amendments the bill (H. R. 9136) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1929, and for other purposes, and I submit a report (No. 192) thereon. I wish to give notice that I shall call up the bill at the first opportunity.

The VICE PRESIDENT. The bill will be placed on the calendar.

PROCEEDINGS OF SOUTHERN RECLAMATION CONFERENCE

Mr. FLETCHER, from the Committee on Printing, to which was referred the resolution (S. Res. 117), submitted by him on January 20, 1928, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the proceedings of the Southern Reclamation Conference held in Washington, D. C., December 14 and 15, 1927, under the auspices of the Department of the Interior, Hubert Work, Secretary, and of the Bureau of Reclamation, Elwood Mead, commissioner, be printed, with illustrations, as a Senate document.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

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

S. 440. An act for the relief of Charles H. Send;

S. 1968. An act to authorize the Secretary of Agriculture to pay for the use and occupancy by the Department of Agriculture of the Bleber Building, 1358 B Street SW., Washington, D. C., and for other purposes; and

S. J. Res. 38. Joint resolution giving and granting consent to an amendment to the constitution of the State of New Mexico providing a method for executing leases and other contracts for the development and production of any and all minerals on lands granted or confirmed to said State by the act of Con-

gress approved June 20, 1910, and to the enactment of such laws and regulations as may be necessary to carry said amendment into effect if it is adopted.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. MCKELLAR:

A bill (S. 2934) authorizing the President to reappoint E. C. Callahan, formerly a captain of Infantry, United States Army, a captain of Infantry, United States Army; to the Committee on Military Affairs.

By Mr. BAYARD:

A bill (S. 2935) granting an increase of pension to Mary E. Fitzgerald (with accompanying papers); and

A bill (S. 2936) granting an increase of pension to Virginia C. West (with accompanying papers); to the Committee on Pensions.

By Mr. DILL:

A bill (S. 2937) granting a pension to Guy Fruit; and
A bill (S. 2938) granting a pension to Gustav Wulff; to the Committee on Pensions.

By Mr. WALSH of Massachusetts:

A bill (S. 2939) to reimburse Lieut. Col. Charles F. Sargent; to the Committee on Claims.

By Mr. WAGNER:

A bill (S. 2940) granting a pension to William P. A. Fitzjohn; and

A bill (S. 2941) granting an increase of pension to Anastasia Early; to the Committee on Pensions.

By Mr. TRAMMELL:

A bill (S. 2942) for the relief of Edward B. Eppes; to the Committee on Claims.

A bill (S. 2943) granting a pension to De Etta Wheeler; to the Committee on Pensions.

By Mr. HALE:

A bill (S. 2944) granting an increase of pension to Annie M. Plummer (with accompanying papers); to the Committee on Pensions.

By Mr. LA FOLLETTE:

A bill (S. 2945) relating to the payment of advance wages and allotments in respect of seamen on foreign vessels and making further provision for carrying out the purposes of the seamen's act, approved March 4, 1915; to the Committee on Commerce.

By Mr. CUTTING:

A bill (S. 2946) providing for the establishment of an agricultural experiment station in the shallow-water area in Lea County, N. Mex.; to the Committee on Agriculture and Forestry.

By Mr. REED of Pennsylvania:

A bill (S. 2947) to provide for the construction or purchase of two motor mine yawls for the War Department;

A bill (S. 2948) to amend section 6, act of March 4, 1923, as amended, so as to better provide for care and treatment of members of the civilian components of the Army who suffer personal injury in line of duty, and for other purposes;

A bill (S. 2949) to credit the accounts of Richings J. Shand, United States property and disbursing officer, Illinois National Guard;

A bill (S. 2950) to amend the second paragraph of section 67, national defense act, as amended;

A bill (S. 2951) to provide for the construction or purchase of two "L" boats for the War Department; and

A bill (S. 2952) to provide for the construction or purchase of one heavy sea-going Air Corps retriever for the War Department; to the Committee on Military Affairs.

By Mr. WATSON:

A bill (S. 2953) providing for the extension of the time limitations under which patents were issued in the case of persons who served in the military or naval forces of the United States during the World War; to the Committee on Patents.

By Mr. HAWES:

A bill (S. 2954) granting a pension to Milous Day (with accompanying papers); and

A bill (S. 2955) granting an increase of pension to Sarah A. McEwen (with accompanying papers); to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 2956) to authorize the sale of certain lands to the city of Portland for the protection of the sources of its water supply; to the Committee on Public Lands and Surveys.

By Mr. SHIPSTEAD:

A bill (S. 2957) granting a pension to Samuel H. Anderson (with accompanying papers); to the Committee on Pensions.

By Mr. PHIPPS:

A bill (S. 2958) granting a pension to Nellie M. Sweeney (with accompanying papers); to the Committee on Pensions.

By Mr. WILLIS:

A bill (S. 2959) for the relief of Joseph Kahnheimer; to the Committee on Claims.

A bill (S. 2960) granting an increase of pension to Addie Butler (with accompanying papers); and

A bill (S. 2961) granting an increase of pension to Elizabeth J. Mingués (with accompanying papers); to the Committee on Pensions.

By Mr. HOWELL:

A joint resolution (S. J. Res. 88) authorizing the erection on public grounds in the District of Columbia of a stone monument as a memorial to Samuel Gompers; to the Committee on the Library.

FINANCIAL ARRANGEMENTS WITH FOREIGN GOVERNMENTS

Mr. SHIPSTEAD submitted the following concurrent resolution (S. Con. Res. 8), which was referred to the Committee on Foreign Relations:

Resolved by the Senate (the House of Representatives concurring), That the President be, and he is hereby, requested to direct the Departments of State, Treasury, and Commerce, the Federal Reserve Board, and all other agencies of the Government which are or may be concerned thereunder, to refrain henceforth, without specific prior authorization of the Congress from—

(1) Directly or indirectly engaging the responsibility of the Government of the United States, or otherwise on its behalf, to supervise the fulfillment or financial arrangements between citizens of the United States and sovereign foreign governments or political subdivisions thereof, whether or not recognized de jure or de facto by the United States Government; or

(2) In any manner whatsoever giving official recognition to any arrangement which may commit the Government of the United States to any form of military intervention in order to compel the observance of alleged obligations of sovereign or subordinate authority, or of any corporations or individuals, or to deal with any such arrangement except to secure the settlement of claims of the United States or of United States citizens through the ordinary channels of law provided therefor in the respective foreign jurisdictions, or through duly authorized and accepted arbitration agencies.

NAVAL MINE DEPOT, YORKTOWN, VA.

Mr. GLASS submitted the following concurrent resolution (S. Con. Res. 9), which was referred to the Committee on Naval Affairs:

[S. Con. Res. 9, 70th Cong., 1st sess.]

Whereas in the first deficiency act, fiscal year 1928, approved December 22, 1927, the Secretary of War and the Secretary of the Navy, through a joint board composed of officers appointed by them, were directed to make a survey of the points of storage of supplies of ammunition and components thereof for use of the Army and Navy with special reference to the location of such ammunition and components as are in such proximity to populous community and industrial areas as to constitute a menace to life and property; and

Whereas such act further directs that the results of the survey shall be embodied in a joint report which the Secretary of War and the Secretary of the Navy shall make to Congress not later than March 15, 1928; with their recommendation as to what changes, if any, should be made in such storage facilities and their points of location and the feasibility of the joint use thereof by the Army and Navy; and

Whereas provision was made in such act for the survey and report in lieu of proposed amendments carrying appropriations for removal of explosives from Curtis Bay, Md., and other points; and

Whereas by the first deficiency act, fiscal year 1927, approved February 28, 1927, the sum of \$580,000 was appropriated for additional storage and incidental improvements at the naval mine depot, Yorktown, Va., to take care of large quantities of high explosives removed and to be removed to that point for storage; and

Whereas protests have been made by owners of lands contiguous to the naval mine depot, Yorktown, Va., as well as by residents of the city of Williamsburg, Va., against the storage of large quantities of high explosives at such depot, and petitions filed with the Congress praying for relief; and

Whereas it is now urged that the above-mentioned survey and report may result in a proposal for a plan of storage that will render unnecessary the storage of explosives at the naval mine depot, Yorktown, Va.: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That (1) it is the sense of the Congress that no further expenditures be made from the appropriation of \$580,000 for additional storage and incidental expenses at the naval mine depot, Yorktown, Va., until the submission to and consideration by the Congress of the

results of the survey provided for by the first deficiency act, fiscal year 1928; and (2) the Secretary of the Navy is requested to cause the suspension of work under any contracts that may have been made pursuant to such appropriation, if permissible under the terms of any such contract, until the submission of such report and the consideration thereof by the Congress.

PRESIDENTIAL TERMS

Mr. LA FOLLETTE I submit a Senate resolution, which I ask may lie over under the rule.

The resolution (S. Res. 128) was read, and ordered to lie over under the rule, as follows:

Resolved, That it is the sense of the Senate that the precedent established by Washington and other Presidents of the United States in retiring from the presidential office after their second term, has become, by universal concurrence, a part of our republican system of government, and that any departure from this time-honored custom would be unwise, unpatriotic, and fraught with peril to our free institutions; and be it further

Resolved, That the Senate commends observance of this precedent by the President.

EXPENDITURES IN SENATORIAL ELECTIONS

Mr. NEELY submitted the following resolution (S. Res. 129), which was referred to the Committee on Privileges and Elections:

[S. Res. 129, 70th Cong., 1st sess.]

Whereas enormous sums of money have been expended in behalf of certain candidates for election to the Senate in primary elections recently held in various States: Therefore be it

Resolved, (1) That the expenditure of excessive sums of money in any primary election or nominating convention in behalf of a candidate for election to the Senate, either with or without his knowledge or consent, being harmful to the independence, the honor, and the dignity of the Senate, is hereby severely disapproved and condemned.

(2) That any United States Senator elect shall be deemed not to be entitled to hold a seat in the Senate if there shall hereafter have been expended by such Senator elect, or by any person or persons for him with his knowledge or consent, in aid or support of his candidacy in either the primary election or nominating convention by which such Senator elect was nominated as a candidate for the Senate, an amount in excess of (a) the amount permitted to be expended by the law of the State in which such Senator elect was nominated for the Senate, if such State law provides for a maximum expenditure which is less than that hereinafter provided; (b) the sum of \$10,000; or (c) an amount equal to that obtained by multiplying 3 cents by the total number of votes cast in the State of the residence of such Senator elect at the last general election for all the candidates for the office of United States Senator, but in no event exceeding the sum of \$25,000; except that money expended by a candidate to satisfy any assessment, fee, or charge made or levied upon candidates by the laws of the State in which such Senator elect resides, or expended for his necessary personal, traveling, or subsistence expenses, or for stationery, postage, writing, or printing (other than for use on billboards or in newspapers), for distributing letters, circulars, or posters, or for telegraph or telephone service, shall not be included in determining whether his expenditures have exceeded the sum fixed by this resolution as the limit of campaign expenses of a candidate.

THE MAN FROM MONTANA

Mr. WHEELER. Mr. President, I present an article from the North American Review for February, 1928, entitled "The man from Montana," by Charles Michelson, which I ask may be printed in the RECORD.

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

Senator THOMAS JAMES WALSH has been called the "alibi candidate" for the Democratic presidential nomination. Because of him the South and West are able to deny that it is religious intolerance that makes them fight against Governor Smith and to place their hostility on the ground of Smith's wetness and Tammanyism. He is as good a Catholic as the man who made the brown derby famous, but there never was a time when Dixie and the Corn Belt have not indicated more or less willingness to accept him as a welcome alternative. Even the Klan shakes no nightshirts at WALSH, perhaps because he has not yet approached near enough a nomination to be deemed dangerous. It may be that this immunity will not continue if, out of another Democratic deadlock, there issues the really impressive figure of the Montana Senator, somewhere near the head of the list, but until that time comes there is no voice raised against WALSH in all the army that regards the defeat of Smith as the first duty of every hundred percenter.

All the important individuals among the preconvention aspirants this year grade up pretty well in ability, experience, culture, and reputation, which are the usual concomitants of eligibility. Availability is another thing, and from western viewpoints, at least, WALSH has all

the high marks. He is always spoken of, politically, in comparison with Smith. His supporters are prone to use the latter as a measuring stick in surveying their candidate. For example:

"Smith is a great governor—well, WALSH is a great Senator, and that for as many terms, and those terms three times as long as the New York executive's.

"Smith was a poor boy who raised himself by sheer ability to eminence. WALSH was just as poor, and taught himself and then taught school while he was learning law, and so progressed until he became the leading constitutional lawyer in Congress. He has traveled widely; his membership in all the big Senate committees has given him the broadest insight into the affairs of government, domestic and foreign.

"Smith can carry New York. WALSH can carry the West, which is bigger than New York.

"Smith has established a standard of honesty in State government; WALSH has chased two Cabinet officers out of the National Government and has made graft as unfashionable as a kleagle in a synagogue.

"Smith represents the national revolt against the Volstead act; WALSH represents the spirit of law observance. If prohibition is not a party issue, why should New York not vote for him as a candidate? If it is such an issue, it should not be lost sight of that there are 10 dry States for every wet 1."

It is not difficult to make out a plausible case for the Walsh candidacy. Except geographically, he measures up to all the standards of the Presidency. One of the appealing things about him is that he drinks as he votes; that is, he is personally as well as politically dry. It is doubtful if that can be said of half a dozen in the whole Senate. It can not be easy for him, for he is a sociable soul; something of an afternoon tea hound. To his further credit be it recorded that he confines his championing of the prohibition cause to business hours. Take him where the cocktails are waving and the balls are high, as his gregarious instinct frequently does, and he enjoys them—vicariously, of course—and does not talk about it afterwards. Recently his State went wet on a referendum, but he did not change with it. He prefers to regard the incident as a Commonwealth aberration from which Montana will recover, and meanwhile he continues to take the dry side of Senate debates and confines himself to ginger ale on the nineteenth hole when he plays golf—which he does painstakingly, if indifferently.

It is the plaint of the Smith people that the Democratic South refuses to consent to the nomination of their man, while it will vote for him if the nomination is forced on them. The Walsh people have as good an argument. If New York and New England would help nominate the Montanian, and would vote for him in the election, WALSH would be elected. Their calculations run this way: WALSH would sweep the West, and would carry the South, and with him as the candidate—with the possible exception of Maryland, wedded to its wet idols—there would be no defection in the border States. Hence they are able to claim that it is the selfishness of New York and its surrounding communities that keeps WALSH out of the White House.

There are three important counts in the political indictment of Smith: He is wet, he is a Roman Catholic, and he represents Tammany Hall. Only one of these handicaps, again speaking from a western and southern viewpoint, runs against WALSH. Moreover, the argument is that if Catholic New York and Massachusetts Democracy got behind Walsh, it would eliminate the religious issue forever.

There are a lot of people who insist on solemnity in the President. Well, there never was a more solemn man than WALSH. You could no more develop a scandal about him than about the Lincoln Memorial, social, or political, or fiscal. There would be no "revelry" in the White House with him on the job. His respectability is monumental. If he shaved off his mustache he would need only a stock to look like one of the signers of the Declaration of Independence, with his dominating nose, his cold gray eyes, and his beetling black brows. Time was and not so long ago that he adhered to the Western official fashion of wearing his mustache a la walrus. He cropped it about the time he became a national figure, thereby lopping off 15 years from his age appearance, as well as two inches of drooping hair. He is 68, according to the records, which means little; he was as old at 30 and will be just as young at 90.

Charles Evans Hughes became governor and had a shot at the Presidency—which would have been a bull's-eye if he had adjusted his political wind gauge and foresight—by reason of his turning the light on a lot of insurance rascality. If WALSH had come from some more important State than Montana, he would have profited as much. His Teapot Dome and Elk Hills performance is really a classic in muckraking. He went into the oil investigation on a shoestring. All he had to start with was a couple of leases to Sinclair and Doheny, and some sudden prosperity of Albert B. Fall. The elder La Follette had buzzed around these circumstances and reached nowhere. The committee that inherited the investigation generally felt that, after all, the validity of the leases hinged on whether it was a good or a bad deal for the Government, and there was as much authority for the position that it was necessary to operate the reserved fields to prevent their being drained by nearby wells, as for the other theory. That committee had not been going two days before it changed its identity and ever after was the "WALSH committee." He was not its chair-

man; Lenroot, who had the title, was lost in the shuffle and WALSH simply took possession of the show. When Edward B. McLean came out with his declaration that he had loaned Fall \$100,000, taking his notes and a mortgage on the Fall ranches as security, all of the members, except WALSH, thought the bottom had fallen out of the scandal. It was so perfectly credible; just such a thing as McLean might have done, in view of his membership in the Harding circle of which Fall was so conspicuous an ornament. They advised WALSH to close the investigation and leave the matter of the validity of the leases to the courts. Not he; his nose was on the trail and he intended to follow it, so he hiked off to Florida, put McLean under oath, and the excuse for Fall's sudden prosperity was blown sky high with McLean's admission that the checks he handed Fall were returned uncashed, and that his previous story was merely his "going down the line for a friend."

There followed as a natural sequence the coming to the witness stand of Doheny, with his little black satchel, and the tale of an old prospector's affection for his one-time trail mate. It was an appealing picture with its mellowed reflection of the dim frontier; the soft side of a hard-boiled oil multimillionaire of youthful companionship in poverty and hardship merging into the friendship of men in the decline of life. It sounded as plausible as the McLean story—to everybody but WALSH. To him it was only scenery along the route he had marked out, and he herded the two of them into the criminal courts.

The implacability of WALSH stands him in relief among his fellows. Senators, as a rule, are amiable chaps, full bodied, easy going, sparing of effort, tender of amenities, tolerant of their adversaries. Through this comfortable aggregation WALSH stalks, grandly serious; always in earnest. There is something suggestive of those old familiars of the Inquisition about him; a consciousness of rectitude, unblemished by any concern with the feelings of those on the rack. He and Fall had been colleagues for many years and there was between them the community of thought so marked among the Westerners. They were not intimates—WALSH has no intimates. It is doubtful if he ever called a brother Senator by his first name, but he was on as good terms with Fall as with anybody; yet when he became satisfied of Fall's turpitude he went after him with cold ferocity. Newberry was a pleasant Senator; even his political foes felt sorry for him, and were disposed to find excuses for his splurging in his campaign, but WALSH saw only the wickedness and not only never let up himself but saw to it that the others stood to the task of getting Newberry out of the Senate. Denby was another of the victims to WALSH's icy logic and thin-lipped fanaticism for righteousness.

Denby would be Secretary of the Navy yet if it had not been for WALSH's speech demanding his resignation, with its overwhelming concentration of fact. Yet during that lethal address WALSH never once raised his voice. It is rare that he does. He stood at his own desk, dryly, concisely, and pitilessly dissecting the Secretary of the Navy, much as he had taken Newberry to pieces and exhibited the fragments, and when he had finished one more distinguished scalp swung at his belt.

When he once starts on his machine gunning it is a pretty good idea for other people to keep out of the brush, for WALSH is likely to shoot at any suspicious movement. The incident concerning Senator SMOOT, of Utah, was typical. Doheny was on the witness stand before the committee, WALSH was harrying him, and SMOOT sat immediately at WALSH's right.

"What," demanded the inquisitor suddenly, "was in the note Senator SMOOT handed you when you entered the Chamber to-day?"

His fellow committeeman, his associate for a generation, his frequent co-worker by virtue of being from an adjacent State, with identical local interests, was appalled at this straining of senatorial courtesy, and had to explain that he had merely asked the great oil magnate the result of an expert examination on some oil land which Doheny had undertaken for a friend of SMOOT's.

There are two reasons why WALSH does not rant. In the first place, his voice is such that when he lifts it there sometimes comes forth a falsetto squeak instead of a robust roar; in the second place, his sense of order is too intense to permit any display of passion. Hence he speaks as he dresses—so immaculately that it would be an equal relief to hear him split an infinitive or see him with his necktie awry. He is just as exasperatingly sure of his facts as he is of his words, wherefore the Senators have largely given over debating with him. What is the use in arguing with a man who reads incessantly law, history, economics, and remembers every printed page as well as everything he ever heard? It is doubtful if any other legislator could have had that law passed that assesses a fine of \$100,000 on a witness who refuses to come to court from over the sea, but WALSH wanted the witnesses against Sinclair, and he poured forth a river of precedents, authorities, and processes, and the Senate as usual took his word for it that the enactment was constitutional.

Being a great constitutionalist is not all near-beer and skittles. A Democrat who could have gone along with the farmers on the McNary-Haugen bill would have had a tremendous pull in the Middle West, particularly as things seemed to point to the nomination by the Republicans of a candidate who will not subscribe to that chapter in the

grangers' bible. Moreover, WALSH's own State is farm-minded. It would be as radical as Wisconsin if WALSH permitted. But the equalization-fee feature of the bill involved a delegation of the taxing power of Congress—treason, barratry, piracy, sacrilege! Some scores of his colleagues voted for it blithely on the theory that the Supreme Court would kill it if the President did not, and that meanwhile election would have come and gone. Those farmer votes, perhaps, meant more to WALSH than to any man in the Senate; there was also the Democratic urge to make things unhappy for Coolidge. It made no difference. There was that nice point of constitutionality; he could see nothing else; and he voted "No."

The hero of this recital stands accused of self-esteem and selfishness. Knowing as much as he knows, and how little the other fellow knows, could hardly be productive of any other appraisal of his own capabilities. The incident oftenest cited to sustain the charge is his refusal to take the vice presidential nomination on the ticket with John W. Davis in 1924. Another man might have been carried away by the excitement of the wind-up of the Madison Square Garden convention, but not its chairman. He had no delusions about Davis's chances; he had no desire to sacrifice himself on the altar of party distress. He had been mentioned all through the convention as a possible compromise between McAdoo and Smith, but nothing came of that, and he concluded that he would rather be an elected Senator than a defeated tail to a national ticket. His friend and colleague, BURTON K. WHEELER, had cast his hope of larger things into the discard and gone charging off with La Follette—because he liked La Follette and the things for which La Follette stood—though he had no more delusions as to the outcome of the election than had WALSH, who probably attributed WHEELER's adventure to the instability of youth.

Nevertheless WALSH is a pretty good Democrat and a real liberal. He showed the latter when he banged away at Attorney General A. Mitchell Palmer, thereby shocking his fellow Democrats for the treason to the Wilson administration. Palmer was engineering the red raids during the excitement of the end of the war and this offended WALSH's sense of constitutional liberty. He joined with BORAH in deprecating the hysteria over anarchistic manifestations. "It is only at such times," WALSH wrote, "that the guarantees of the Constitution as to personal rights are of any practical value. In seasons of calm no one thinks of denying them. They are accorded as a matter of course."

He was a good League of Nations man as long as the fight was in the Senate, but when the Versailles treaty had been rejected he calmly announced in a speech that the Democrats would have to make vast concessions if they were ever going to get a treaty ratified. At that moment there was a Democratic superstition that the country would sustain Wilson in the 1920 election. WALSH is not superstitious. With his customary habit of cold analysis he knew that his party was in for a licking, and saw no value in averting his eyes from so evident a destiny.

Such is WALSH's past; what of his future? He starts this session with a crusade on the big light and power combinations. If there is another Teapot Dome hidden in the ramifications of these, he will dig it out. WALSH's gun is always loaded and he does not go in for paper chases. He needs an issue with which to focus upon himself national attention adequate to counterbalance the disadvantages of his geographical situation and the comparative political unimportance of his State. Like all the others in the second division of Democratic candidates, his only hope lies in the ability of the dry States to prevent Smith from running away with the nomination. If this is done, the convention becomes a free-for-all, and if WALSH can show with sufficient melodrama that the big power trusts threaten the safety of the country he may be able to coordinate the progressive sentiment of the West and the corresponding sentiment of the South, which HEFLIN, of Alabama, so ineptly typifies by linking it with Ku-Kluxism, and thereby get the nomination. Given that opportunity, perhaps he might be able to break the crust of his frigid dignity and rage and storm on the stump. That is really all he needs to be a popular orator. His speeches read classically; there is a hypnotizing accuracy in his massing of facts and a capacity for making word pictures of his arrangements that is altogether satisfactory. If he could only yell them, he would make an amazing campaign.

If he ever reached the White House, he would be as aggressive as Roosevelt, as judicial as Taft, as self-sufficient as Wilson, and as isolated as Coolidge—and as stubborn as all of them put together.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT, NEW MEXICO

Mr. BRATTON. Mr. President, I ask unanimous consent for the present consideration of the bill (S. 700) authorizing the Secretary of the Interior to execute an agreement with the Middle Rio Grande conservancy district providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, N. Mex., and for other purposes.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs, with amendments, on page 2, line 6, to strike out "\$1,752,642" and insert in lieu thereof "\$1,593,311"; in line 12, to strike out "\$1,752,642" and insert "\$1,593,311"; in the same line, after "amount," to strike out "\$350,000" and insert "\$100,000"; in line 14, after "Provided," to strike out "further"; and on page 2, in line 22, after the words "taken into consideration any," to strike out the remainder of the bill and insert matter, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to enter into an agreement with the Middle Rio Grande conservancy district, a political subdivision of the State of New Mexico, providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands situated within the exterior boundaries of the said Middle Rio Grande conservancy district, as provided for by plans prepared for this purpose in pursuance to an act of February 14, 1927 (44 Stat. L. p. 1098). The construction cost of such conservation, irrigation, drainage, and flood-control work apportioned to the Indian lands shall not exceed \$1,593,311, and that said sum, or so much thereof as may be required to pay the Indians' share of the cost of the work herein provided for, shall be payable in not less than five installments without interest, which installments shall be paid annually as work progresses, and there is hereby authorized to be appropriated not to exceed \$1,593,311, of which amount \$100,000 is hereby made immediately available for the payment of the first installment: *Provided*, That should at any time it appear to the said Secretary that construction work is not being carried out in accordance with plans approved by him, he shall withhold payment of any sums that may under the agreement be due the conservancy district until such work shall have been done in accordance with the said plans: *Provided further*, That in determining the share of the cost of the works to be apportioned to the Indian lands there shall be taken into consideration any allowances determined by the Secretary of the Interior as properly deductible, and the total Indian acreage benefited shall be definitely determined by said Secretary and such acreage include only lands feasibly susceptible of economic irrigation and cultivation, and in no event shall the average per acre cost for the area of Indian lands benefited exceed \$67.50: *Provided further*, That all present water rights now appurtenant to approximately 8,346 acres of irrigated Pueblo lands owned individually or as pueblos under the proposed plans of the district, and all water for the domestic purposes of the Indians and for their stock shall be prior and paramount to any rights of the district or any property holder therein, which priority so defined shall be recognized and protected in the agreement between the Secretary of the Interior and the said Middle Rio Grande conservancy district, and the water rights for newly reclaimed lands shall be recognized as equal to those of like district lands and be protected from discrimination in the division and use of water, and such water rights, old as well as new, shall not be subject to loss by nonuse or abandonment thereof so long as title to said lands shall remain in the Indians individually or as pueblos or the United States, and such irrigated area shall not be subjected directly or indirectly to the reimbursable features of this act, nor shall it be subject by the district or otherwise to any pro rata share of future operation and maintenance or betterment work. Subject to the foregoing exception the remainder of the share of the cost paid the district on behalf of the Indian lands under the agreement herein authorized, including any sum paid to the district from the funds authorized to be appropriated by the act of February 14, 1927 (44 Stat. L. 1098), shall be reimbursed to the United States in accordance with the benefits derived, but in no event to exceed the limitation of cost herein fixed, under such rules and regulations as may be prescribed by the Secretary of the Interior: *Provided*, That such reimbursement shall be made from leases or proceeds from the newly reclaimed Pueblo lands in not less than 40 annual payments, and there is hereby created against such newly reclaimed lands a first lien, which lien shall not be enforced during the period that the title to such lands remains in the pueblos or individual Indian ownership: *Provided further*, That said Secretary of the Interior, through the Commissioner of Indian Affairs, or his duly authorized agent, shall be recognized by said district in all matters pertaining to its operation in the same ratio that the Indian lands bear to the total area of lands within the district, and that the district books and records shall be available at all times for inspection by said representative.

The amendments were agreed to.

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

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

TIME OF HOLDING FEDERAL COURT IN ARKANSAS

Mr. CARAWAY. Mr. President, from the Committee on the Judiciary I report back favorably, without amendment, the bill (H. R. 9142) to amend section 71 of the Judicial Code, as

amended, by changing time of holding court at El Dorado and Harrison, Ark.

I call the attention of my colleague the senior Senator from Arkansas [Mr. ROBINSON] to the bill.

Mr. ROBINSON of Arkansas. Mr. President, I ask unanimous consent for the present consideration of the bill. It merely changes the time of holding court at Harrison, Ark., and at El Dorado, Ark., in order that there may be no conflict in the meeting of the courts in that district.

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

Be it enacted, etc., That section 71 of the Judicial Code, as amended, be amended to read as follows:

"SEC. 71. (a) The State of Arkansas is divided into two districts, to be known as the western and eastern districts of Arkansas.

"(b) The western district shall include four divisions, constituted as follows: The Texarkana division, which shall include the territory embraced on July 1, 1920, in the counties of Sevier, Howard, Little River, Pike, Hempstead, Miller, Lafayette, and Nevada; the El Dorado division, which shall include the territory embraced on such date in the counties of Columbia, Ouachita, Union, Ashley, Bradley, and Calhoun; the Fort Smith division, which shall include the territory embraced on such date in the counties of Polk, Scott, Logan, Sebastian, Franklin, Crawford, Washington, Benton, and Johnson; and the Harrison division, which shall include the territory embraced on such date in the counties of Baxter, Boone, Carroll, Madison, Marion, Newton, and Searcy.

"(c) Terms of the district court for the Texarkana division shall be held at Texarkana on the second Mondays in May and November; for the Eldorado division, at El Dorado on the third Mondays in April and October; for the Fort Smith division, at Fort Smith on the second Mondays in January and June; and for the Harrison division, at Harrison on the first Mondays in April and October.

"(d) The clerk of the court for the western district shall maintain an office in charge of himself or a deputy at Texarkana, Fort Smith, El Dorado, and Harrison. Such offices shall be kept open at all times for the transaction of the business of the court."

SEC. 2. This act does not repeal or amend the remainder of section 71 of the Judicial Code as it applies to the eastern district of Arkansas.

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

COLLECTION OF PORTO RICAN TAXES

Mr. BINGHAM. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 139, the bill (S. 754) for the relief of certain Porto Rican taxpayers.

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

Mr. ROBINSON of Arkansas. Mr. President, pending the request of the Senator from Connecticut, I understand that the passage of this or some similar measure is made necessary by the application which has been given to the act of March 4, 1927, denying the district court of the United States for Porto Rico the right or power to issue injunctions in cases involving the collection of Porto Rican taxes.

Mr. BINGHAM. The Senator is entirely correct.

Mr. ROBINSON of Arkansas. I would like to be informed why such a policy was deemed wise or essential, namely, the policy which was incorporated in the act of March 4, 1927? Why was it deemed necessary to deny the right of injunction in tax cases relating to Porto Rican taxes?

Mr. BINGHAM. The reason was that a great many taxpayers of Porto Rico were taking advantage of that method for either not paying their taxes or postponing the payment of their taxes, more than 250 suits or pleas for injunction having been brought to the court at one time, as I was informed.

Mr. ROBINSON of Arkansas. A similar condition might arise in any jurisdiction in the United States where the validity of a tax was questioned.

Mr. BINGHAM. That is true.

Mr. ROBINSON of Arkansas. As I understand it, there were a number of cases in which the injunctions have been permanently granted forbidding the collection of taxes in the district court, and the effect of the statute of March 4, 1927, was to deny them the relief after the court had already decided the case.

Mr. BINGHAM. That is true, Mr. President. The cases have been appealed, and before the appeals could be decided and the cases permanently disposed of by the Supreme Court Congress enacted this law, and the Supreme Court then directed that all of the cases be thrown out of court.

Mr. ROBINSON of Arkansas. Is it the purpose of the bill to give relief in all the cases that were pending at the time

of the passage of the act of March 4, 1927, so that it will not have a retroactive effect?

Mr. BINGHAM. Not all the cases. Certain cases have been compromised.

Mr. ROBINSON of Arkansas. I mean of all cases that are still pending.

Mr. BINGHAM. Yes; that is true. The Senator is correct.

Mr. ROBINSON of Arkansas. But if we pass this bill it will hereafter be impossible to secure injunctions against the collection of Porto Rican taxes.

Mr. BINGHAM. Future taxpayers of Porto Rico must not look to the Federal courts for injunctions to prevent the payment of local taxes.

Mr. ROBINSON of Arkansas. I have no objection. I think the passage of the bill is necessary.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill which had been reported from the Committee on Territories and Insular Possessions with an amendment to strike out all after the enacting clause and insert:

Be it enacted, etc., That if in any suit pending March 4, 1927, but since abated or dismissed solely by reason of the provisions of the act entitled "An act to amend and reenact sections 3, 20, 31, 33, 38, and 48 of the act of March 2, 1917, entitled 'An act to provide a civil government for Porto Rico, and for other purposes,' as amended by an act approved June 7, 1924, and for the insertion of a new section in said act between sections 5 and 6 of said act, to be designated as '5a' of said act," approved March 4, 1927, the taxpayer had prior to such date obtained an injunction restraining the assessment or collection of any tax imposed by the laws of Porto Rico after trial on merits in the District Court of the United States for Porto Rico, or if in any such suit on appeal to the United States Circuit Court of Appeals for the First Circuit the right of any taxpayer to an injunction restraining the assessment or collection of any tax imposed by the laws of Porto Rico had been decreed, the treasurer of Porto Rico shall enforce the collection of the tax so enjoined or decreed by a suit at law instead of by attachment, embargo, distraint, or any other form of summary administrative proceeding. Notwithstanding the provisions of any existing statute of limitations, any such suit may be instituted at any time not later than one year after the approval of this act.

The amendment was agreed to.

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

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

PROTECTION OF WATERSHEDS OF NAVIGABLE STREAMS

Mr. McNARY. Mr. President, I move that the Senate proceed to the consideration of the bill (S. 1181) authorizing an appropriation to be expended under the provisions of section 7 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended.

If the bill is made the unfinished business, I do not propose to proceed with its consideration at this time, but to lay it aside to take up other business of the Senate such as pertains to the morning hour.

Mr. OVERMAN. Mr. President, I understand the Senator does not ask for the passage of the bill this afternoon.

Mr. McNARY. No. I am quite willing to have it laid aside if it is made the unfinished business.

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

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with an amendment.

Mr. McNARY. I yield for the transaction of further routine business, if there be any.

THE SHINGLE INDUSTRY

Mr. DILL. Mr. President, I ask unanimous consent of the Senate to file with the Finance Committee an exhibit in the form of some cedar shingles which have been sent me from my State by Mr. J. Goldman, of Everett, Wash. These shingles are identical with about 2,000,000,000 or 3,000,000,000 other shingles which are being manufactured in the State of Washington. As the result of the tariff law which put a tariff on logs and destroyed half the shingle industry, the industry is only producing about 60 per cent of the production in 1922.

When the tariff act of 1922 was passed we were making about 5,500,000,000 shingles a year. Free shingles and a tariff

on logs have practically destroyed this business. It is so difficult to sell shingles in this country now, as a result of the importation of more than 2,000,000,000 shingles a year from Canada, that the shingle mills and their owners in the State of Washington have decided to propagandize a little with these shingles. I understand that more than 5,000 of them have been set aside to be sent to Congressmen and Senators to impress them with the necessity of a tariff on shingles. They are fine cedar shingles, but our shingle-mill owners can not pay American wages and produce them in competition with Canadian shingle-mill operators, who use 60 per cent Oriental labor. So I ask permission to file these shingles with the Finance Committee, and to say in advance that there will be probably 5,000 more of them come to Senators and Members of the House of Representatives, which number will be more than sufficient to roof the halls of the Senate and the House of Representatives.

The VICE PRESIDENT. Does the Senator from Washington ask leave to file 1 shingle or 5,000 shingles? [Laughter.]

Mr. DILL. I ask to file this exhibit, and I give notice that there probably will be 5,000 more.

The VICE PRESIDENT. The exhibit will be filed with the Committee on Finance.

EXECUTIVE SESSION

Mr. CURTIS. 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; and (at 4 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 1, 1928, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 31 (legislative day of January 27), 1928

UNITED STATES COAST GUARD

Robert C. Ward to be a chief carpenter in the Coast Guard of the United States, to take effect from date of oath. This officer has passed the examination required for the promotion for which he is recommended.

POSTMASTERS

ARKANSAS

Coles R. Applewhite to be postmaster at Brickeys, Ark. Office became presidential July 1, 1927.

Barney L. Castleberry to be postmaster at Leslie, Ark., in place of J. I. Barnes, removed.

Menno S. Klopfenstein to be postmaster at Siloam Springs, Ark., in place of Marvin Vanhooser, removed.

William J. Vick to be postmaster at Prescott, Ark., in place of W. J. Vick. Incumbent's commission expired December 19, 1927.

CONNECTICUT

William T. Meyer to be postmaster at Bridgeport, Conn., in place of A. F. Connor, resigned.

GEORGIA

William A. Howell to be postmaster at Homerville, Ga., in place of C. E. Morgan, resigned.

ILLINOIS

William M. Rentschler to be postmaster at Allendale, Ill., in place of W. M. Rentschler. Incumbent's commission expires February 1, 1928.

Hugh F. Britt to be postmaster at Olmsted, Ill., in place of H. F. Britt. Incumbent's commission expires February 1, 1928.

David R. Bennett to be postmaster at Panama, Ill., in place of D. R. Bennett. Incumbent's commission expires February 1, 1928.

Elva B. Towler to be postmaster at Shobonier, Ill., in place of E. B. Towler. Incumbent's commission expires February 1, 1928.

INDIANA

Bertha Boyers to be postmaster at Freedom, Ind., in place of Bertha Boyers. Incumbent's commission expired January 3, 1928.

IOWA

Carl F. Grawe to be postmaster at Waverly, Iowa, in place of C. W. Tyrrell, resigned.

Lucie A. Lloyd to be postmaster at Remsen, Iowa, in place of L. A. Lloyd. Incumbent's commission expires February 1, 1928.

KANSAS

Clarence O. Masterson to be postmaster at Wilmore, Kans., in place of F. H. Shearer, resigned.

Nelson Crawford to be postmaster at Dodge City, Kans., in place of C. R. Aten. Incumbent's commission expired January 9, 1928.

KENTUCKY

Achsa Kinnett to be postmaster at Augusta, Ky., in place of Achsa Kinnett. Incumbent's commission expires February 1, 1928.

Ransome B. Martin to be postmaster at Hartford, Ky., in place of R. B. Martin. Incumbent's commission expires February 1, 1928.

Edward F. Davis to be postmaster at Williamsburg, Ky., in place of E. F. Davis. Incumbent's commission expires February 1, 1928.

MICHIGAN

John Z. Bjornstrom to be postmaster at Bruce Crossing, Mich. Office became presidential July 1, 1927.

Ralph M. Sengebusch to be postmaster at Pequaming, Mich. Office became presidential July 1, 1927.

John A. Gries to be postmaster at Laurium, Mich., in place of J. A. Gries. Incumbent's commission expired January 3, 1928.

MINNESOTA

Oscar W. Erickson to be postmaster at Kensington, Minn., in place of O. W. Erickson. Incumbent's commission expired December 19, 1927.

MISSOURI

Frances R. Jones to be postmaster at Sheldon, Mo., in place of J. M. Peck, resigned.

R. A. Gehrig to be postmaster at Salisbury, Mo., in place of F. B. McCurry. Incumbent's commission expired January 14, 1928.

NEW HAMPSHIRE

Lewis R. Hall to be postmaster at Fitzwilliam, N. H., in place of J. K. Rand, resigned.

NEW JERSEY

Waldo E. Rice to be postmaster at Ocean Grove, N. J., in place of O. F. Lee, resigned.

Ralph H. Hulick to be postmaster at Browns Mills, N. J., in place of R. H. Hulick. Incumbent's commission expires February 1, 1928.

Thomas Post to be postmaster at Midland Park, N. J., in place of Thomas Post. Incumbent's commission expires February 1, 1928.

Arthur F. Jahn to be postmaster at Ridgefield, N. J., in place of A. F. Jahn. Incumbent's commission expires February 1, 1928.

Herman H. Ahlers to be postmaster at West New York, N. J., in place of H. H. Ahlers. Incumbent's commission expires February 1, 1928.

NEW YORK

Henry P. Wilcox to be postmaster at Cohocton, N. Y., in place of H. P. Wilcox. Incumbent's commission expired January 9, 1928.

William J. Pike to be postmaster at Sanborn, N. Y., in place of W. J. Pike. Incumbent's commission expired January 8, 1928.

NORTH CAROLINA

Andrew T. Barkley to be postmaster at North Charlotte, N. C., in place of A. T. Barkley. Incumbent's commission expired December 19, 1927.

NORTH DAKOTA

Peder T. Rygg to be postmaster at Fairdale, N. Dak., in place of P. T. Rygg. Incumbent's commission expires February 1, 1928.

Mary A. Manning to be postmaster at Jud, N. Dak., in place of A. M. Patterson. Incumbent's commission expired March 2, 1927.

OHIO

Lillian Mumea to be postmaster at Independence, Ohio. Office became presidential July 1, 1927.

Howard M. Snedeker to be postmaster at Bellaire, Ohio, in place of H. M. Snedeker. Incumbent's commission expired January 15, 1927.

James A. Downs to be postmaster at Scio, Ohio, in place of J. A. Downs. Incumbent's commission expired December 19, 1927.

OKLAHOMA

Hugh M. Tilton to be postmaster at Anadarko, Okla., in place of H. M. Tilton. Incumbent's commission expires February 1, 1928.

Thomas G. Rawdon to be postmaster at Paden, Okla., in place of T. G. Rawdon. Incumbent's commission expires February 1, 1928.

William E. Watson to be postmaster at Quinton, Okla., in place of W. E. Watson. Incumbent's commission expires February 1, 1928.

PENNSYLVANIA

Russell M. Hartman to be postmaster at Arnold, Pa., in place of R. M. Hartman. Incumbent's commission expires February 1, 1928.

Beulah Oswalt to be postmaster at Clarence, Pa., in place of Beulah Oswalt. Incumbent commission expired January 15, 1928.

Frank Kerr to be postmaster at Madera, Pa., in place of Frank Kerr. Incumbent's commission expired January 16, 1928.

George Glenn to be postmaster at State College, Pa., in place of George Glenn. Incumbent's commission expired January 16, 1928.

SOUTH DAKOTA

Mae George to be postmaster at Ravinia, S. Dak., in place of J. H. Deuschle, resigned.

Richard T. Johnson to be postmaster at Volin, S. Dak., in place of I. S. Myron, removed.

Jennie D. Hansen to be postmaster at Valley Springs, S. Dak., in place of J. D. Hansen. Incumbent's commission expires February 1, 1928.

Jessie A. Gerrits to be postmaster at Wentworth, S. Dak., in place of J. A. Gerrits. Incumbent's commission expires February 1, 1928.

TENNESSEE

Peter Cashon to be postmaster at Dukedom, Tenn., in place of Peter Cashon. Incumbent's commission expires February 1, 1928.

WASHINGTON

Jacob H. Berge to be postmaster at Davenport, Wash., in place of J. H. Berge. Incumbent's commission expires February 1, 1928.

Margaret J. Chilberg to be postmaster at La Conner, Wash., in place of M. J. Chilberg. Incumbent's commission expired January 7, 1928.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 31 (legislative day of January 27), 1928

Charles A. Dewey to be United States district judge, southern district of Iowa.

POSTMASTERS

ARIZONA

Margaret E. Finletter, Inspiration.

CALIFORNIA

Charles Hofstetter, Harbor City.

Edwin J. Thompson, La Jolla.

Jerome B. Frisbee, Lindsay.

Frank E. Quirk, Rosemead.

John J. Blaney, Weaverville.

DELAWARE

William H. Morris, Greenwood.

Howard Schweitzer, Hartly.

John F. Phillips, Rehoboth Beach.

FLORIDA

Bertha F. Knight, Bartow.

Nina K. Berkstresser, Hawthorn.

Lena M. Powers, Wabasso.

IDAHO

Harold P. Gorton, Cascade.

KANSAS

Chauncey J. Nichols, Arcadia.

Robert R. Carson, Hamilton.

Earl M. Boland, Leon.

Ora A. Smith, Marysville.

George W. Tompkins, Melvern.

Charles C. Andrews, Norcaturn.

KENTUCKY

Dewey Daniel, Hazard.

Thomas J. Fitzpatrick, Martin.

MICHIGAN

Floyd Andrews, Clarkston.

Frank E. Richards, Clarksville.

Harry E. McClure, Clinton.

Wilbert L. Nelson, Daggett.

Clara Woodruff, Freeland.

Byron D. Denison, Gallien.

Floyd J. Gibbs, Ithaca.

Frank T. Swarthout, Laingsburg.

Orville Dennis, Lake City.

Fay Elser, Litchfield.

Frank G. Leeson, Manchester.

Norman J. Laskey, Milan.

Benjamin F. Peckham, Parma.

William C. Mosier, Paw Paw.

Samuel B. Brant, Pittsford.

Herbert S. Gray, Saginaw.

Martin C. Musolf, Tawas City.

William H. Watson, Three Oaks.

Wellington E. Reid, Uby.

MISSOURI

John L. Esser, Boonville.

Ruie Chatburn, Buckner.

Charles C. Bishop, Clarence.

Homer Beaty, Drexel.

Ralph E. Johnson, Elmer.

William W. Shoop, Green City.

Raymond F. Gasche, Hillsboro.

William E. Duff, Houston.

Amanda P. Renfrow, Humansville.

Myrtle V. Duncan, Iberia.

John Fleurdelys, Ilasco.

Benjamin H. Linhardt, Jefferson City.

John A. Richmond, La Belle.

Maude F. Eaton, Leadwood.

Ione C. Ritter, Lees Summit.

Ethel I. Kehr, Marthasville.

Leslie R. Millsap, Mount Vernon.

Charles E. Curtice, Neosho.

James W. Fleming, Parkville.

William A. Porter, Plattsburg.

Elliot Marshall, St. Joseph.

Eldridge G. Hoff, Stockton.

George S. Carnes, Trenton.

Harry N. Lutman, Versailles.

Cornelius F. Strack, Wright City.

NEW YORK

Robert C. Downey, Akron.

Lewis A. Brunnemer, Blue Point.

Herbert N. Rothenmeyer, Clarence.

Earl J. Hotwes, Elma.

George H. P. Hackett, Ferndale.

Hugh A. Prentice, Gainesville.

Oby J. Hoag, Greene.

Frank H. Burmaster, Irving.

Violet M. Hill, Loomis.

Edward Everett, Millerton.

William O. Cooper, Oxford.

Lida M. Schwetz, Port Byron.

Williard G. Bullion, Richfield Springs.

Charles L. Carrier, Sherburne.

Luther J. Shuttleworth, Springville.

George L. Helfter, Williamsville.

NORTH DAKOTA

Almeda Lee, Mohall.

OHIO

Lloyd D. Carter, Akron.

Wilber C. Foote, Fredericktown.

William M. Johns, Plymouth.

OREGON

Diana Snyder, Aurora.

Leslie B. Frizzell, Houlton.

Henry H. McReynolds, Pilot Rock.

Nels C. Nielsen, Wendling.

PENNSYLVANIA

Hope B. Sterner, Dewart.

Charles R. Kschinka, Dushore.

Gordon C. Kuhns, Trevorton.

RHODE ISLAND

James H. Whatley, Bridgeton.

Thomas F. Lenihan, Westerly.

TENNESSEE
Colpy Upton, Obion.

VIRGINIA
Jessie M. Martin, Concord Depot.
Neville L. Adams, Gretna.
Claude T. DeBusk, Saltville.

WEST VIRGINIA
Dova Varney, Edgarton.
Epson Cook, Macdonald.

WISCONSIN
Frank A. Hanson, Kewaunee.
Norma E. McNutt, Oxford.

WYOMING
Robert A. Hoover, Green River.
Levi H. Converse, Lavoie.
James A. Woods, Lingle.
Calloway Gillespie, Rock River.

HOUSE OF REPRESENTATIVES

TUESDAY, January 31, 1928

The House met at 12 o'clock noon.

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

Beneath the shadow of our Heavenly Father our lives are moving on. For the weakest and the humblest of Thy children there is a goal of love; there is deliverance from evil; there is a transformation into all goodness. We need to start this day right. Make our hearts exceedingly sensitive to the least variation from the truth. Give us, O Lord, clearness of moral perception. Put purpose, power, and contentment into our lives. May sweet charity be their urgent note and pity the one whose heart has grown bitter. Come to the great, wide, needy world of humanity; open its heart to Thee that it may walk in Thy light and possess Thy peace. In the blessed name of our Saviour. Amen.

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

DESIGNATION BY CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication:

JANUARY 30, 1928.

Hon. NICHOLAS LONGWORTH,

Speaker of the House of Representatives.

DEAR SIR: Desiring to be temporarily absent from my office, I hereby designate Mr. Leroy D. Brandon, journal clerk of the House of Representatives, to sign any and all papers for me which he would be authorized to sign by virtue of this designation and of clause 4, Rule III, of the House.

Very respectfully,

WM. TYLER PAGE,

Clerk of the House of Representatives.

MESSAGE FROM THE SENATE

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

H. R. 5725. An act to extend the times for commencing and completing the construction of a bridge across the Ouachita River at or near Monroe, La.;

H. R. 5726. An act to extend the times for commencing and completing a bridge across the Black River at or near Jonesville, La.; and

H. R. 5728. An act granting the consent of Congress to the police jury of Morehouse Parish, La., or the State Highway Commission of Louisiana, to construct, maintain, and operate a bridge across the Bayou Bartholomew at or near Point Pleasant, La.

WAR DEPARTMENT APPROPRIATION BILL

Mr. BARBOUR, from the Committee on Appropriations, reported the bill H. R. 10286, making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1929, and for other purposes, which was read a first and second time, and together with the accompanying papers referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. HARRISON. Mr. Speaker, I reserve all points of order.

The SPEAKER. The gentleman from Virginia reserves all points of order.

Mr. BARBOUR. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the

Union for the consideration of the War Department appropriation bill. Pending that motion, I ask unanimous consent that the time for general debate be not fixed at present, but that we go on and fix the time later, and that the time for general debate be controlled, one-half by the gentleman from Virginia [Mr. HARRISON] and one-half by myself.

Mr. HARRISON. I understood that we had an agreement for five hours on a side.

Mr. BARBOUR. Very well. Mr. Speaker, I ask that the time for general debate be fixed at 10 hours, one-half of which to be controlled by myself and one-half by the gentleman from Virginia.

The SPEAKER. The gentleman from California moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the present consideration of the War Department appropriation bill, and pending that asks unanimous consent that the time for general debate be limited to 10 hours, one-half to be controlled by himself and one-half by the gentleman from Virginia [Mr. HARRISON]. Is there objection?

Mr. BLANTON. Mr. Speaker, I shall not object, but I ask whether or not it is not something of a departure from our ordinary practice to introduce the War Department appropriation bill, carrying \$389,199,869 from the floor, and immediately move to go into the Committee of the Whole House on the state of the Union for its consideration, when no more than a very few copies of a committee print are available, and when no copy of the bill as introduced is available to any of the membership, because none have yet been printed. When has this ever occurred before?

Mr. BARBOUR. It has occurred frequently in connection with other appropriation bills.

Mr. BLANTON. I have not been able to find where it ever occurred in any long session. In a short session sometimes when the House is behind in its work this has been done.

Mr. TILSON. It has been done this session.

Mr. BLANTON. Not any bill of this importance.

Mr. BARBOUR. My recollection is that it has been done this session with an appropriation bill.

Mr. BLANTON. What is all the hurry about?

Mr. BARBOUR. I understand that the bills will be available this afternoon, and we propose to proceed this afternoon with general debate.

Mr. BLANTON. How are you going to debate a bill intelligently if you do not know what is in the bill?

Mr. BARBOUR. The bills will be here later this afternoon. This is merely a time saver.

Mr. BLANTON. I shall not interfere, but we are getting in a terrible hurry, and into a very bad practice.

Mr. MADDEN. Mr. Speaker, we are strictly within our rights when we introduce a bill and proceed with its consideration immediately. This is not a violation of the rules; it is in strict accord with the rules.

Mr. BLANTON. It is a bad practice.

Mr. MADDEN. We are not going to consider the bill upon its merits to-day. We are going to have general debate. To-morrow is Calendar Wednesday, and on Thursday there will be general debate again, so that everybody will have plenty of time to inform himself in respect to everything that is in the bill between now and the time it comes up for consideration on its merits. I do not consider that we are asking any favors by the method that we are pursuing, though I sometimes think it would be better if it could wait a day. However, this is one of the cases where the organization of the House wants us to go ahead.

Mr. BLANTON. As the Members can not tell what is in the bill except as the distinguished gentleman from California [Mr. BARBOUR] relates it to us in his speech, in order that the membership may hear him, I make the point of order, Mr. Speaker, that we have no quorum. Then the Members may possibly get a smattering of what is in the bill.

Mr. BARBOUR. Will the gentleman withhold for a moment?

Mr. MAPES. Let us fix the time first.

Mr. BLANTON. I insist on the point of order. There should be a quorum here to hear the debate on this \$389,199,869 Army bill.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. Evidently there is not. The question is on the motion of the gentleman from California [Mr. BARBOUR] that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the War Department appropriation bill. The Clerk will call the roll. Those in favor of the motion will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 328, not voting 105, as follows:

[Roll No. 21]
YEAS—328

Ackerman	Dickinson, Iowa	Johnson, Wash.	Quayle
Adkins	Dickinson, Mo.	Jones	Quin
Allen	Dickstein	Kading	Ragon
Allgood	Dominick	Kahn	Rainey
Almon	Doughton	Kearns	Ramseyer
Andresen	Douglass, Mass.	Kelly	Rankin
Arentz	Drane	Kemp	Ransley
Arnold	Dyer	Kent	Rathbone
Aswell	Eaton	Kerr	Rayburn
Auf der Heide	Edwards	Ketcham	Reece
Ayres	Elliott	Kless	Reed, Ark.
Bacharach	England	Kincheloe	Reed, N. Y.
Bachmann	Englebright	King	Reid, Ill.
Bacon	Eslick	Knutson	Robinson, Iowa
Bankhead	Estep	Kopp	Robson, Ky.
Barbour	Evans, Mont.	Korell	Rogers
Beck, Pa.	Faust	Kurtz	Romjue
Beck, Wis.	Fenn	LaGuardia	Rowbottom
Beedy	Fisher	Lampert	Ruby
Beers	Fitzgerald, W. T.	Lanham	Rutherford
Bell	Fitzpatrick	Lankford	Sandlin
Berger	Fletcher	Lea	Schafer
Black, N. Y.	Free	Leavitt	Schneider
Bland	Freeman	Leech	Sears, Nebr.
Blanton	French	Lehlbach	Selvig
Bohn	Frothingham	Letts	Shallenberger
Bowles	Fulbright	Lindsay	Shreve
Bowling	Fulmer	Linthicum	Simmons
Bowman	Furlow	Lowrey	Sinclair
Box	Garber	Lozier	Sinnot
Brand, Ga.	Gardner, Ind.	Luce	Smith
Briggs	Garner, Tex.	McClintic	Somers, N. Y.
Brigham	Garrett, Tenn.	McDuffie	Speaks
Browne	Garrett, Tex.	McFadden	Spearing
Browning	Gasque	McKeown	Stedman
Buchanan	Gibson	McLaughlin	Steele
Buckbee	Gifford	McLeod	Stevenson
Bulwinkle	Gilbert	McReynolds	Stobbs
Burtness	Glynn	McSwain	Sullivan
Burton	Golder	McSweeney	Summers, Wash.
Busby	Goodwin	MacGregor	Summers, Tex.
Bushong	Gregory	Madden	Swank
Butler	Green, Fla.	Magrady	Swick
Byrns	Greenwood	Major, Ill.	Swing
Campbell	Griest	Manlove	Taber
Canfield	Griffin	Mansfield	Tarver
Cannon	Guyer	Mapes	Tatzenhorst
Carss	Hadley	Martin, La.	Taylor, Tenn.
Carter	Hall, Ill.	Martin, Mass.	Temple
Cartwright	Hall, Ind.	Menges	Thompson
Casey	Hall, N. Dak.	Merritt	Thurston
Chalmers	Hammer	Michener	Tillman
Chapman	Hardy	Milligan	Tilson
Chase	Hare	Monast	Timberlake
Chindblom	Harrison	Moore, Ky.	Tinkham
Christopherson	Hastings	Moore, Ohio	Treadway
Clague	Hawley	Moore, Va.	Underhill
Clancy	Hersey	Moorman	Underwood
Clarke	Hickey	Morehead	Vincent, Mich.
Cochran, Mo.	Hill, Ala.	Morgan	Vincent, Ky.
Cochran, Pa.	Hill, Wash.	Morrow	Wainwright
Cohen	Hoffman	Murphy	Ware
Cole, Iowa	Hogg	Nelson, Me.	Warren
Collier	Holaday	Nelson, Mo.	Wason
Collins	Hooper	Nelson, Wis.	Watres
Colton	Houston	Newton	Watson
Combs	Howard, Nebr.	Niedringhaus	Weaver
Connery	Howard, Okla.	Norton, Nebr.	Weller
Connolly, Pa.	Huddleston	O'Brien	White, Colo.
Cooper, Wis.	Hudson	O'Connell	White, Kas.
Corning	Hudspeth	O'Connor, La.	Whitehead
Cox	Hughes	Oldfield	Whittington
Crail	Hull, Tenn.	Oliver, Ala.	Williams, Tex.
Cramton	Hull, Wm. E.	Oliver, N. Y.	Williamson
Crisp	Jacobstein	Palmisano	Wilson, Miss.
Crosser	James	Parker	Woodruff
Crowther	Jeffers	Peavey	Woodrum
Dallinger	Jenkins	Peery	Wright
Davenport	Johnson, Ill.	Perkins	Wurzbach
Davis	Johnson, Ind.	Porter	Wyant
Denison	Johnson, Okla.	Pou	Yon
De Rouen	Johnson, Tex.	Pratt	Zihlman

NOT VOTING—105

Abernethy	Doutrich	Johnson, S. Dak.	Purnell
Aldrich	Dowell	Kendall	Sabath
Andrew	Doyle	Kindred	Sanders, N. Y.
Anthony	Drewry	Kunz	Sanders, Tex.
Begg	Driver	Kvale	Sears, Fla.
Black, Tex.	Evans, Calif.	Langley	Seger
Bloom	Fish	Larsen	Sirovich
Boles	Fitzgerald, Roy G.	Leatherwood	Snell
Boylan	Fort	Lyon	Sproul, Ill.
Brand, Ohio	Foss	McMillan	Sproul, Kans.
Britten	Frear	Maas	Stalker
Burdick	Gallivan	Major, Mo.	Steagall
Carew	Gambrell	Mead	Strong, Kans.
Carley	Goldsborough	Michaelson	Strong, Pa.
Celler	Graham	Miller	Strother
Connally, Tex.	Green, Iowa	Montague	Sweet
Cooper, Ohio	Hale	Mooney	Taylor, Colo.
Cullen	Hancock	Moore, N. J.	Thatcher
Curry	Haugen	Morin	Tucker
Darrow	Hoch	Norton, N. J.	Uplike
Davey	Hope	O'Connor, N. Y.	Vestal
Deal	Hull, Morton D.	Palmer	Vinson, Ga.
Dempsey	Igoe	Parks	Welch, Calif.
Douglas, Ariz.	Irwin	Prall	Welsh, Pa.

White, Me.	Willson, La.	Winter	Wood
Williams, Ill.	Wingo	Wolverton	Yates
Williams, Mo.			

So the motion was agreed to.
The Clerk announced the following pairs:
Mr. Vestal with Mr. Gallivan.
Mr. Snell with Mr. Kindred.
Mr. Sproul of Illinois with Mr. Major of Missouri.
Mr. Dowell with Mr. Vinson of Georgia.
Mr. Begg with Mr. Deal.
Mr. Yates with Mr. Cullen.
Mr. Kendall with Mr. Black of Texas.
Mr. Aldridge with Mr. Prall.
Mr. Britten with Mr. Tucker.
Mr. Curry with Mr. Willson of Louisiana.
Mr. Fort with Mr. Abernethy.
Mr. Sweet with Mr. Carew.
Mr. Welsh of Pennsylvania with Mr. Davey.
Mr. Hancock with Mr. Gambrell.
Mr. Johnson of South Dakota with Mr. Drewry.
Mr. Williams of Illinois with Mr. Steagall.
Mr. Strong of Pennsylvania with Mr. Connally of Texas.
Mr. Dempsey with Mr. Parks.
Mr. Wood with Mr. Boylan.
Mr. Doutrich with Mr. Kunz.
Mr. Cooper of Ohio with Mr. Mead.
Mr. Darrow with Mr. Wingo.
Mr. Purnell with Mr. Carley.
Mr. White of Maine with Mr. Moore of New Jersey.
Mr. Foss with Mr. Sears of Florida.
Mr. Morin with Mr. Goldsborough.
Mr. Burdick with Mr. Montague.
Mr. Palmer with Mr. Lyon.
Mr. Seger with Mr. Douglas of Arizona.
Mr. Stalker with Mr. McMillan.
Mr. Fish with Mr. Williams of Missouri.
Mr. Michaelson with Mr. Doyle.
Mrs. Langley with Mrs. Norton.
Mr. Evans of California with Mr. Sabath.
Mr. Graham with Mr. Taylor of Colorado.
Mr. Thatcher with Mr. Bloom.
Mr. Sanders of New York with Mr. Driver.
Mr. Miller with Mr. Celler.
Mr. Leatherwood with Mr. Igoe.
Mr. Andrew with Mr. Sirovich.
Mr. Brand of Ohio with Mr. O'Connor of New York.
Mr. Fitzgerald, Roy G., with Mr. Mooney.
Mr. Strother with Mr. Saunders of Texas.
Mr. Frear with Mr. Kvale.

The SPEAKER. On this vote 328 Members are recorded—a quorum. But before announcing the result of the vote the Chair will again put the request of the gentleman from California [Mr. BARBOUR] that the general debate on this bill be limited to 10 hours, one-half the time to be controlled by himself and one-half controlled by the gentleman from Virginia [Mr. HARRISON]. Is there objection?

There was no objection.

The SPEAKER. Upon this question the yeas are 328 and the nays none.

So the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10286, with Mr. TILSON in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the consideration of H. R. 10286, the War Department appropriation bill, which the Clerk will report by title.

The Clerk read the title of the bill.

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

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. BLANTON. Mr. Chairman, reserving the right to object, and I shall not, the bill really ought not to be read, because if it is it will be printed in the Record, and then the people would find out that it embraces \$389,199,869, which is more than the bill for the present fiscal year, and shows that the Army expenditures are increasing all the time.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CLAGUE. Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. WILLIAM E. HULL].

Mr. WILLIAM E. HULL. Mr. Chairman, 30 years ago, "Remember the Maine" was on the lips of every American and to-day, remember the flood of 1927 is the slogan on the lips of every American.

The sympathy of the Nation should go out to the poor people of the Mississippi Valley, where an avalanche of water, 300 miles in length and 100 miles in width, covered every city, village, and farm.

One million three hundred thousand second-feet of water flowed between the levees of the Mississippi River and 1,200,000 second-feet flowed over the land outside of the levees. A total of 2,500,000 second-feet passed through the Mississippi Valley during this awful flood.

PERSONAL INSPECTION

No matter how poor the farmer was, he lost his all except his little family. In despair, he hesitated to move because there was no place to go and no place to stay. Pity and sympathy should go out to the flood sufferers of the valley.

Levees should be built and reconstructed spillways and flood ways should be developed so that never again could such a disastrous flood occur.

With Congressman FRANK R. REID, I covered the entire flooded district by airplane and boat when the water had reached its crest.

Flying over vast territory in the vicinity of Vicksburg, nothing could be seen but water with the exception of an occasional church steeple and the roofs of high buildings.

By boat we reached Simmesport, a small town at the junction of the Old River (an arm of the Mississippi), the Red, and the Atchafalaya Rivers. Here the river had reached within 12 inches of the top of the levees that were 60 feet high. The men and women of the village were at work, day and night, with planks and sand bags raising the levee so as to hold back the water that was gradually rising at the rate of 1 foot every 24 hours. Later a crevasse was made at Melville, 20 miles below, entering into the Atchafalaya River, allowing this water to flow over the Sugar Bowl of Louisiana, the richest land in the State. This gave temporary relief to those residing in the neighborhood of the Red River and the Old River but the whole country below was inundated by the floods, which destroyed farms, crops, stock, and fortunes.

The Government must give relief to the entire Mississippi Valley, which includes all of the States with tributaries flowing into the Mississippi River. [Applause.]

My views on flood relief will be given to you as I see them from personal observation, experience in regulation of floods, and good common business sense.

A NATIONAL PROBLEM

It is a national problem and the expense must be borne by the United States Government, because the States are not able to raise the necessary funds, and complications would hazard the completion of a constructive flood-control program.

The Congress of the United States should pass legislation at this session of Congress for the purpose of completing emergency work in the South and putting the machinery to work to make a study and survey of the entire flooded district, including not only the Mississippi River but all its large tributaries and their tributaries, beginning with the Illinois, Ohio, Tennessee, Yazoo, St. Francis, Missouri, Arkansas, Ouachita, Boeuf, White, Red, and the Old Rivers, using the Atchafalaya River as an outlet.

It would be useless to pass legislation to take care of the flood waters of the Mississippi River without passing equal legislation to take care of the tributaries, because it was the tributaries that created the greater part of the late flood.

Let me digress to analyze each of these tributaries in a meager way in order to make myself clear to the Congress that it was the tributaries that really caused the great disaster.

ILLINOIS RIVER

The Illinois River is 230 miles in length, beginning at Utica and flowing into the Mississippi River at Grafton, Ill. Its depth is 7 feet at low-water mark, and it was the first river to overflow in the late flood which started on September 1, 1926, washed out the levees, overflowed the districts, and continued all winter at an abnormal stage. Beginning with the spring rains, in February, 1927, it reached a crest on April 24, 1927, of 24.65 feet. The levees having been washed out, the flood continued until June, 1927.

The levees were repaired in some places by an appropriation from the State of Illinois. However, in the fall, the floods began again and on September 29, 1927, a crest was reached of 22 feet and continued until these floods washed out the levees in the Banner district, the most important one which had been repaired by State funds. And as late as December 27, 1927, we had another flood crest of 21 feet. The continuation of the floods in the Illinois River has been from September 1, 1926, to the present time, January, 1928.

This overflow has covered the levees for at least 150 miles in length and inundated 220,000 acres of the best land in the State of Illinois. Every farmer is practically ruined as the result of these floods. Most all of the farms have been inundated for the past two years, and there have been no crops. Consequently, the Illinois River, which furnished 7 per cent of the flood waters of the Mississippi River, being a slow sluggish stream, these flood waters were again backed up into the Illinois Valley which was really the cause of the continual flood of the entire valley.

The stage of the river in December, 1927, as I said before, is 21 feet against a low-water mark of 7 feet. The late floods of the Mississippi River caused the Illinois River to rise 10.6 feet above the top of the La Grange Dam, which is located 78 miles north of the mouth of the river.

During the flood of the Mississippi River in June, 1844, by reliable authority it is conceded that if there had been no water in the Illinois River at all, this flood would have backed the water up to Utica, Ill., which is 230 miles above the mouth of the river and is the beginning of the Illinois River.

So it is plain that the flood-control program should not only start with the Illinois River but it should be included in the flood control bill.

ALL TRIBUTARIES SHOULD BE INCLUDED

Other tributaries that should have the attention of the commission are the Missouri River, which is a river that naturally discharges at least twice as much water as the Illinois River but, on the other hand, it contributed very little toward the late flood while the Illinois River contributed a very large amount. It would take only a small amount of money to control the floods in the Missouri, which probably would be accomplished by building reservoirs; the St. Francis and the White Rivers are not so large but are contributors toward the flood; the Arkansas, Ouachita, Boeuf, and Black Rivers finally flow into the Red River.

It is anticipated that a flood way from the Arkansas River to the Red River will take care of these tributaries.

The Ohio River, through the work that has been done upon it by the building of locks and making it a navigable stream, will obviate any great necessity of flood control.

It will probably be necessary to do some work on the Yazoo River.

By giving flood relief to all of these tributaries you will relieve to a large extent the flood in the Mississippi River.

INTERIM LEGISLATION

In my opinion, the legislation to be passed by this Congress in a measure should be interim legislation with appropriations not to exceed \$50,000,000 per year for three years. The reason that I have come to this conclusion is that you can not spend any more than that amount judiciously per year during the next three years. All necessary work on the lower Mississippi should be done at once in accordance with the plans laid out by the engineers and the Mississippi River Commission to protect the lower part of the Mississippi Valley from immediate floods.

The legislation should be confined to the trunk lines of the rivers running from the Lakes to the Gulf and their tributaries. It is a large proposition within itself and should be confined to the Illinois and Mississippi Valleys.

In order to make a comprehensive plan for flood control of the Mississippi River and all its tributaries, it will require at least one year of engineering, study, and survey. It is my thought that this Congress should determine a policy that would recognize the obligation of the Federal Government to assume and perform the task of flood control of the Mississippi River and all its tributaries. [Applause.]

A combination of flood control by the Government and the States, in my judgment, would be a detriment to the progress of flood control. The States, where the heavy floods occur, are not financially or physically able to combat with such floods as the flood of 1927, and consequently the Government of the United States should have full charge of the building of levees, spillways, flood ways, and reservoirs.

If the States were to have a part, either financially or in designating the plans for flood control, there would be conflicts and the results would be very detrimental, in my judgment, to the success to be attained. An exception might be made where levees are built to benefit the adjacent land. In that case, the present law requires the Government to pay two-thirds of the expense and the landowner or levee district one-third. This rule should apply on the Mississippi River and all tributaries. If the landowners are unable to meet their portion of the assessment, then the Government should accept from them bonds running 25 years at a low rate of interest for the payments, such bonds to be subject to existing liens. The Government in all cases should bear the expense of the general river improvement.

A portion of the Jadwin plan reads as follows:

The Federal Treasury should bear the portion of the cost of engineer structures for flood control that is justified by the national aspects of the problem and the national benefits. It may even bear 80 per cent of such costs but substantial local cooperation is essential to avoid waste.

As I understand it, this would mean that the State or property owners would pay the other 20 per cent. I am not so sure

that that would be profitable to the Government. The collection of the 20 per cent and mixing the individual or the State in the flood-control program, in my judgment, would be a detriment to the National Government, and therefore it would seem to me under the circumstances that the State should do its part as a whole and come to an agreement with the Government, so as not to establish a precedent of putting the entire burden upon the Government.

The securing of right of way for spillways and flood ways should devolve upon the State through which the spillway and flood way pass. The State should assume that part of the program to secure either easements or purchase of lands for this purpose so as to relieve the Government of any obligation or damage or future responsibility.

If it becomes necessary to purchase the land, the Government should furnish the funds to make the payments and should accept any reimbursements that might come from the resale or the rentals of the land. The States should assume all legal responsibilities. The laws of the States should be so constituted that the minimum purchase price for the land would be accomplished on a basis of the tax valuation of the land. The maintenance and control of the flood ways should be in the hands of the United States Government, but under some conditions it might be equitable to divide the expense between the State and Government.

SURVEY OF UPPER RIVERS NECESSARY

On all of the upper rivers running into the Mississippi River, a complete survey should be made and the commission should take charge of these rivers up to a point reached by the flood of 1927. They should have the same jurisdiction over these rivers as they have over the Mississippi River and should be compelled to control the floods on these rivers. It should be done at the same time and under the same management as that of the Mississippi River.

Flood ways, spillways, levees, and reservoirs seem to be the principal methods for flood control. There is no doubt but what flood ways and spillways will nearest meet the requirements. The engineers so far have selected three or four places for flood ways and spillways. But this is a proposition that should be given plenty of time and consideration, because it involves a heavy expense, a long period of construction, destruction of much property, and it should not be attempted until it has been thoroughly investigated by the proper engineering force.

Reservoirs may be of much service for flood control, but the question arises, Where would be the proper places to locate them? Some argue that they should be at the head of the rivers, while others say they should be near the mouth of the rivers. This is a project that should be given great deliberation, and the engineers should take their time in making a decision, as it will involve large expenditures with possible meager results.

REFORESTATION

Reforestation of the lands will be very helpful to flood control. It is a long-drawn-out process, more or less expensive, but there should be encouragement by the Government to reforestate much of the waste land. It will facilitate the raising of timber for the future and will in a measure be serviceable for flood control. When our great forests existed they were a wonderful help in that direction. Every leaf was a reservoir in itself. A heavy blanket of leaves over the land absorbed tremendous amounts of water; timberlands held the water many weeks while cleared lands allow the water to rush immediately into the rivers. And so reforestation would be of great service to flood control and should have a reasonable amount of consideration.

It is only about once in 5 or 10 years that we have these tremendous floods. We might have one in another year, and still we might run for 10 years without such a flood as we had in 1927.

LANDS IN FLOOD WAYS SHOULD BE CULTIVATED

The lowlands that are to be used for flood ways and spillways should be cultivated and operated just as they are at the present time. In fact, I can see no more danger of operating them after they are put into flood ways than the danger that exists now, because if you would have a flood the same as the 1927 flood, it would overflow this land anyway. After you have made this land into flood ways, then, of course, the water in flood time would go down through the flood ways and overflow it but would soon run off, so there could be very little difference except in the matter of control.

My suggestion is that on all of these properties mounds should be built either by pumping the sand out of the rivers or using the soil to build the mounds. On these mounds the houses and barns should be built, and corrals for the stock should be put upon them. And in cases of emergency, where the flood ways

are used, then the people having protected themselves on top of the mounds would be safe from destruction. After the water had passed down they could return to the lowlands again for their farming. Their losses would only be the amount of crops that might be destroyed and the expense of putting the farms back into cultivation.

REVETMENT

Further revetment of the Mississippi and Missouri River banks and all tributaries should be adopted as a fixed policy where it is required.

This is a bold statement, but I am convinced that if flood control is to be a success you must control the banks of at least these two rivers. Cement makes the best revetment. Stone can be used, but they are simplifying the cement revetment now so that it is about as cheap as any of the other kind.

I am reliably informed that wherever these banks have been revetted they have stood up and the results have been satisfactory. The river will do its own dredging. The banks will hold, and they will be serviceable not only for flood control but for navigation. This in itself is going to be an expensive job, because there is 2,120 miles of river bank on both sides of the Mississippi River from Cairo to the Passes, and it should be revetted nearly all the way down. Twenty years may be required for this job. Therefore the acute places should be revetted first.

If an operation is necessary on the human body to save the life, then you should have the operation, and in my judgment revetment is just as applicable to the rivers.

FLOOD-CONTROL LEGISLATION SHOULD AID NAVIGATION

The Rivers and Harbors Committee and the Flood Control Committee of the House should have joint relation in this legislation.

It is important in legislating for flood control not to destroy navigation. If flood control were the only problem in the minds of the committee, a condition might develop where navigation would be destroyed. For instance, flood ways might be built that would take the water out of the tributaries or the Mississippi River so that in low-water time there would not be enough water in the main channel for navigation purposes. It would seem to me that the two committees should have some joint relation, so that in passing bills for the purpose of flood control or rivers and harbors the same money could be utilized for both purposes and flood control and navigation both would be accomplished.

If the river is properly revetted for flood control it will act harmoniously for navigation purposes. The river and harbor bills could be drawn with an understanding that the revetments could be used for both flood control and navigation.

The Congress of the United States should give this joint committee arrangement careful and deliberate consideration.

On flood control a compelling bill should be passed, so that at the next session, after the engineers have had ample time to make a report, with a constructive plan for control of the Mississippi and all its tributaries, the proper legislation and appropriations should be passed to carry out the requirements.

MISSISSIPPI RIVER COMMISSION

The Mississippi River Commission, composed of three Government engineers, one official from the Bureau of Coast and Geodetic Survey, two civil engineers, and one eminent citizen, has been in existence for 49 years. It would be a mistake to discontinue or change this agency except it might be more serviceable if it were under the supervision of the Chief of Engineers. There has been criticism of the Mississippi River Commission, yet it must be remembered that they have had limited means during all of these years to accomplish any great amount of flood control, and especially a flood control to compete with the terrible flood of 1927.

However, the information that they have gathered during these years—the maps, records, observation, surveys, gauge readings, and general knowledge—at the present time is a very valuable asset. I believe that it would be better to continue this commission without change.

It would be my suggestion that the salaries of the commission be raised to a sum commensurate with a good living wage for employment of this character, the members of the commission, including the Government engineers, to be appointed for a term of eight years. The officers of the commission should be selected either by a vote of the commission or be appointed by the President of the United States, and it should be understood that these officers are to give their entire time to channel improvement and flood-control development and shall remain in their position for a period of eight years.

It should be understood among the Government engineers if there is a difference in the rank of the engineers, that regardless of that each should have a free opinion to express his views

on the work to be done. I regard this highly important for such a tremendous task as will be before the commission.

The reason given for the eight-year period can best be explained by what has recently occurred on the commission. Capt. Willis Teale, who one year ago was appointed secretary of the Mississippi River Commission and proved to be a competent secretary, without notice was ordered to the Philippine Islands. But, I understand, the order is temporarily revoked. It is easy to see that if the War Department officials are given the privilege of transferring members of the commission at their will, then there never can be any good come by Government engineers being on this commission, because it stands to reason that continued study and experience will be of great service to the men serving in this capacity.

Making this commission permanent and with adequate salaries to its members so that they may give their entire time to the work and be kept steadily employed will in the long run be money well spent by the Government. This commission should have a definite policy laid out by Congress and they should at each session of Congress make a report as to their program. In doing this a comprehensive plan for flood control will be accomplished.

The Flood Control Committee has held exhaustive hearings on flood control and should be complimented upon the work they have done. Congressman FRANK R. REID, who is chairman of the committee, has given all of his time for the past year to this subject and should receive the commendation of the Congress. [Applause.]

My colleagues, the Government of the United States has made history in passing bills requiring large appropriations. I am confident that the greatest service that Congress can render the people of this Nation will be to pass a bill for flood control of the Mississippi River and its tributaries. It would be useless to pass a bill and an appropriation with less money than enough to make the flood control a success.

I do not believe any one at the present time could state the amount. It might be a billion dollars and it might be more or less, but whatever it is, let us do the emergency work in the South now and immediately secure the information necessary to enlighten this House so that when we do vote for a complete flood control bill for this great river and its tributaries, we will vote for one that will do the work.

The people that live along these rivers' are continually in danger, and are entitled to the consideration of the whole of the United States. The Mississippi Valley is the bread basket of the Nation, and supplies the East, West, North, and South with food supplies.

THE FARMER MUST BE PROTECTED

The farmer who tills the soil in this fertile valley is entitled to protection. It can be given in no other way than through national flood legislation, and I trust that we will act consistently on this legislation, and at the same time consider it sanely, because it would be a sin to make a makeshift to save a few paltry dollars on flood control. The poor people of the South are deserving of recognition by the Nation because their entire life has been spent in that section and they have had to undergo many hardships, but, on the other hand, the people of the North, along these other tributaries, have suffered far worse financially per acre than they have in the South, and they are entitled to the same consideration. I hope that at the conclusion of this speech the Members who have heard me realize that I am trying to impart to them in my own way the true condition along these rivers and the remedy as suggested that may bring forth the future prosperity of the valley, of the people, and of the Nation. [Applause.]

Mr. RAGON. Will the gentleman yield?

Mr. WILLIAM E. HULL. Yes.

Mr. RAGON. I am interested in asking this question because the gentleman has made a very exhaustive statement in a very brief time. I understand the gentleman's position to be, that he feels there should be on the part of the State or the landowners along the Mississippi and its tributaries a contribution of 20 per cent toward construction.

Mr. WILLIAM E. HULL. No; that is not my plan. My plan is to let the law stand as it is, one-third and two-thirds. If the land that is going to be benefited by these levees that are to be built by the Government has any indebtedness against it, has liens on it, or is not able to pay, then let the Government take a 25-year bond, subject to the liens, but at a very low rate of interest. If the land becomes valuable later on, in 25 years it can well afford to pay the one-third. If it did not, then the Government would have to absorb it because it held the bonds.

Mr. RAGON. With reference to the rights of way for these spillways and levees, is it the gentleman's thought that the local unit or the landowners should pay for them?

Mr. WILLIAM E. HULL. No, sir; I did not say that. It is just the opposite. You take Louisiana, which gets most of the flood ways. I know that the people in that State have not the money with which to pay, so I think the State should make arrangements whereby the Government can purchase the flood ways on the basis of tax valuation. In other words, they have got to make their laws so you can go through with the flood ways, and then the Government furnishes the money to pay for them. Then, after a while, it may be possible to resell those lands.

To illustrate, if they are bought at \$17 an acre, these flood ways, if they are properly arranged, will make the land more valuable; that is, the land will be better after the flood ways are put in than they are without them. Consequently those lands can be sold, maybe, for half price; and if so, the money received for them would go back into the Treasury of the United States, because it had furnished the original money. If easements were taken the Government would have to assume the easements, and if rentals were charged for any of the lands then, of course, the Government would be entitled to the rentals. But in all cases the State should be responsible for the legality of the proposition and should not hold the Government for any damages in the future.

Mr. RAGON. In other words, the gentleman thinks the primary financial responsibility for the purchase of these rights of way should fall on the States?

Mr. WILLIAM E. HULL. No; I said the money should be furnished by the Government to purchase these rights of way, but I said the arrangements for buying the land should be made by the State.

Mr. RAGON. Does the gentleman mean that the money would be given by the Government or advanced as a loan?

Mr. WILLIAM E. HULL. It would be given outright by the Government. The lands would be purchased by the Government, and if the lands were resold the money would go back into the Treasury of the United States.

Mr. RAGON. Now, as to the incidental damages that might grow out of the construction—

Mr. WILLIAM E. HULL. The State ought to stand that. I do not think the Government ought to be held for such damages.

Mr. RAGON. Then, as to this 33 per cent contribution which we have now, the gentleman would suggest, as I get it from his remarks, that the Government should advance the money for that purpose, if necessary, as a loan.

Mr. WILLIAM E. HULL. Yes.

Mr. O'CONNOR of Louisiana and Mr. CHALMERS rose.

Mr. WILLIAM E. HULL. I yield first to the gentleman from Louisiana.

Mr. O'CONNOR of Louisiana. Do I understand it is your idea that the Government would sell the lands within the flood ways after a certain number of years?

Mr. WILLIAM E. HULL. I can see no objection to selling it back to the same farmers you buy it from and let them farm it.

Mr. O'CONNOR of Louisiana. It would then cease to be a flood way.

Mr. WILLIAM E. HULL. No; you would have to sell it with a provision that it would still be used as a flood way.

Mr. CHALMERS. I understand the gentleman has given most of his attention to the financial plans and not so much attention to cause and effect, and I would like to ask the gentleman, if it would not embarrass him in any way, if he has thought out a way whereby we can save part of the flood tide in the Mississippi River and its tributaries during a season by cutting off the water from the Great Lakes.

Mr. WILLIAM E. HULL. That would not amount to anything, because the water of the Great Lakes only raised the Illinois River 3 inches. So it would not be worth while to do that.

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

Mr. CHALMERS. I would like to follow that question up.

Mr. BARBOUR. Mr. Chairman, I yield the gentleman from Illinois five additional minutes.

Mr. BLANTON. Will the gentleman yield?

Mr. WILLIAM E. HULL. I will yield first to the gentleman from Texas [Mr. BLANTON] and then to the gentleman from Ohio [Mr. CHALMERS].

Mr. BLANTON. The gentleman, seemingly, has been designated by the majority side to open this 10 hours' debate on this \$389,199,869 Army bill, and I am wondering if the gentleman is speaking for the administration on this very important subject of "flood control."

Mr. WILLIAM E. HULL. I am speaking from my own observations and expressing my own judgment, and nothing else.

Mr. BLANTON. At the request of the administration?

Mr. WILLIAM E. HULL. No; not at the request of the administration.

Mr. CHALMERS. Will the gentleman yield?

Mr. WILLIAM E. HULL. All right; I yield for one more question.

Mr. CHALMERS. I read in the answer to the case of Wisconsin and Michigan that the water drained from Lake Michigan at Chicago raises the level of the Mississippi River at St. Louis between 2 and 3 feet.

Mr. WILLIAM E. HULL. That is not true.

Mr. CHALMERS. That statement was filed in that case.

Mr. WILLIAM E. HULL. I do not care about that, it is not true. When you have a flood of the proportions we have now at Havana, which is part way down the Illinois River, it raises the river 3 inches. At low-water mark you might raise it 2 or 3 feet, but that would not affect the floods.

Mr. RAMSEYER. I would like to ask the gentleman one question for information. Under the present arrangement whereby the Government pays two-thirds and the levee district one-third, if the levee district, under such arrangement, can not raise its one-third does that mean there is no work done there?

Mr. WILLIAM E. HULL. No; it means that they must give a bond running for 25 years.

Mr. RAMSEYER. No; I mean under the present arrangement?

Mr. WILLIAM E. HULL. Let me finish my statement. It means the Government would take a bond of 25 years for that proportion at a very low rate of interest and the work would then go on.

Mr. RAMSEYER. Then what is the difference between the present arrangement and the gentleman's plan?

Mr. WILLIAM E. HULL. Under the present arrangement they have to raise the money immediately.

Mr. RAMSEYER. The present arrangement is that the levee district must raise the money and if they do not raise the money there is no work done?

Mr. WILLIAM E. HULL. That is true, but my plan is to have the work done and let the Government take a bond for their portion.

Mr. RAMSEYER. I am just asking what the existing law is.

Mr. WILLIAM E. HULL. The existing law is as the gentleman has stated.

Mr. O'CONNOR of Louisiana. Is the gentleman under the impression that a flood way is for the protection of the people living within the flood way or those living outside of the flood way?

Mr. WILLIAM E. HULL. The flood ways are for the protection of the whole country by letting the water out.

Mr. O'CONNOR of Louisiana. And does not concern the people living there?

Mr. WILLIAM E. HULL. But if you do not use the flood ways for 10 years, why not farm them during that time?

Mr. RAGON. Will the gentleman yield again?

Mr. WILLIAM E. HULL. Yes.

Mr. RAGON. The gentleman made a statement a moment ago with reference to the importance of tributaries and the gentleman made the statement that the Arkansas River runs into the Red River. It does not, but runs directly into the Mississippi.

Mr. WILLIAM E. HULL. Yes; I did not mean to make that statement.

Mr. RAGON. I will give the gentleman one example of how important the tributaries are. Down the Arkansas River on April 20 there passed 815,000 cubic feet per second of water. In the White River, at the same time, there poured 450,000 cubic second-feet of water. In other words, from these two rivers that flow into the Mississippi at the same point, there were over 1,200,000 cubic feet per second of water that contributed to the flood down there, and I will say to the gentleman that Arkansas, perhaps, suffered more than any other State in the Union from the flood.

Mr. WILLIAM E. HULL. Not any more than Louisiana.

Mr. RAGON. Yes; I think we did.

Mr. WILLIAM E. HULL. I was down there, and I could not see anything but water there.

Mr. RAGON. You could not in Arkansas either; but I will say this much, in support of the gentleman's argument, that two-thirds of the damage done in Arkansas was done by the tributaries.

Mr. WILLIAM E. HULL. Yes; by the tributaries.

Mr. MANSFIELD. Will the gentleman yield?

Mr. WILLIAM E. HULL. Yes.

Mr. MANSFIELD. I want to get a little more clearly in the Record the effect of the diversion from Lake Michigan. The statement of the engineers before the Committee on Rivers and Harbors three years ago at the hearings showed that the effect of the 10,000 cubic second-feet of water raised the Mississippi at St. Louis at low stage only 1 foot.

Mr. WILLIAM E. HULL. Yes.

Mr. MANSFIELD. And at the mouth of the Illinois River 1.1 feet.

Mr. WILLIAM E. HULL. That is at low stage, and at high stage it would hardly raise it at all at St. Louis. [Applause.]

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

Mr. BARBOUR. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. FROTHINGHAM].

Mr. FROTHINGHAM. Mr. Chairman, I have introduced a joint resolution which provides that in the opinion of the Congress of the United States all nations of the world should unite in prohibiting the use of submarines and discontinuing the construction thereof in every country. That the Government of the United States continue to use efforts to bring about these results.

Ever since the World War I have been hoping that submarines might be banned by treaty between the United States and other nations.

While sitting on the Rules Committee during the consideration of a joint resolution authorizing the President to appoint a commission to investigate the accident to the *S-4*, it occurred to me that the Congress, in addition to the adoption of that resolution, should take a stand in favor of outlawing submarines. So I introduced a resolution to that effect, which was referred to the Committee on Foreign Affairs of this House, and I hope it will be acted on either in the form in which it was presented or in some other effective form. In other words, let us take a stand declaring our desire to do away with submarines as soon as other countries will agree to do so.

I am strongly in favor of keeping up our national defense, and always have been, but I do not believe in murder, either in time of war or in time of peace. [Applause.]

Efforts to outlaw the submarine were made at the Conference on the Limitation of Armament in 1921 and by the delegates of this country at a meeting in Europe several years ago. Whatever the opposition of some given nation may be at some given time, there may be good arguments and valid reasons for their changing. The interests and policies of nations are seldom constant fixtures.

The World War showed that submarines operating as commerce destroyers were committing cold-blooded murder.

The sinking of the *Lusitania* and the horrible sufferings connected therewith are still fresh in our minds. That was only one of a number of dreadful occurrences. Yet it probably was not intended to hit the *Lusitania* in such a vulnerable spot that she would sink almost immediately and without due time to put passengers in boats. But in a rough sea or for a long journey what protection do small lifeboats afford?

It is often impossible for a submarine to distinguish definitely whether a vessel is an enemy ship or not. Especially is this true if it is night and no lights are shown. The delicate submarine does not dare to expose itself or get dangerously near the object of attack. Moreover, even in daylight and in smooth seas it is impossible for the submarine to sink vessels without committing cold-blooded murder of the passengers and crews.

There is no need to enter here into the law of the sea relating to neutrals, belligerents, merchant ships, whether combatant or noncombatant, or the right of search and seizure, as I claim that a submarine will not and as a physical impossibility can not be used effectively against merchant ships except in an unlawful and brutal manner.

The laws of nations governing procedure in time of war which have been evolved so slowly from the days of barbarism have accomplished much but have failed to curb the brutality of this undersea craft that avoids a foe except when the opponents back is turned:

In the cankerous mind of the devil

There festered a fiendish scheme;

He called his cohorts around him

And designed the submarine.

• • • • •

The engine room when under way

Is a place of torture, for the brain,

With the two big Diesel engines

Roaring and shaking as though in pain.

The after battery is where we eat;
That is, when we roll the least;
While hanging on to keep our place
Like some prehensile beast.

We're bottled up, just like a trap,
With nothing in between
The sea and death but a metal cap
Like the lid on a soup tureen.

The claim that they would develop into commerce carriers in time of peace has proved elusive.

The cruel actions of submarines in time of war are written in history. The list of accidents in time of peace is a long one.

It is necessary to go back only a few years to realize their frequency and seriousness, and I do not include all accidents to our submarines, but only those which resulted in loss of life.

On July 30, 1919, the United States submarine *G-2*, while engaged in depth-charge experiments, sank, drowning three men.

On September 26, 1921, the submarine *R-6* sank in San Pedro Harbor and two men were drowned.

On October 29, 1923, the *O-5* and a steamer collided and three men on the submarine were lost.

On September 26, 1925, the *S-51* collided with the *City of Rome* off Block Island and 34 of the former's crew were lost.

On April 20, 1926, the submarine *S-49* suffered from an explosion in which 10 men were injured, three of whom subsequently died.

On December 17, 1927, the submarine *S-4* sank, due to a collision, and the 40 men on her were lost.

Tap, tap, tap—long will those sounds linger and haunt us.

Some of these accidents occurred because of collisions and some through mishaps to the delicate mechanism on submarines.

If we add the list of casualties in other countries the loss is many times more appalling. Foreign nations have had worse and quite as frequent accidents.

These are not necessarily due by any means to the fault of the Navy, for our Navy is composed of the finest, most intelligent, and patriotic of our citizens.

The disasters are due to the inherent delicacy of construction and the difficulties of maneuvering the vessels themselves.

I have cited enough casualties to show that submarines are death traps in time of peace. When submarines came into existence and for years afterwards the murderous lengths to which they could go was unforeseen. During the Spanish-American War I do not remember having seen any on either side in the waters around Cuba.

It does not seem that they were used to any great extent during the Japanese-Russian War.

In fact I do not think they came into general practical use until just after that war, and they do not seem to have been used in their full death-dealing capacity until many months after the outbreak of the World War.

Submarines, like poisoned gas, are a menace to noncombatants and to civilization. The use of both should be prohibited. When it comes to the practical side of approaching such prohibitions, however, the chances would be different, for while, manifestly, it would be difficult to detect the manufacture of poisoned gas the construction of a submarine and instruction of men in its use would be very difficult to conceal.

It has never been lawful to war on noncombatants, and I hope it never will be. It has never been lawful to fire on women and children and we must see that it never will be.

Making treaties to prohibit the use of submarines for such purposes would strengthen the international law, but we have seen how in the desperation of war treaties were broken during the last conflict. The only sure method of prevention is to prohibit construction and ban the use of the murderous submarine. [Applause.]

Mr. HARRISON. Mr. Chairman, I yield to the gentleman from Tennessee such time as he may desire.

Mr. GARRETT of Tennessee. Mr. Chairman, I had not expected to address the House or the Committee of the Whole on the subject of flood control until a later period in the session, but taking advantage of the interest elicited by the remarks of the gentleman from Illinois [Mr. WILLIAM E. HULL] I will avail myself of the opportunity of presenting some aspects of this matter at this time which, so far as I know, have not been brought to the attention of the House, although they have been brought to the attention of the Committee on Flood Control.

I do not agree entirely with the gentleman from Illinois, but at the present time I do not propose to argue the questions upon which I disagree beyond merely stating them.

The gentleman from Illinois, as I understand it, takes the Jadwin plan as the basis of his remarks. Do not misunderstand me. I do not understand him as indorsing the Jadwin plan entirely, but it is the basis upon which he builds the structure he would have us indorse.

Let me say that from the very beginning I have always said the physical features of flood control had to be determined by engineers. I do not know how to control flood water. I do know that you can not squeeze it, that it can not be compressed so as to occupy a smaller space than it is now occupying. And so it has been my disposition from the very beginning to follow what seems to be the best considered plans by the best engineering talent of the country, whether that talent was found in the ranks of the Army engineers or in civil life.

But the legal questions ought to be determined by Congress. The respective participation of the Federal Government and of the States or subdivisions of States is distinctly and emphatically a matter which ought to be determined by the Congress itself.

Therefore to my mind the Chief of Engineers and the Mississippi River Commission as well, in its plan, might very well have confined themselves to bringing before the Congress and its proper committees the physical features required in their recommendations for control and have omitted to dwell upon these questions of national and local participation, because that is a thing which we must determine. Yet both the engineers and the commission have laid much stress upon their belief that there should be a large amount of local participation.

Mr. Chairman, there are two important factors in this local participation. One of them seems to have escaped any very great consideration here, and that is the matter of rights of way, both for levees and for the flood ways. That question is not free from difficulty in its legal aspects in respect to just how far the Federal Government can go, and how far it ought to go in condemning rights of way upon which to construct the protective levees, if condemnation be essential. The other factor, of course, is that of the amount of money participation which should be required of the localities, if any.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. MADDEN. Of course, I am very much concerned about the final adjudication of this matter, as all citizens of the United States properly should be. The question that has been troubling my mind is whether a blanket bill, for example, taking in everything from the Atlantic to the Pacific, from Winnipeg to the Everglades, assuming every responsibility for every act of every community, every State, every county, should be given serious consideration in the question of flood control, or should we differentiate between the cases that have merits of their own? Should everything, irrespective of whether it has merit or not, be put into a blanket bill? That is the thing that bothers me. I wonder how the gentleman from Tennessee feels about that?

Mr. GARRETT of Tennessee. I have no hesitation whatever in saying to the gentleman from Illinois [Mr. MADDEN] how I do feel upon that matter. Of course, it has been anticipated by some from the very beginning that one of the difficulties attendant upon securing the passage of any legislation would be the desire to bring into it all sorts of schemes, plans, and theories that have been advanced from time to time over the years that might in some sort of way affect flood control. So far as I am concerned, I reiterate what I said in the beginning, that I recognize the physical features to require an intelligent engineering plan, and my disposition, I would say to the gentleman from Illinois, is very determined upon the proposition of following, so far as the physical features are concerned, the recommendations of what seems to be the best thought of the best engineers whose advice is available to us and eliminate what we might call the theories and, as I think, the very visionary proposals coming from other sources.

The gentleman from Illinois [Mr. WILLIAM E. HULL] advanced the thought that it would be the duty of the States to acquire in some way the flood-way territory, the lands over which the flood way is proposed by the engineers to be constructed. I do not believe that is tenable. I am sure that it is not tenable so far as the State of Tennessee is concerned, for reasons which I shall explain to you in a very few minutes. My opinion is that if we adopt the theory which I understood the gentleman from Illinois [Mr. WILLIAM E. HULL] first to assert—that this should be regarded as a national project, a national duty—that that duty will apply to rights of way as much as it will to construction. I have here a very poor map for my purposes, but perhaps it will aid us a little. It would be better if we had a map really for this purpose. The Jadwin

plan, as it has come to be known, really begins practically with Cairo, Ill. There exists now a levee from Bird Point, opposite Cairo, to New Madrid, Mo., a distance of about 70 miles. The Jadwin plan proposes to lower that levee a few feet, and then 5 miles west construct another and parallel levee, a very high and, of course, a very substantial levee, and the 5 miles of territory between the existing levee which is to be lowered and the new levee is to constitute a flood way when the water has reached a certain stage at Cairo. I will ask the gentleman from Illinois [Mr. DENISON] just what that stage is?

Mr. DENISON. As I remember General Jadwin's testimony, I think it is to go over at 55 feet.

Mr. GARRETT of Tennessee. It seems to me that is 53 feet, but I will not be sure. At any rate, when the water shall have reached a certain stage at Cairo, then the height of the present levee is to be regulated in such a way as that the water will begin to pour through this flood way, thus relieving the situation at the city of Cairo and presumably relieving the strip on the east bank of the river in the State of Kentucky, and just a little bit of it, perhaps, in the State of Tennessee, although very, very little, if any. The water passing through that flood way will be returned into the river at New Madrid, Mo., or near there. Then it is proposed from New Madrid south to Helena, or the mouth of the Arkansas, to increase the height of the levee on the west bank which is now in existence and rely upon that single levee for protection. The result of that will be to make a flood way of a part of my congressional district—that portion of it which borders on the Mississippi River. The whole effect of the floods of the Mississippi River in Tennessee are in the district that I represent. There are five counties from the Kentucky to the Mississippi line, north and south, across western Tennessee, the most southerly county being Shelby, in which the city of Memphis is located, and that county is in its entirety sufficiently high so that the floods do not materially affect it. The only danger to the city of Memphis lies in caving banks. It is not proposed in this plan to do anything in the State of Tennessee. There is just one levee there, known as the Reel Foot Levee, the major portion of which is in the State of Kentucky, and 4.6 miles of which, as I now remember the figures, are in the extreme northern part of Tennessee.

That protects a small area in a portion of one of the counties of my congressional district, and that is the only protection that we have; and it is not proposed to give us anything additional, but by the raising of the levee on the west bank to make us the flood way to carry the water, nearly all of which in a state of nature would flow on the west side and leave us untouched.

The CHAIRMAN. Fifteen minutes of the gentleman's 20 minutes has expired.

Mr. GARRETT of Tennessee. I will take that five minutes left.

Mr. DENISON. Mr. Chairman, will the gentleman yield there?

Mr. GARRETT of Tennessee. Yes.

Mr. DENISON. I read the testimony and the statement that the gentleman referred to—General Jadwin—but I do not believe that he intended to make that part of Tennessee a flood way.

Mr. GARRETT of Tennessee. He did not say that. Oh, no; he did not say that, but it is going to do it. He does not say anything about Tennessee at all.

Mr. DENISON. The gentleman then infers that from the fact that he failed to mention it?

Mr. GARRETT of Tennessee. No; I infer it because I know the water will go over there.

Mr. DENISON. I think General Jadwin intended that the levee should be improved on both sides of the river, and that is not going to make a flood way in the gentleman's district.

Mr. GARRETT of Tennessee. It is not naturally a flood way now. We would not care for the levees on that side except for the levees on the other side. Our side is naturally the high side of the river. Naturally there would be, at times, high water on that side, but the serious damage in Tennessee has been caused by the levees on the west side diverting the waters from their natural course on the side of the stream opposite to Tennessee.

Now, since this will in fact make a flood way of that part of Tennessee subject to damage, the State of Tennessee will have no interest in owning that territory; it is worth nothing to the State of Tennessee. It is the National Government that aided heretofore in doing the things that have damaged us. It is the National Government which is to put up at least a large proportion of the money to do the construction which is to damage us in the future, and I feel that any plan which is brought in must make provision whereby the National Govern-

ment in some way will recompense these owners who will be damaged by the direct acts of the Government itself. But the State will not have any interest in buying it.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. MADDEN. All of this discussion shows, of course, that this question ought not to be settled without due deliberation. I fear there is a disposition on the part of many to jump to conclusions without knowing much about the plan. I think perhaps that will turn out to be the case in the final solution of the problem.

Mr. GARRETT of Tennessee. I agree with the gentleman that this is a case that requires great deliberation, and I presume the gentleman does not mean to intimate that that deliberation can not be had at this session. I think we should have action at this session.

Mr. MADDEN. I simply think conclusions ought not to be jumped at.

Mr. QUIN. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. QUIN. There are localities in Mississippi where the same conditions obtain as in Tennessee.

Mr. GARRETT of Tennessee. Yes. In 1912 there was secured through the efforts of some of us a survey of these basins, so-called, with a view to obtaining a statement from the Mississippi River Commission as to whether it would be feasible and justifiable, both from the physical and the economic standpoint, to build levees for the protection of these narrow basins in Tennessee and Mississippi. That report will be found embodied in the hearings before the Committee on Flood Control at the present session of Congress. The report is practically exhausted now as a public document, and was inserted in the recent hearings. It was found that it would be feasible to levee parts of these basins, but all of that has now been abandoned, so far as the Jadwin plan and so far as the Mississippi River Commission plan is concerned.

Mr. DENISON. Mr. Chairman, will the gentleman yield again?

Mr. GARRETT of Tennessee. Yes.

Mr. DENISON. Has the commission outlined a plan that would be feasible and practicable to do that?

Mr. GARRETT of Tennessee. They found that it would be feasible to protect a part of the area, part of three counties. Part of it is so narrow that they reported that the cost of the construction of the levee in its relation to the value of the land on account of the restricted area would be such as would not justify it. But if it is not feasible and practicable to protect by levee, then, since the Government is doing us the damage on account of its construction on the other side, we must have some sort of compensation, and in any conclusion that is brought in here, whether based on the Jadwin plan or the commission plan or the plan of Mr. HULL, whatever plan may be adopted, some provision must be made to pay us damages, and that payment must come from the Federal Government, because the State has no interest whatever in it. It is not proposed to protect an additional inch of Tennessee.

Mr. DENISON. So far as I am concerned, I think the land in Tennessee should be given exactly the same protection as the land across the river, and if it can be done by levees, that should be done; if it can not be done and the flood-protection policy approved by Congress should cause additional damages to Tennessee, it ought to be paid for by the Government.

Mr. GARRETT of Tennessee. I thank the gentleman. I can not but feel that the entire House will recognize the justice of that proposition.

Mr. RAMSEYER. Mr. Chairman, will the gentleman yield there?

Mr. GARRETT of Tennessee. Yes.

Mr. RAMSEYER. Can the gentleman give us the area in Tennessee that was to be protected from flood by this proposed plan in 1912?

Mr. GARRETT of Tennessee. I can give it exactly from the report of 1912. The commission in making that survey divided that area extending from the Kentucky line down to the Mississippi line into three basins. The upper basin, extending from Tiptonville, in Lake County, to the mouth of the Obion River, comprises 220,030 acres, including sand bars and the like. It was said that the backwater, like that in the year 1912, would cover 102,900 acres. The flood of last year did in fact cover all of that and much more.

The area lying between the levee and the hills that would be wholly or partially protected—this is in the first basin—amounts to 193,001 acres. The second basin, extending from the mouth of the Obion River to the mouth of Cold Creek, contains 102,436 acres. That part of it they report it would

be impracticable to protect by a levee because of the expense. The third area is from Chickasaw Bluff No. 2 to Memphis, Tenn., a distance of 53 miles, which has an average width of about 1½ miles and contains a total of 51,232 acres.

Now, Mr. Chairman, I am not going to detain the House longer at this time about this matter, but I did think, particularly in view of the very strong grounds taken by the gentleman from Illinois [Mr. WILLIAM E. HULL] upon the duty of the State to furnish rights of way even for the flood ways, that I wanted to bring your attention to this problem. Gentlemen must see at a glance that it means nothing to the State of Tennessee to furnish those rights of way, because it gets no benefits whatever. So that is just one of the difficulties that is going to be in the way of having the States furnish these rights of way. Gentlemen should bear this in mind: The States, as States, have never participated in the construction of these levees. Whatever money has been furnished under these local participation plans has been furnished solely by the taxing districts or the levee districts that have been created under the laws of the States, but the States as a whole have never taxed themselves to contribute any of the funds.

The CHAIRMAN (Mr. FULLOW). The time of the gentleman from Tennessee has expired.

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

Mr. RAGON. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. RAGON. I did not understand the gentleman from Illinois [Mr. WILLIAM E. HULL] to say that he expects the States to pay for these rights of way. I understood him to say he expected the States, as an agency, to make arrangements for the purchase of these rights of way, but that the National Government would pay for them.

Mr. GARRETT of Tennessee. I may have misunderstood the gentleman upon that score, and I trust I did.

Mr. RAGON. I think that is the view he intended to convey. I was wondering whether there could be any objection to a plan whereby the only part the State would play would be as an instrumentality of purchase, and I think the gentleman's purpose was to eliminate gouging on the part of local landowners and things like that.

Mr. GARRETT of Tennessee. So far as I am concerned there could be no objection to that sort of a proposition, but that is elsewhere than in Tennessee. Tennessee can not be expected to pay for land which is being rendered worthless in order to protect people in other States.

Mr. DENISON. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. DENISON. May I state that the proposal of my colleague from Illinois [Mr. WILLIAM E. HULL] was that the respective States, on account of legal or constitutional objections, could act as agent for the Federal Government in acquiring the necessary rights of way and then be reimbursed by the National Government.

Mr. GARRETT of Tennessee. And the National Government to pay for them?

Mr. DENISON. Yes; the States to be reimbursed by the National Government.

Mr. GARRETT of Tennessee. Perhaps that plan is not subject to the objections I might otherwise urge, but so far as my own State is concerned, where there is not to be a dime's worth of benefit, but only damage, I doubt whether we can hardly be expected to act as agent for the purchase of property. That is a question which will have to be worked out by the committee, but the point is we must have some relief.

Mr. DENISON. I think the theory of my colleague was that where this land is to be acquired for flood ways the States themselves, for various reasons, could deal better and more justly with their own citizens and obtain the lands on more equitable terms, perhaps, than the Federal Government could.

Mr. GARRETT of Tennessee. And then let the Federal Government reimburse the States?

Mr. DENISON. Yes.

Mr. GARRETT of Tennessee. As I say, that might be a good plan as to some of the States. I have sought in my talk merely to emphasize the importance of protecting the equities of Tennessee property owners in the flood region, and I will not detain the House longer but yield back the remainder of my time. [Applause.]

Mr. HARRISON. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. WILSON].

Mr. WILSON of Mississippi. Mr. Chairman, an article appeared in the Sunday, January 22, edition of the Washington Star that I desire to read at this time:

Mississippi: Smith is gaining ground and the prospects now are that while the delegation is likely to vote for some one else on the early ballots, it will be willing to accept Smith in the end.

There is not enough truth in that statement to make a decent lie. The people of Mississippi are not for Governor Smith for the nomination for President. Why do some of these newspapers persist in trying to leave a false impression about the matter? The delegation that goes to the convention at Houston to represent the democracy of my State will, in my judgment, stand against the nomination of Governor Smith even as Pétain stood against the German hordes at Verdun. They will have written in their democratic hearts and across Mississippi's democratic banner the immortal words: "He shall not pass." [Applause.]

I do not question the right of any Democrat to lend his support to the candidacy of Governor Smith, but I reserve to myself the same right that I give to all others; that is, to support the candidacy of a man whose nomination will inure to the benefit of my country—and you will notice that I put my country first—and my party; and the man who denies to me this right is neither a good Democrat nor a good citizen.

I, together with almost countless thousands of my fellow citizens in Mississippi, am against Governor Smith's nomination for the Presidency, and I do not intend to sit in Washington idly and supinely by and permit these newspaper reports to give a false impression to the people of my country.

Any newspaper that says that the Mississippi delegation to the Democratic Convention will vote for the nomination of Governor Smith of New York is either ignorant of the truth or deliberately misrepresents the situation. [Applause.]

Mr. BARBOUR. Mr. Chairman, I yield five minutes to the gentleman from South Dakota [Mr. WILLIAMSON].

THE PRESIDENT'S SOJOURN IN SOUTH DAKOTA

Mr. WILLIAMSON. Mr. Chairman, due to the President's making his home in my State last summer, South Dakota, and particularly that part of my district known as the Black Hills, became a household word in every home in the United States. His coming resulted in the beauty of that splendid scenic region being written up in scores of magazines of national circulation and in innumerable feature articles in periodicals and newspapers.

While in South Dakota the President was the guest of the State. He had his home in the picturesque and commodious State Game Lodge, situated in Custer State Park. This park is the largest State park in the United States and, from the standpoint of beauty and scenic grandeur, ranks with the best of our national playgrounds. Not only has nature lavished upon it all that is beautiful and sublime in mountain, forest, and glen, but it is filled with an abundant wild life in its natural habitat, which roams unafraid in its mountain fastnesses and upon the wide stretches of meadow and prairie. Its numerous sparkling streams abound with trout that are the joy of the angler.

In honor and appreciation of the sojourn of the President and Mrs. Coolidge in the Black Hills, the State legislature rechristened Lookout Mountain, one of our loftiest scenic points, "Mount Coolidge." The first lady was not forgotten, and the delightful mountain stream that perpetually murmurs by the lodge was renamed "Grace Coolidge Creek."

In the early hours of morning, rain or shine, the President could be seen striking down this stream with reel and rod. It was seldom that it failed to yield him some of its finny denizens. Occasionally he would seek the wildest haunts on horseback or attend some public function. Some of these functions were as wild and striking as only a genuine western rodeo can be. To the President these must have been new; but his stoicism and dignity did not often permit him to become demonstrative. That he enjoyed them is best attested by his invariably remaining to the end of the program. The first lady, however, never failed in her smiling, waving, and occasionally shouting appreciation. The great crowds respected and admired the President, but their love and praise of Mrs. Coolidge were unbounded.

It was on one of these occasions that the President, with solemn and colorful ceremony, became a member of the Ogallala Tribe of the Sioux and was christened "Chief Leading Eagle." I predict that the headdress of eagle feathers with which he was then decorated will be one of his most cherished trophies of the West.

While with us the President attended a farm picnic at which there were gathered 10,000 people and ate ear corn with the rest and in the fashion of his boyhood days in Vermont. He was obliged to help himself in true western fashion. It was observed that he was equal to the occasion. He also attended the county fair of Butte County, and visited our big irrigation

project, where he was inducted into the "Order of Irrigators" and presented with the emblem of the order, in his case a ditch shovel, in miniature, of solid native Black Hills gold. He had not been advised in advance of this ceremony, and it surprised him into making a very apropos extemporaneous speech—a jewel so rare with the President that it is worth noting. Everybody knew that his prepared speeches were classics, but we had almost come to think that he could not talk "offhand" in public. Before the day was over he again demonstrated his ability to talk when he chose, in an exceedingly felicitous speech at the fair grounds. This, too, was entirely unpremeditated and in reply to a welcome and presentation speech from a farmer.

By all odds, the most colorful and picturesque gathering that he attended while in the State was a great conclave of 10,000 Indians at the Pine Ridge Indian Reservation on August 17, 1927. Without doubt it was the greatest gathering of Indians that has taken place in the United States in recent years. This celebrated event was organized and managed by Hon. Charles H. Burke, Commissioner of Indian Affairs, in person. As my colleagues know, Mr. Burke represented South Dakota in this body for 14 years, during 6 years of which he was chairman of the Committee on Indian Affairs. It is said by those who are in the best position to know that he knows more about Indians and their affairs than any other man in the United States. Be that as it may, the show at Pine Ridge was extremely well staged. The Indians were out in all their finery and paint. The pageants, marches, and dances were carried out with military precision and dignity. These over, the entire body of Indians suddenly surged forward as if to make an attack, but as suddenly stopped in front of the grand stand. It was an impressive spectacle that met the President's eyes when he rose to speak. Ten thousand bronzed faces were lifted in greeting and expectancy, and the attention of the crowd did not flag until the President's address was completed.

The speech itself shows knowledge and a fine appreciation of the Indian problem and that it may be available to the country, Mr. Chairman, I should like to ask the unanimous consent of the House to extend my remarks and as a part of such extension to include therein the address made by the President of the United States. It covers only about two typewritten pages and will not encumber the RECORD.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The address of Calvin Coolidge is as follows:

This is the first opportunity that has come to a President to speak especially to the Indians of American since the enactment of that epoch-making law which brought them all into a new relationship to the State and Federal Governments. It was with satisfaction that I approved that law generally known as the Indian citizenship act of June 2, 1924. This made all native-born American Indians citizens of the United States. It symbolized the consummation of what for many years has been the purpose of the Federal Government—to merge the Indians into the general citizenry and body politic of the Nation. It is true that prior to the enactment of this legislation nearly two-thirds of the Indians had become citizens through the several ways provided by law, but that does not detract from the real significance of the Indian citizenship act.

In 1871 Congress adopted a new policy in dealing with Indians and took what might be called the first step toward individualizing them, with a view of ultimately making them citizens. On March 3 of that year an act was approved which provided in part "that hereafter no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or bureau, with whom the United States may contract by treaty."

The next forward step in this progress contemplating complete citizenship was the general allotment act, known as the Dawes Act, of February 8, 1887, which individualized Indian land ownership by authorizing allotments in severalty of the tribal lands to the members of the tribes. As a result of this and subsequent acts something more than 206,090 Indians have received allotments.

The result of this legislation has brought about a decided change in the administration of Indian affairs. The Government suddenly began to deal with Indians as individual men and women; the personal equation at once assumed its proper importance in the so-called Indian problem.

Candor compels the admission that prior to 1887 the Federal Government had not given much attention to what might be called the social-service activities in the administration of Indian affairs. The first boarding school provided for the education of Indian pupils was established at Carlisle, Pa., about 1879, but following the general allotment act almost immediately the Government began building many schools, ranging from the little rural day schools to the large reserva-

tion and nonreservation boarding schools, and education became a most important part of the Government's activities in the Indian neighborhoods. I am told that only a comparatively few years ago it was difficult to induce Indian parents to send their children to school, but that to-day the reverse is the rule and fathers and mothers of our Indian youth have come to realize the value of an education and the need of schooling for their children.

The Indian problem which has been a fruitful subject of controversy for many years began with the first meetings of the Caucasian and Red races. The obvious result of this conflict was armed hostilities between the races which began in the early days of the settlement of this country and ended within a short distance of this spot, for the battle of Wounded Knee, which occurred on this reservation in 1890, was the last event of enough importance to be listed by the War Department as an Indian campaign. Peace and understanding cooperation now reign everywhere. The Indian problem on its face appears to be one simply of effective social service, practical philanthropy, and education. As a matter of fact, it is a many-sided question, complicated by puzzling complexities. There are over 200 tribes and bands in the United States, each with its own name, tongue, history, traditions, code of ethics and customs, which have the effect of law with Indian tribes. It is a curious fact that most people in this country seem to believe that the Indians are a homogeneous people and can be dealt with as a unified race or nation. The exact contrary is the outstanding fact which has made the Indian problem a most difficult one.

To-day we find that the Indian people, recently primitive, not so very far from the hunter stage, are surrounded by twentieth century conditions which are alien to their racial characteristics, their tribal ways, and states of mind. While thousands of them have succeeded in adjusting themselves to the new order of things, a great portion of them, mostly the older ones, still cling to the old ways, stoically refusing to go further along the modern road. They wish to live and die according to the old traditional ways of the Indians, and they should be permitted to do so.

Many Indians are still in a primitive state, although strongly influenced by white contacts, and thousands are as civilized as their neighbors. On one hand, we find a considerable proportion are so little advanced that they can speak but few English words, while on the other hand we find tens of thousands who speak, read, and write the English language, and a large percentage of this class have had a grammar school education and many are graduates of high schools, colleges, and universities. A substantial number of Indians have attained high places in business, the learned professions, in the arts and sciences, and in politics.

Within recent years agriculture and stock raising have been gaining ground in the economic progress of the Indian people; but many of them are still unable at this time to take their places in the world as self-supporting farmers, mechanics, manufacturers, and skilled laborers.

There are some 370 treaties which have been made with the Indian tribes, many of which are still in effect. There are over 2,000 specific acts of Congress concerning Indians, besides a large number of State laws, court decisions, and departmental rules and regulations. All of this mass of legislation, decisions, rules, and regulations is complicated by the intrusion of the Indian's own tribal laws and customs and ways of doing things. The result oftentimes has been confusion, much trouble, and in too many cases injustice to the Indians.

These few citations should be sufficient to indicate the manifold complexities of the Nation's Indian problem and to convey the suggestion that its practical solution can not be effected by appeals to sentimentality, by loose talk, by ill-considered legislation, by hysterical campaigns, or by the insistence of those in charge of the administration of Indian affairs that their policies and methods are always the only right ones.

For the purpose of working out the Indian problem, Congress, on March 11, 1824, established the Indian Bureau, and under an act in 1832 created the office of Commissioner of Indian Affairs. Since 1849 it has been under the Department of the Interior. The Secretary of the Interior supervises it, and much that the commissioner does is subject to his approval.

Since the enactment of the general allotment law and the establishment of schools for Indian education there has been remarkable progress made in their advancement and development, and they are being trained and encouraged to become self-supporting, much is being done to provide proper care for the afflicted, hospitals have been established, more physicians and nurses employed, and much effort made to encourage them to live in better homes and observe the regulations that are necessary in the home to prevent disease.

Due to the discovery of minerals, and especially oil, many individual Indians have suddenly become wealthy, which adds to the responsibility of the department in having to safeguard their property and to protect them against an unscrupulous class who seek to impose upon them and to defraud them.

Changed conditions, the breaking up of reservations by allotting lands to individuals, and the sale of the surplus lands to settlers has produced a situation in many of the States having an Indian population

that makes it one in which such States have a deep interest. There should, therefore, be close cooperation between the States and the Federal Government in the general care, education, health, and welfare of the Indians.

I realize that much of the progress that has been made by the Indians is due to the sacrifices of the early missionaries, and that the missionaries of to-day are important factors contributing much to their education and moral advancement, making it more possible for the Government to carry out the policy of making them all respected and self-supporting citizens.

More than 10,000 Indian young men served in the Army and 2,000 in the Navy during the World War, most of them by voluntary enlistment, and they proved to be courageous and rendered distinguished service. Among the many tribes who contributed to those who served in the World War, the Dakotas furnished their full share, and several made the supreme sacrifice. Others were recognized by being awarded the Croix de Guerre, or in some other direct way. In recognition of the service rendered by the Indians during the World War, I caused to be issued and signed certificates of honor, which were presented to the Indians of the several tribes.

Those of us who were present on the occasion of the burial of the Unknown Soldier in the National Cemetery across the river from Washington will not soon forget the closing act of the ceremony. A group of old Indian warriors, some of whom were Sioux, arranged themselves around the tomb, while one, acting for the whole Indian people, laid upon the bier his war bonnet. This was not an idle gesture; it symbolized the outstanding fact that the red men and their neighbors had been brought together as one people and that never again would there be hostility between the two races. As one of those old warriors said, "Who knows but that this Unknown Soldier was an Indian boy."

Mr. HARRISON. Mr. Chairman, I yield five minutes to the gentleman from Florida [Mr. GREEN]. [Applause.]

Mr. GREEN of Florida. Mr. Chairman and fellow members of the committee, January, 1928, which after to-day will be in past history, has seen a great many unusual things transpire for the good of our Nation and for the good of mankind in general. I do not believe any month during the past 50 years has seen as many things for the understanding of our people as have obtained during the past 30 days. These things will mean so much for the better understanding of mankind and for the fellowship and the cementing of the ties of humanity.

Early in this month America's great ambassador of peace and good will headed his plane toward the south and winged on for a few hours, and brought the great southern countries of Mexico and Central America closer and nearer in understanding to their guardian, the United States. A few days after this we find the President of the United States going southward through the land of Florida. And, by the way, an editorial comment in the Gainesville Daily Sun said that he smiled, which was unusual for him. It is as follows:

Saw a picture of President Coolidge as he was touring the city of Miami. He was smiling! Florida sunshine certainly will work wonders.

He smiled when he was in Florida, and many of the newspapers carried his picture with this radiant smile that Florida brought from him.

In Jacksonville, Fla., and in Miami, Fla., and in Key West the President of the United States was entertained by a great southern State. Proud was Florida to have this visit and proud was the Southland to have its President in its midst.

A few days after this—I believe on the 17th of January—the Chief of Staff of the United States Army, Gen. Charles P. Summerall, went to his old home down in Florida, and there was declaimed by the citizens of Florida as their great native son. He was given a saber in recognition of Florida's good will toward Florida's government, the United States Government, and the Chief of Staff of the Army.

I believe the next day, on the 18th of January, the Chief of Staff of the United States Army, unmindful and forgetting all about differences and strife existing some 60 years ago, was in Lake City, Fla., and participated in the unveiling of a monument to 103 valiant and gallant Confederate soldiers, who fought for the cause they loved.

During this same month we find the said Chief of Staff attending the celebration of the birthday of the South's hero and the world's greatest exponent of military achievements, Robert E. Lee.

My friends, the South is proud that Florida's native son, Gen. Charles P. Summerall, is Chief of Staff.

Another great achievement has transpired which causes us to realize that America is strong for the entire 48 of her States. The great Democratic convention on the 12th of January, for the first time in years and years, since the great conflict, was sent south of the Mason and Dixon line. Houston, Tex., claims

the next Democratic convention and a long precedent was thereby smashed. This was a great achievement for the fellowship of man in wiping out lines of dissension and bringing together the North and the South, the East and the West, when our own party, which is strong in the North and powerful in the South, sends its convention to Houston, a great Democratic city of the South.

Then, my friends, coincident with this achievement and great transpiration, we find the South offering at least two of her native sons to grace the White House for the next four years—HULL, of Tennessee, and GEORGE, of Georgia, and others who have received favorable comment throughout the United States as aspirants for the Presidency during the next term. And may I predict here, my friends, that in the course of the next few months you are going to hear the clarion call of Dixie sounding throughout 48 States, and you are liable to see ushered into the White House a Democratic native son of the Southland to redeem our nation from the scourge of a certain type of political individual who is prevalent in all parties in our land. [Applause.]

Mr. BARBOUR. Mr. Chairman, I yield 30 minutes to the gentleman from Wisconsin [Mr. BROWNE].

Mr. BROWNE. Mr. Chairman, I desire to speak on the bill I have introduced (H. R. 10142), and I ask that the Clerk read the bill in my time.

The CHAIRMAN. Without objection, the Clerk will read the bill in the gentleman's time.

The Clerk read as follows:

A bill (H. R. 10142) to create a special highway fund from the proceeds of the sale of surplus war material, highway equipment, and supplies to the Government of France

Be it enacted, etc., That the proceeds from the sale of surplus war material, highway equipment, and supplies to the Government of France amounting to \$407,341,145.01, for which amount the Government of France has issued bonds to the United States, bearing 5 per cent interest, of the denominations as follows, to wit: \$400,000,000 due August 1, 1929, \$6,566,762.42 due May 9, 1930, \$774,382.59 due July 5, 1930, is hereby authorized to be appropriated to the United States Department of Agriculture for the construction and improvement of rural post roads and bridges, as provided for in the Federal aid road act approved July 11, 1916, and acts amendatory thereto, and as hereinafter provided in this bill.

SEC. 2. That 90 per cent of said fund shall be apportioned by the Secretary of Agriculture to the highway departments of the several States as provided in the Federal aid road act of July 11, 1916, and acts amendatory thereto.

SEC. 3. The remaining 10 per cent of said fund shall be used by the Secretary of Agriculture as follows: One-half for roads within the national forests; one-half for boulevards within the regional area of the National Capital, as defined by the National Capital Park Planning Commission.

SEC. 4. The Secretary of Agriculture is hereby authorized to enter into cooperative agreement with the highway departments of the several States for the construction of highways with the funds appropriated in this act and is hereby exempt from the limitations imposed by the said Federal aid road act and amendments thereto, as to the cost per mile for constructing said highways, or as to the per cent of all Federal aid allotted to any State to be expended upon primary or interstate or State trunk highways and also as to the per cent of cost of such projects to be borne by the Federal Government. In no case shall any State be required to contribute more than 20 per cent of the cost of any highway constructed with moneys appropriated in this act, and no highway shall be so constructed except those included in the primary or interstate system, or State trunk highways, and all such highways shall be of durable, hard-surfaced type.

SEC. 5. This act is not intended to repeal any provision of the Federal aid road act unless such provision is in direct conflict therewith.

SEC. 6. If any provision of this act shall be held to be invalid such invalid provision shall not affect the validity of any other provision of this act which can be given effect.

SEC. 7. That this act shall take effect upon its passage.

Mr. BROWNE. Mr. Chairman, I arise to support the bill (H. R. 10142) to create a special highway fund from the proceeds of the sale of surplus war material, highway equipment, and supplies to the Government of France.

Ten years of Federal aid for roads has convinced the most skeptical of the public that the money appropriated by Congress for the improvement of our highways was thoroughly justified. I do not believe that any other appropriation for internal improvements has ever benefited so many of our people or has caused so much happiness as the appropriation for the improvement of our highways.

The question asked is not should the Federal Government continue to assist in building interstate roads, but why does it not give more assistance, and why did it not continue the good work of Federal aid for roads begun by Washington and Jefferson over 100 years ago.

The 23,000,000 owners of automobiles, which means practically every family in the United States, are urging that road building be hastened in order to keep pace with the increased traffic demands.

Automobile vehicles have increased from 1916, when Congress passed the Federal aid road act, from three and one-half million to over 23,000,000 and are valued to-day at the stupendous sum of \$14,000,000,000. These auto vehicles are almost 100 per cent perfect and are being operated upon highways which are not 25 per cent efficient.

It is estimated that the increased wear and tear on the 23,000,000 auto vehicles by reason of the imperfect roads over which they are being operated amounts annually to from six to seven hundred million dollars.

The question of whether the Federal Government is contributing its share to the building of interstate roads is also frequently asked. I desire to discuss this question and other questions related to it, and also the source from which we propose to get the money authorized to be appropriated in this bill.

MONEY RECEIVED FROM SALE OF SURPLUS WAR MATERIAL RIGHTFULLY BELONGS TO ROAD FUND

February 28, 1919, Congress passed a law directing the Secretary of War to transfer to the Secretary of Agriculture all war material, equipment, and supplies declared surplus, to be distributed among the States as a highway fund under the Federal aid act. At the close of the war the United States had surplus war supplies and road equipment in France estimated at fully \$2,000,000,000. Before the order for the return of the surplus war material, equipment, and supplies then in France had reached France negotiations had been made by our representatives in France for the sale of the property to France at approximately 20 cents on the dollar. As this surplus war material was sold the Government of France issued its bonds to the United States for the same as follows:

August 1, 1919, \$400,000,000, due August 1, 1929. On May 9, 1920, \$6,566,762.42. July 5, 1920, \$774,382.59, due July 5, 1930. These bonds aggregate \$407,341,145.01 and bear interest at the rate of 5 per cent per annum and are in the Treasury of the United States and payable semiannually. France is paying interest upon these bonds currently.

Congress by its action, February 28, 1919, had given the surplus war material to the Agricultural Department to be distributed among the States for the building of roads. These bonds therefore rightfully belong to the several States to aid them in the construction of their roads.

It is the intention of the Debt Settlement Commission to place these bonds with the indebtedness of France to the United States contracted prior to our going into the war, which aggregates considerably over \$3,000,000,000, and accept obligations extending over a period of 62 years, with no interest until 1930 and then 1 per cent interest until 1940 and 2 per cent from 1940 to 1950 and graduated until the same bears 3½ per cent interest.

I maintain that the indebtedness for war material sold to France for which she gave the United States bonds for \$407,000,000 has an entirely different status from the \$3,000,000,000 indebtedness which was loaned France during the period she was in war. I also maintain that the bonds issued for surplus war supplies rightfully belongs to the highway fund.

DOES THE FEDERAL GOVERNMENT PAY ITS SHARE TOWARD THE CONSTRUCTION OF ROADS?

It should be remembered that Federal aid is only given for a system of roads embracing 7 per cent of the total road mileage of any State, the remainder, or 93 per cent, of the roads have to be constructed and maintained by the States and the subdivisions of the State.

In order to obtain Federal aid for roads the States are required to raise a large amount of money, and the States in return have called upon the counties and smaller subdivisions of the State to contribute. In this way the States have raised a much larger amount of money than they have received from the Federal Government, besides being obliged to maintain roads which serve the entire Nation. This heavy tax burden upon the farmer has helped to make farming unprofitable. The farmer is the victim of excessive taxes. The farmer's taxes the last 10 years have increased over 30 per cent more than the taxes of the man living in the city or village. We believe as a matter of justice that the appropriation asked for in this bill should be distributed by the Secretary of Agriculture under the present Federal aid act and the States should not be required to pay to exceed 20 per cent of the cost of the roads

built with the moneys received from this fund. This bill provides that the money received shall be expended upon primary or interstate or State trunk highways and shall be durable roads.

Mr. TAYLOR of Tennessee. Will the gentleman yield?

Mr. BROWNE. I will.

Mr. TAYLOR of Tennessee. Does the gentleman think that this sum is any more of an obligation to pay than was the \$3,000,000,000 borrowed by France during the war?

Mr. BROWNE. I think they are both moral obligations. But France bought the surplus war material at a very low rate, sold a great deal of it, sent some to New Orleans and other cities, and sold it at a good profit, and therefore she has practically received the value of it in money which is in her hands to-day.

Mr. TAYLOR of Tennessee. Has the gentleman any idea that the French Government will pay the \$400,000,000 of these bonds?

Mr. BROWNE. I have no doubt about it. They carry 5 per cent interest and we can negotiate the bonds any time. They are perfectly good.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. BROWNE. I will.

Mr. ROBSION of Kentucky. If I understand the gentleman, his bill proposes to use the \$407,000,000 that we were to receive for the sale of surplus war materials sold France in 1919 to be paid in 10 years. What assurance has the gentleman that any part of that money will be paid or will be available for any purpose in this country?

Mr. BROWNE. The French Government has given its bonds, and the bonds are in the Treasury Department to-day bearing 5 per cent interest. They are negotiable. The French Government has paid the interest semi-annually when the interest has become due. They have never questioned them, and in fact have stated publicly that they expect to pay them. They differentiate between these bonds and the money we loaned them prior to going into the war.

Mr. ROBSION of Kentucky. What does the gentleman think of the ability of the French Government to pay this large sum of money in a little over a year?

Mr. BROWNE. I think perhaps it would be a hardship to pay that amount in so short a time, but I think they can be refunded and given a reasonable time and that the bonds would be negotiable, the Government simply underwriting them, there would be a ready sale for them, and we could raise money for the building of roads as we need it.

Mr. ARENTZ. Will the gentleman yield?

Mr. BROWNE. I will yield to the gentleman.

Mr. ARENTZ. Does the gentleman increase the 7 per cent primary roads in his bill or how does he cover that?

Mr. BROWNE. I leave the road system as it is. We have not completed the 7 per cent, only about one-fifth of the system has been completed in 10 years, and it will take nearly 30 years at the rate the Federal Government is now appropriating the money for the roads. It will take between 25 and 30 years.

Mr. ROBSION of Kentucky. I wish to take issue with the gentleman on that: we have graded, drained, and surfaced 130,000 miles, and there are only about 200,000 miles in that proposed system. We are building at the rate of about 10,000 miles a year.

Mr. BROWNE. I have the figures from the highway department which I think will satisfy the gentleman, and I will put them in the RECORD.

Mr. ROBSION of Kentucky. I have just been in a hearing where they have submitted these figures.

Mr. ARENTZ. It will depend on what States you are talking about.

Mr. BROWNE. I suppose that in the smaller States they may be building faster than in the larger States. Take the State of New York, and very few other States have not yet nearly come within the 7 per cent. It is within the discretion of the Secretary of Agriculture to increase the road system in any State to more than 7 per cent of the total miles of highway.

Mr. ARENTZ. The Secretary of Agriculture can increase the 7 per cent?

Mr. BROWNE. Yes.

Mr. ARENTZ. Only on primary roads. If you want to connect the East and West with the North and South, you can not do it under the present legislation.

Mr. BROWNE. A gravel road may be treated as a primary road. They do not designate primary roads as running north and south or east and west.

Mr. ARENTZ. They take the total mileage. If you want to connect up the primary and secondary roads so as to permit them to come in, you can not do it under the present legislation.

By increasing it to 8 per cent in many of the Western States you could complete these roads that connect the primary and the secondary roads.

Mr. BROWNE. If you have not gotten your full per cent of the roads, you can improve your country trunks until you make them practically secondary roads, and get Government aid, if they are main-traveled roads. The highway department is constantly taking roads that have not been regarded as primary roads but as secondary roads and making them primary roads. A part of a road may be primary and a part in the secondary class.

Mr. ARENTZ. Something has been said several times here in respect to the income derived from the automobile sales tax, that it is just about sufficient to cover the appropriations necessary to cover the expense of building the State-Federal highways.

Mr. BROWNE. I can tell the gentleman exactly about that. We appropriated for roads since 1916 something a little over \$600,000,000. We have not expended quite all of it. We have received from the sales tax on automobiles a little over a billion dollars, and if we put that on the roads, if you call that a road fund, then the amount of money received from the automobile tax will be something like \$417,000,000 more than we have ever appropriated for roads. If that fund was applied to roads, we would have more than enough to meet the appropriation asked for in this bill.

Mr. ARENTZ. And if it had not been for the far-sighted policy of Congress in establishing this Federal aid to highways, does the gentleman imagine that the great increase in the production of automobiles since 1916 would have taken place?

Mr. BROWNE. Certainly not.

Mr. ARENTZ. So that we have an ever-increasing mileage of roads and an ever-increasing production of automobiles.

Mr. BROWNE. Certainly.

Mr. ARENTZ. And an ever-increasing wideness of travel on the part of those automobiles over foreign roads, so far as the automobiles themselves are concerned.

Mr. BROWNE. Yes. The automobile industry ranks, I think, first or among the very first in the employment of men and the amount it pays out for wages. It certainly is not a tax dodger. It pays not only the personal-property tax in each State, but it also pays a tonnage tax in the form of a license fee in the States, and a gasoline tax, and then it has been paying a sales tax, so that it has been taxed more than any industry, and yet there has been more competition in the automobile business than almost any business, and the public has had the advantage of it and has been able to get automobiles at a very low price.

Mr. ARENTZ. I read a statement that, counting each automobile as 20 feet, there were 6,000 miles of automobiles constructed in the United States last year.

Mr. BROWNE. I think that is probably correct.

Mr. ARENTZ. That gives one some idea of the tremendous importance of the road-building program of the Federal Government.

Mr. BROWNE. I agree with you; but the trouble is to-day that the Federal Government has not appropriated nearly as much as the States and the local units. Federal aid has been a great encouragement to road building. All the localities had complied with the law to get this Federal aid. It has been a splendid incentive, but to meet the Federal requirements the States and the smaller units of the States have taxed themselves so much that it is one of the causes, I think, of the depression of the farmer to-day. Of course, conditions have greatly changed since 1916. Then there were only about three and one-half million automobiles and now there are 23,000,000 automobiles, and the situation has changed so that it is more of a national problem than when we passed the Federal aid law, and the maintenance of the roads, which falls entirely upon the States, is a tremendous burden and is going to become a greater burden every year. I think the State should maintain the roads, but I think that the Federal Government should contribute more than it has contributed toward building these great interstate highways and trunk lines.

Mr. HASTINGS. Mr. Chairman, will the gentleman yield?

Mr. BROWNE. Yes.

Mr. HASTINGS. Over what period of years would the gentleman spend this \$400,000,000 that he would have appropriated?

Mr. BROWNE. I would expend it just as fast as the States could absorb it in using it efficiently. Practically all of the States have efficient highway departments, and if I had my way I would not have the States pay more than a very small amount toward getting their share of the amount asked for in this bill. In this bill I propose not to exceed 20 per cent as the share the States shall be required to raise. That would be the largest amount that the Agricultural Department could cause the States to pay.

Mr. HASTINGS. In other words, from this fund that the gentleman would create the Federal Government would pay 80 per cent and the States 20 per cent?

Mr. BROWNE. Yes. That would be the most that the States would pay.

Mr. HASTINGS. This is something more than \$400,000,000 which the French Government owes our Government for supplies of various kinds purchased just after the war?

Mr. BROWNE. They bought those supplies right after the armistice. They were invoiced at about \$2,000,000,000, and we got from them these bonds amounting to \$407,000,000.

Mr. HASTINGS. What interest do those bonds bear?

Mr. BROWNE. Five per cent.

Mr. HASTINGS. Has the French Government been paying that interest?

Mr. BROWNE. It has paid the interest promptly semi-annually.

Mr. HASTINGS. Then it is the gentleman's idea that we use the interest on those bonds until the principal becomes due?

Mr. BROWNE. The bonds are all due in 1930, and it would be a matter of financing. The Government could easily take these bonds which the French Government has not shown any disposition to repudiate and could rewrite them and put in a longer time for payment and negotiate them—underwrite them—so that they would be available for money just as fast as the highway department wanted to use them. My point is that we are going too slow. Under this system of improving only 7 per cent of our highways, the appropriations that we are receiving from the Federal Government with the States doing all they can, and also the local units—we are not going to complete 7 per cent of the highways for 25 or 30 years, and during that time we are going to wear out our rolling stock, those 23,000,000 automobiles, on poor roads; the increased wear and tear on automobiles, because of the poor roads, amounts to something like \$600,000,000 a year more than if the roads were more perfect.

Mr. HASTINGS. The gentleman does not anticipate any difficulty in collecting this sum of more than \$400,000,000 from France in 1930? That is a little more than two years from now.

Mr. BROWNE. I say that the Government of the United States can refund these bonds and take bonds of longer terms and reduce the rate of interest and then underwrite them so that we can negotiate them when we need the money for constructing our roads.

Mr. HASTINGS. Of course, the gentleman has a basis for his expectation for the recovery of the money from France on the indebtedness that she owes.

Mr. BROWNE. This is one of the kinds of indebtedness the French have already recognized, and we have the bonds in the Treasury Department. The other indebtedness amounting to over \$3,000,000,000 they do not concede, and it is a matter that they have always had some controversy over, but never in any of their statements have they tried to question the bonds issued for war supplies for which they got more than the bonds they gave us. I am informed that a great many of these war supplies and much of this equipment were sold in the United States.

Mr. HASTINGS. Does the gentleman think there is any difference in the deadness of those claims?

Mr. BROWNE. Well, if you had two claims against a man and he did not deny one of them, and he had given you his note for it, and the other was simply a book account and you were going to buy one of those accounts, you would buy the one for which he had given his promissory note.

Mr. HASTINGS. The gentleman understands the difference between the two characters of obligation, does he not?

Mr. BROWNE. There may not be any moral difference, but if you negotiated both kinds of indebtedness the bonds themselves would sell at par and the others would be taken at a considerable discount.

Mr. ARENTZ. Mr. Chairman, will the gentleman yield there?

Mr. BROWNE. Yes.

Mr. ARENTZ. In one case we loaned money to France as a loan and in the other we turned over to France certain supplies, and France turned around and sold them to her citizens and to our citizens and issued bonds and got the money for them. That is a big difference.

Mr. BROWNE. Yes.

Mr. HASTINGS. It seems to me that the other obligation is the greater one. If France was in great distress and we came to her relief with money that she needed, when she had her back against the wall, I think the first obligation was greater than those contracts for the purchase of supplies since the war. I do not agree with the gentleman.

Mr. BROWNE. I am not taking any particular side on the debt settlement. That is a controversy we may or may not agree upon, but I am discussing these bonds that we have got in the Treasury Department which France does not dispute at all, \$407,000,000.

Mr. HASTINGS. France does not dispute the other amount?

Mr. BROWNE. When we gave her a splendid agreement here, so magnanimous indeed that many Members did not vote for it—and I did not vote for it—she did not accept.

Mr. HASTINGS. Neither did I—

Mr. BROWNE. It passed, however, and they did not accept it, but it does not have any particular bearing on these bonds which we now hold against France and which she does not dispute. France has purchased our war supplies and road materials, the largest amount of road equipment and materials that was ever assembled. She sold this road equipment that invoiced over \$2,000,000,000 after we had passed a law, as I stated, turning over all of that equipment to the Agriculture Department for roads. We claim, therefore, that the money received for this road equipment should be used to build roads and should go to the States. I do not think the States should be held up or compelled to pay to exceed 20 per cent in order to get this money. I think it ought to be used on interstate primary roads and State trunks.

Mr. HASTINGS. I am an enthusiastic supporter of the good-roads movement, as much so as any other Member of the House. My inquiry was asked in good faith as to whether or not the gentleman thought this money would be available for that purpose.

Mr. BROWNE. I think it will. I have looked the matter up very thoroughly. I do not think there is any question but that if that road equipment had been turned over to the Department of Agriculture at the time we passed the law, instead of being sold to France, our system of improved roads would be much better than it is to-day.

Mr. GREEN of Florida. What would be the basis of apportionment of that \$407,000,000?

Mr. BROWNE. One-third apportioned according to the area of the State and one-third according to the population, and one-third according to the rural routes.

Mr. ROBSION of Kentucky. One-third to the post routes.

Mr. ALMON. Mr. Chairman, will the gentleman yield, there?

Mr. BROWNE. Yes.

Mr. ALMON. I am very much interested in the gentleman's discussion. He has been a member of the Committee on Roads for a number of years until recently and he helped to write the legislation that came from that committee.

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

Mr. BROWNE. May I have 10 minutes more?

Mr. BARBOUR. The gentleman has run eight minutes over the time allotted to him.

Mr. BROWNE. A good many questions have been asked and I would like to get the matter cleared up.

Mr. BARBOUR. I can yield to the gentleman two minutes.

Mr. BROWNE. The 7 per cent of roads upon which the Federal Government gives aid aggregated 200,353 miles. In the 10 years of Federal aid, with the contributions of States and local units only 56,017 miles have been completed, and 144,336 miles remain unimproved. I get that from the Bureau of Roads. At this rate it will take us from 25 to 30 years to complete the system, and in the meantime the increased wear and tear on automobiles because of our incomplete and poorly constructed system of highways will cost us in the extra wear and tear on automobiles, it is estimated, at the rate of \$600,000,000 a year.

INTERSTATE ROADS A NATIONAL MATTER

Before the invention of the automobile when traffic moved slowly over our highways in horse-drawn vehicles the improvement of highways might have been considered of only local concern. The invention of the automobile revolutionized transportation over our highways. The situation has changed very greatly since the Federal aid road law was passed in 1916. Besides the 3,000,000 trucks and the 20,000,000 automobiles which are traveling over the highways there are 80,000 busses, 7,284 of which are interstate busses. There are 32,788 busses which are carrying school children. Sixty steam railroads are using busses as feeders for their railroads. Fifteen million four hundred and eighty-nine thousand motorists from all the States of the Union visited the national forests in 1926, a million and one-half more than the preceding year.

The State highway engineer of Wisconsin informed me the other day that an accurate record of the number of cars with out-of-State licenses coming into the State of Wisconsin had been kept, and the number of people these cars brought into the State in a hundred days during the summer season, and that over 4,000,000 people from out of the State had come into Wisconsin by automobiles during that time.

MAINTENANCE OF HIGHWAYS BY THE STATE

In determining what portion of the cost of interstate highways should be paid by the States and the Federal Government, we should consider first, that under the Federal aid road act the burden of maintaining these roads is borne wholly by the States. No road made is so perfect that it does not require constant attention and maintenance. Roads have to be constantly patrolled and in the wintertime in the Northern States, snow removal is a heavy burden, in some States amounting to over a million dollars per year. These burdens fall entirely upon the States and local units. The heavy traffic of trucks on interstate business and the millions of automobiles that come into each State from other States all increase the burden of the State in maintaining the highways.

The Federal aid goes to the improvement of only 7 per cent of the roads. The remaining 93 per cent which means over 2,000,000 miles of roads is constructed and maintained without a penny of Federal aid. These roads are used very much more than they were before the automobile came into such general use and the localities are obliged to keep them in much better repair than formerly to avoid accidents by travelers from their own State and other States, which places an additional burden upon the counties and the smaller units under the counties. Take, for example, the county trunk roads many of which are used almost as much as the Federal trunk lines in their locality receive no Federal aid. In Wisconsin in 1927 approximately \$40,000,000 was expended for highway purposes. Of this amount the State paid \$14,711,000, the counties and local units approximately \$24,000,000, while Federal aid only amounted to \$1,870,000. Similar figures could undoubtedly be procured from other States.

STATES AND LOCALITIES CONSTRUCT THE ROADS

When the Federal Government in 1916 appropriated money for Federal aid to roads it found over 95 per cent of the roads upon which Federal money applied laid out and many of them graded. The localities have already performed the major part in building these interstate trunk lines, and it is only fair that this fund which is now available from the bonds given by the French Government for the sale of surplus road material and war supplies, and which Congress by legislation appropriated to the Department of Agriculture for roads, be now given to the States for improvement of their roads, and that the States be not required to contribute to exceed 20 per cent of the amount they receive.

INTERNAL IMPROVEMENTS HAVE IN THE PAST BEEN LOCAL

The Federal Government has appropriated hundreds of millions of dollars for harbors which have helped the localities where the improvements were made. It has also appropriated hundreds of millions of dollars for the improvement of rivers which has helped certain localities. These internal improvements have, of course, indirectly helped all the localities and all the people. Federal aid for roads is the first internal improvement which has directly helped every locality in the United States. Thousands of localities which have never received a penny from the Federal Government, not even a small post-office building, have contributed their share toward the improvement of rivers and harbors. Is it not fair at this time for the Federal Government to appropriate money for a great internal improvement like the building of highways which all of the people of the United States use and help to wear out, and over which 23,000,000 automobile vehicles are constantly driven and the Government mail carriers travel and the interstate trucks constantly use?

FEDERAL AID TO RAILROADS

The Government at an early date recognized the benefits of efficient transportation. July 1, 1862, an act was passed by Congress granting the Central Pacific and the Union Pacific corporations vast tracts of public land, more than enough for their building the roads.

Later the Northern Pacific by a single act of Congress was granted 47,000,000 acres of land for the building of its road, and the Atlantic & Pacific Railroad was granted 42,000,000 acres.

I am not criticizing these grants of land—both political parties favored it—but I do maintain that there is more justification in the Federal Government appropriating money to build highways over which all the people have an equal right to travel without paying toll or tribute to private corporations.

Our extensive railroad systems helped to build up the localities and greatly hastened the development of the country. With the invention of the locomotive and steamboat the Federal Government directed its attention to assisting the railroads and dredging rivers and harbors to assist navigation. Federal road building ceased. There were no Federal roads constructed or

Federal aid to roads given between 1812 and 1916, with the exception of less than \$100,000 in appropriation between 1812 and 1838, a period of over 100 years. During this 100 years the rural localities have had to shoulder the full burden of building and maintaining millions of miles of road.

ROAD IMPROVEMENT SHOULD BE HASTENED

The 7 per cent of the roads upon which the Federal Government gives aid aggregates 200,353 miles. In the 10 years of Federal Aid with the contributions of States and local units of the State only 69,536 miles have been completed and 141,027 miles of the system remains unimproved. At this rate it will take us over 20 years to complete this system, and in the meantime the increased wear and tear on auto vehicles because of our incompleting system of highways will go on at the rate of over \$600,000,000 a year.

ROLLING STOCK

The phenomenal increase of automobiles in the last 10 years is amazing. In 1917 there were 4,500,000 automobiles. In 1927 over 20,000,000 automobiles. In 1917 we had 326,000 trucks, and in 1927 we had 2,943,898 trucks.

Roads have not kept pace with rolling stock. Our highways are inadequate to meet the demands of traffic. The scientific building of roads should have been continued by the Federal Government from the time when it began building its roads in Washington and Jefferson's administration. It is a belated movement 100 years overdue. Roads must be built faster. The rolling stock, consisting of over 20,000,000 automobiles and 3,000,000 trucks, are almost 100 per cent perfect, while the roads they move over are not 25 per cent perfect.

At \$600 per motor vehicle there are approximately \$14,000,000 invested in these 23,000,000 automobiles and trucks. The increased wear and tear and depreciation of automobiles per year at \$30 per motor vehicle would amount to \$690,000,000 a year more than if operated over better roads.

Every railroad system considers it good business to keep its road bed as perfect as its rolling stock, and spends hundreds of millions of dollars improving its road beds, and considers this a very good investment. Why is it not a good investment for the Government? The poor road tax is the heaviest tax the people are paying to-day.

THE ROLLING STOCK HAS BEEN UNJUSTLY TAXED

The Government, as a war measure, in 1918 placed an excise or sales tax on automobiles of 5 per cent, also a tax on accessories. This, in 1926, was reduced to 3 per cent. From 1918 to 1927, the automobiles and accessories have paid a Federal excise or sales tax of \$1,081,845,555. The automobile has paid its local personal-property tax. It has paid its State tax for registration. It has paid a tax on the gas it consumed, besides paying the heavy Federal or excise or sales tax. The Secretary of the Treasury, Mr. Mellon, in his remarks before the Ways and Means Committee, recommended the retention of the excise tax on automobiles to pay the Federal Government's share in the improvement of roads, thus recognizing that the amount of the Federal tax on the sale of automobiles should go toward the improvement of the roads. If this is the policy of the Government, then the Government owes the good-road fund the difference between the amount it has appropriated for good roads from 1916 to the present time, amounting to \$662,220,000, and the amount of excise tax the automobile has paid, \$1,081,846,555, or a difference of \$419,646,555, which is now due the road fund from the tax on the automobile.

This is more than is asked for in this bill. Every user of an automobile in America, which means every home in America, has contributed to the sales tax on automobiles, which, as I have stated, amounts to over \$419,000,000 more than the Federal Government has appropriated for roads. Is there any reason why this amount should not be remitted to those who contributed by using this money for road improvement which every contributor will have the benefit of?

AUTOMOBILE INDUSTRY PAYS A HEAVY TAX

The motor vehicle taxes in 1926 were as follows:

Personal property tax.....	\$125,000,000
Special motor tax.....	587,000,000

The automobile industry employs directly in its business 3,365,281 men.

It has not had a monopoly, but, on the contrary, there has been greater competition in this industry than any industry of any near-like magnitude. The people have been able to purchase automobiles at the very lowest possible cost.

I will offer as a part of my remarks some tables prepared for me by the Bureau of Roads and other documents proving the statements I have made. [Applause.]

Apportionment of Federal aid to States, fiscal years 1917-1929

State	Total apportionment, 1917-1927	Apportionment, fiscal year 1928	Apportionment, fiscal year 1929	Total apportionment, 1917-1929
Alabama.....	\$14,349,455	\$1,547,220	\$1,547,483	\$17,444,158
Arizona.....	9,617,249	1,056,994	1,059,081	11,733,324
Arkansas.....	11,605,804	1,277,896	1,281,785	14,165,485
California.....	22,072,815	2,483,487	2,486,415	27,042,667
Colorado.....	12,325,812	1,376,520	1,383,401	15,085,733
Connecticut.....	4,353,681	472,685	474,213	5,280,579
Delaware.....	2,474,088	365,625	365,625	3,205,338
Florida.....	8,084,954	899,451	901,311	9,885,716
Georgia.....	18,431,953	1,979,309	1,980,015	22,391,177
Idaho.....	8,559,627	935,193	932,962	10,427,782
Illinois.....	29,832,198	3,154,429	3,154,429	36,121,852
Indiana.....	18,204,355	1,926,772	1,921,463	22,052,590
Iowa.....	19,485,563	2,044,999	2,035,291	23,565,853
Kansas.....	19,464,411	2,068,532	2,062,196	23,595,139
Kentucky.....	13,212,809	1,417,947	1,421,029	16,051,785
Louisiana.....	9,272,408	1,013,308	1,019,282	11,304,998
Maine.....	6,464,826	680,794	681,431	7,827,053
Maryland.....	5,925,057	635,119	634,906	7,195,082
Massachusetts.....	10,108,726	1,089,100	1,088,803	12,286,634
Michigan.....	20,342,365	2,214,691	2,209,596	24,766,652
Minnesota.....	19,591,780	2,130,741	2,112,595	23,825,116
Mississippi.....	12,128,018	1,307,879	1,309,729	14,745,626
Missouri.....	22,786,436	2,405,175	2,404,347	27,595,958
Montana.....	13,424,885	1,551,499	1,552,576	16,528,960
Nebraska.....	14,635,235	1,585,138	1,584,981	17,805,354
Nevada.....	8,795,215	948,510	957,995	10,701,720
New Hampshire.....	3,169,492	365,625	365,625	3,900,742
New Jersey.....	8,467,420	934,611	935,122	10,337,153
New Mexico.....	10,972,386	1,186,763	1,189,361	13,348,510
New York.....	34,045,195	3,635,217	3,629,879	41,310,291
North Carolina.....	15,717,206	1,713,356	1,715,910	19,146,472
North Dakota.....	10,748,659	1,194,951	1,193,440	13,137,050
Ohio.....	25,731,796	2,762,209	2,757,964	31,251,969
Oklahoma.....	16,039,787	1,751,891	1,749,066	19,540,744
Oregon.....	10,879,347	1,182,202	1,189,707	13,251,256
Pennsylvania.....	31,338,781	3,335,735	3,333,796	38,008,302
Rhode Island.....	2,667,569	365,625	365,625	3,398,819
South Carolina.....	9,801,524	1,054,988	1,059,533	11,916,045
South Dakota.....	11,106,790	1,220,064	1,223,981	13,610,835
Tennessee.....	15,280,591	1,614,766	1,612,012	18,507,369
Texas.....	40,606,431	4,497,272	4,502,576	49,606,279
Utah.....	7,818,779	846,906	848,063	9,513,778
Vermont.....	3,268,507	365,625	365,625	3,999,757
Virginia.....	13,501,514	1,442,714	1,437,548	16,381,776
Washington.....	10,145,776	1,131,532	1,143,226	12,420,534
West Virginia.....	7,352,511	793,636	793,796	8,939,943
Wisconsin.....	17,438,815	1,870,455	1,864,212	21,173,482
Wyoming.....	8,566,274	934,369	939,547	10,440,190
Hawaii.....	1,100,153	365,625	365,625	1,831,403
Total.....	671,375,000	73,125,000	73,125,000	817,625,000

Amount of money received by each State if this bill (H. R. 10142) passes, according to the Federal aid road act, on an appropriation of \$366,607,030,065

Texas.....	\$21,937,500
Pennsylvania.....	16,160,625
Ohio.....	13,464,750
Missouri.....	11,724,375
Minnesota.....	10,335,000
Iowa.....	9,964,500
Indiana.....	9,394,125
Oklahoma.....	8,443,500
Tennessee.....	7,873,125
Montana.....	7,566,000
Virginia.....	7,134,625
Colorado.....	6,708,000
Arkansas.....	6,230,250
North Dakota.....	5,825,625
Oregon.....	5,762,250
Massachusetts.....	5,308,875
South Carolina.....	5,143,125
Nevada.....	4,626,375
New Jersey.....	4,553,250
Florida.....	4,387,500
Maine.....	3,312,875
Maryland.....	3,095,625
New Hampshire.....	1,784,250
Rhode Island.....	1,784,250
Hawaii.....	1,784,250
New York.....	17,720,625
Illinois.....	15,356,250
California.....	12,104,625
Michigan.....	10,793,250
Kansas.....	10,081,500
Georgia.....	9,652,506
Wisconsin.....	9,116,250
North Carolina.....	8,350,875
Nebraska.....	7,726,875
Alabama.....	7,541,625
Kentucky.....	6,892,500
Mississippi.....	6,376,500
South Dakota.....	5,947,500
New Mexico.....	5,786,625
Washington.....	5,513,500
Arizona.....	5,152,875
Louisiana.....	4,938,375
Idaho.....	4,558,125
Wyoming.....	4,553,250
West Virginia.....	3,870,750
Utah.....	3,153,125
Connecticut.....	2,305,875
Vermont.....	1,784,250
Delaware.....	1,784,250

Federal highway system limited to 7 per cent of the total mileage, December 31, 1927

States	Certified total mileage	Limiting 7 per cent mileage	Mileage approved		Percentage approved	
			7 per cent system	Extensions	7 per cent system	Extensions
Alabama	56,551	3,958	3,884.00		98	
Arizona	21,400	1,498	1,498.00		100	
Arkansas	71,960	5,037	5,021.13		99	
California	70,000	4,900	4,771.50		98	
Colorado	48,000	3,360	3,332.00		99	
Connecticut	12,000	840	835.43		99	
Delaware	3,800	266	266.00	149.81	100	55.00
Florida	27,548	1,928	1,926.00		99	
Georgia	80,892	5,662	5,560.40		98	
Idaho	40,200	2,814	2,770.00		98	
Illinois	96,774	6,774	6,616.78		98	
Indiana	70,946	4,966	4,701.50		95	
Iowa	109,113	7,638	7,212.00		95	
Kansas	124,143	8,690	7,922.00		91	
Kentucky	53,000	3,710	3,702.45		99	
Louisiana	40,000	2,800	2,712.90		97	
Maine	23,104	1,617	1,393.46		86	
Maryland	14,810	1,037	1,037.00	466.72	100	46.00
Massachusetts	20,525	1,437	1,308.00		91	
Michigan	75,000	5,250	5,235.00		99	
Minnesota	103,030	7,214	6,849.60		95	
Mississippi	53,000	3,710	3,604.00		98	
Missouri	111,510	7,805	7,530.00		96	
Montana	67,100	4,697	4,665.00		99	
Nebraska	80,272	5,619	5,576.55		99	
Nevada	22,000	1,540	1,398.00		91	
New Hampshire	14,112	988	980.91		99	
New Jersey	47,607	3,333	3,298.00		99	
New Mexico	81,873	5,731	5,451.00		95	
New York	60,000	4,200	3,860.80		92	
North Carolina	103,202	7,434	7,194.00		96	
North Dakota	84,497	5,915	5,890.30		99	
Ohio	112,698	7,889	5,528.00		70	
Oregon	41,826	2,928	2,840.50		97	
Pennsylvania	90,000	6,300	4,871.22		77	
Rhode Island	2,368	166	166.00	190.86	100	114.00
South Carolina	52,318	3,662	3,230.00		88	
South Dakota	115,390	8,077	5,767.00		72	
Tennessee	65,204	4,564	3,252.80		72	
Texas	182,816	12,797	11,685.00		91	
Utah	24,057	1,684	1,677.33		99	
Vermont	14,900	1,043	1,043.00		100	
Virginia	53,338	3,733	3,233.00		87	
Washington	42,428	2,969	2,927.50		98	
West Virginia	31,629	2,214	2,048.31		92	
Wisconsin	78,800	5,516	5,493.36		99	
Wyoming	46,320	3,242	3,097.00		96	
Hawaiian Territory	3,043	213	174.60		82	
Total	2,865,241	200,563	186,227.13	807.39	93	.25

Number of motor vehicles registered

Year	Passenger cars		Trucks	Total
	1917	1927		
1917	4,657,340	326,000	4,983,340	
1918	5,621,617	325,000	5,946,617	
1919	6,771,074	794,372	7,565,446	
1920	8,225,859	1,008,082	9,233,941	
1921	9,346,195	1,117,100	10,463,295	
1922	10,864,128	1,374,247	12,238,375	
1923	13,479,608	1,612,569	15,092,177	
1924	15,460,649	2,131,232	17,591,881	
1925	17,512,638	2,441,709	19,954,347	
1926	19,237,171	2,764,222	22,001,393	
1927	20,282,293	2,943,898	23,226,191	

The figures given for 1927 are as published in the January number of Motor Magazine and are undoubtedly based on estimates for several States.

Note.—The separation into number of passenger cars and trucks registered to and including 1923 is estimated each year on the basis of those States which have complete records. In 1917, 16 States kept the registration of trucks separate, and in 1923, 47 States had complete records.

Comparison of Federal motor vehicle receipts with Federal expenditures for highway construction

[As of June 30, 1927]

Fiscal year ending June 30—	Receipts from manufacturer's excise tax on motor vehicles, parts, tires, and accessories	Receipts from special occupational tax on passenger automobiles for hire	Total receipts from excise tax and special occupational tax on automobiles for hire	Expenditures for Federal cooperative construction and administration
1917				\$34,338
1918	\$23,981,268		\$23,981,268	574,816
1919	48,834,272	\$507,721	49,341,993	2,915,283
1920	143,922,792	2,040,244	145,963,036	20,340,774
1921	115,546,249	1,776,494	117,322,743	57,462,768
1922	104,433,763	1,785,630	106,219,393	89,946,604

¹ Six months only.

Comparison of Federal motor vehicle receipts with Federal expenditures for highway construction—Continued

Fiscal year ending June 30—	Receipts from manufacturer's excise tax on motor vehicles, parts, tires, and accessories	Receipts from special occupational tax on passenger automobiles for hire	Total receipts from excise tax and special occupational tax on automobiles for hire	Expenditures for Federal cooperative construction and administration
1923	\$144,290,490	\$1,907,400	\$146,197,890	\$71,604,709
1924	158,014,710	2,013,839	160,028,549	80,447,824
1925	124,686,745	1,865,075	126,551,820	97,472,506
1926	138,155,195	1,646,797	139,801,992	80,382,110
1927	² 66,437,881	(³)	66,437,881	82,977,566
Total	1,068,303,365	13,543,190	1,081,846,555	593,139,298

¹ Automobile trucks, parts, and accessories not taxed.

² Not taxed.

Appropriated \$662,200,000.

TREASURY DEPARTMENT,
OFFICE OF THE UNDERSECRETARY,
Washington, January 9, 1928.

Hon. EDWARD E. BROWNE,

House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: For the Secretary I acknowledge receipt of your letter of January 6, 1928, requesting information concerning the obligations given by France in connection with the purchase of surplus war material after the close of the war.

There are set out below the date, maturity, and amount of obligations taken by the Secretary of War in connection with the sale on credit to France of surplus war material:

Date	Maturity	Principal amount
Aug. 1, 1919	Aug. 1, 1929	\$400,000,000.00
May 9, 1920	May 9, 1930	6,566,762.42
July 5, 1920	July 5, 1930	774,382.59
Total		407,341,145.01

The obligations bear interest at the rate of 5 per cent per annum, payable semiannually, and France has been paying the interest thereon currently. The amounts of the obligations are included in the funding agreement concluded April 30, 1923. This agreement has not as yet been ratified by the legislative powers of France and the United States, and for that reason no payments are being made under that agreement. France is, however, continuing to carry out the terms of the obligations above set forth by paying the interest as it falls due in accordance with the terms of such obligations.

Very truly yours,

OGDEN L. MILLS,
Undersecretary of the Treasury.

LAW REGARDING SALE OF SURPLUS WAR MATERIAL

SEC. 5. That the Secretary of War be, and he is hereby, authorized and directed to transfer to the Secretary of Agriculture, upon his request, all war material, equipment, and supplies now or hereafter declared surplus from stock now on hand and not needed for the purposes of the War Department but suitable for use in the improvement of highways, and that the same shall be distributed among the highway departments of the several States, to be used in the construction, reconstruction, and maintenance of highways, such distribution to be upon the same basis as that hereinafter provided for in this act in the distribution of Federal-aid fund: *Provided*, That the Secretary of Agriculture, in his discretion, may reserve from such distribution not to exceed 10 per cent of such material, equipment, and supplies for use in the construction, reconstruction, and maintenance of national-forest roads or other roads constructed, reconstructed, or maintained under his direct supervision.

SEC. 6. That in approving projects to receive Federal aid under the provisions of this act the Secretary of Agriculture shall give preference to such projects as will expedite the completion of an adequate and connected system of highways, interstate in character.

Before any projects are approved in any State, such State, through its State highway department, shall select or designate a system of highways not to exceed 7 per cent of the total highway mileage of such State as shown by the records of the State highway department at the time of the passage of this act.

Upon this system all Federal-aid apportionments shall be expended. Highways which may receive Federal aid shall be divided into two classes, one of which shall be known as primary or interstate highways, and shall not exceed three-sevenths of the total mileage which may receive Federal aid, and the other, which shall connect or correlate therewith and be known as secondary or intercounty highways, and shall consist of the remainder of the mileage which may receive Federal aid.

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

Mr. BARBOUR. Mr. Chairman, I yield one minute to the gentleman from Minnesota [Mr. SELVIG].

Mr. SELVIG. Mr. Chairman, I ask unanimous consent to insert in the RECORD a few remarks with reference to H. R. 7940.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to insert in the RECORD a few remarks with reference to H. R. 7940. Is there objection?

Mr. SCHAFER. Mr. Chairman, reserving the right to object, on what subject?

Mr. SELVIG. On the farm-relief question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SELVIG. Mr. Chairman and Members of the House, it is encouraging to note that the press of the country is keenly interested in the hearings that are now being held by the great Committee on Agriculture of the House of Representatives. One of the most important problems before the country to-day is being considered by that committee. In the right solution of that problem lies not only the destiny of the nearly thirty millions of people who live in our rural communities but to a large extent our future policy as a nation.

The hearings center on whether or not the equalization fee principle is to remain in the bill that will finally be reported out. It is not a question of passing a farm relief bill any longer. It is no longer necessary for those who are familiar with the problems of the farmer to argue and to urge that something must be done.

That day has passed. For eight long years the farmer has labored at a serious disadvantage. Minor improvements here and there, due to seasonal differences in this country or in the agricultural production in foreign lands, have furnished temporary respite, but no outstanding improvement has come.

This fact is universally recognized. Members on both sides of the aisle urge the enactment of a real, an effective farm bill. Friends of the farmer—and I do not use that term in a narrow sense; I wish to include all serious students of our economic structure—proclaim that agriculture must be placed on a parity with industry, labor, and transportation in so far as our national policy is concerned.

That is the problem the House Committee on Agriculture is grappling with.

The equalization fee is a necessary part of the legislation needed to enable the farmers to form a 100 per cent pool in marketing their products. All the producers of a commodity will participate in the plan which the bill directs the Federal farm board to set up, not 80 per cent or 60 per cent of the commodity, permitting producers of the remaining 20 per cent or 40 per cent to reap all the benefits and pay none of the costs, as is the common experience in many cooperative marketing enterprises in this country to-day, but 100 per cent, thereby giving the Federal farm board the full opportunity of handling the surplus not required for domestic consumption.

There is nothing radical nor revolutionary involved. No existing institution is to be destroyed. Price stabilization only is to be effected. The farmer will receive in the ordinary, everyday markets of the land a domestic price on the part of his products consumed in this country, less the loss per unit resulting from the sale of the surplus elsewhere.

By means of the equalization fee all producers recognized as being members of a 100 per cent commodity pool by the Federal farm marketing board will pay their pro rata share. No Government subsidy is required. Governmental authority is needed and the use of a revolving fund. Outside of that, the Government assumes no risk and takes no financial responsibility.

The farmers in my section of the country are familiar with this proposal. It has been discussed from every angle. Throughout the Northwest there is this one dominant idea: Retain the equalization fee; try out this plan; we believe that it will work; no Government subsidy is wanted; pass the McNary-Haugen bill with the equalization fee included.

This is the message that comes thundering down from the prairies of the greatest food-producing area in the world.

Let no one mistake the meaning of this message.

A real, an effective farm relief bill is demanded.

The following editorial, which appeared recently in the St. Paul Pioneer Press-Dispatch, cites the interest of the bankers in the great State of Illinois in this bill and in the absolutely essential equalization fee:

POLITICS OR FARM RELIEF?

News about farm relief from Washington contrasts with that from Illinois. In Washington politicians are trying to maneuver the McNary-Haugen bill into a pocket. In Illinois the State Bankers' Association, with 1,700 members, has unanimously approved the McNary-Haugen bill.

The Illinois Bankers' Association has taken this step not only because it is willing for this form of legislation to be tried on its merits but also, no doubt, because a purely negative policy is not longer consistent with a desire to reach a solution of the agricultural problem. In spite of discussion and agitation for nearly eight years, no general farm legislation has been enacted by Congress. Indeed, among all plans which promise important results the McNary-Haugen is the only one which has found strong support. The McNary-Haugen bill, for all practical purposes, is the only measure of farm relief before the country. Because opponents of the bill have failed to develop anything that meets the two fundamental conditions of economic and political feasibility, farm relief at this moment is practically a matter of the McNary-Haugen bill or nothing.

Many persons have expressed sincere doubts over the McNary-Haugen bill. Individual members of the Illinois Bankers' Association presumably shared them, or their indorsement would not have been this long delayed. The exponents of the McNary-Haugen bill, many of them in high standing in business and economics, can reasonably expect that these doubts be resolved in their favor. The plan as it stands is the result of years of refinement and perfection under critical analysis. It is admittedly not perfect, but what great economic innovation ever was? "If the present bill does not grant relief," says an officer of the Illinois Bankers' Association, "it can be amended later to include provisions which will."

The obstruction of a few influential leaders may relegate farm relief to the discard once more at Washington, but the country as a whole will be found in agreement with the Illinois bankers.

February bids fair to be an eventful month for the farmers of this Nation. Their eyes are turned on their elected representatives. Before the ides of March the farm relief bill's fate will have been determined. It rests with the Members of this House to solve this problem, which, with flood relief for those in distress in the great Mississippi Basin and with the urgent necessity of increasing the tariff on competitive agricultural products, involves the welfare of millions of our people.

I confidently believe these problems will be solved in a manner worthy of the best traditions of statesmanship in the glorious history of our beloved country.

Mr. COLLINS. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. McKeown]. [Applause.]

Mr. McKEOWN. Mr. Chairman and gentlemen of the House, there was reported from the Committee on Foreign Relations on yesterday a resolution which, in my judgment, is the most forward-looking resolution ever proposed in the Congress. It is a resolution looking forward to an embargo upon the sale of war materials and war machines as well as arms and munitions during wars between other countries.

Gentlemen, when I first ran for Congress, I ran on a written platform. In that written platform I said I would support legislation which would prevent the makers of munitions and arms from receiving any profits upon the sale of munitions and arms to belligerent nations in time of war as one of the remedies for reducing the probability of war.

We are hearing a lot of war talk from a lot of junkers throughout the United States; men who believe they can scare up a war whenever trade gets low in munitions and arms. While they are doing this the peoples of all countries—at least, right-thinking people—are hoping for world peace.

There must of necessity be some armed forces in every country. But I, for one, am opposed to this policy of competition in arms and the competitive building of big navies. I think that no better thing could be done by the Congress of the United States than to train our young men in the Navy in such a way that they could successfully operate the merchant marine instead of increasing our number of small-pay officers. I would have them trained to carry on our commerce in times of peace. [Applause.] The world is tired of war. Because the quota of Army and naval officers is so crowded we have no place to put our graduates of the military and naval school. We ought to make some arrangement by which we will train private citizens who want military training and put the graduates of the Naval Academy at Annapolis into the merchant marine.

This bill now under consideration carries \$400,000,000, in round figures, for the maintenance of the Army. The newspapers of the world, if they wanted to do so, could bring about peace throughout the world, because they are the most potent factors in molding public sentiment and the public mind throughout the world.

Away back in 1874, when the English people had neglected their great citizen, Mr. Livingstone, who had penetrated into the wilds of Africa, the New York Herald, one of the foremost papers of the country at that time, took up the matter and financed the expedition of Henry Stanley into darkest Africa, which brought about the civilization that now exists there. It

was through the influence of the New York Herald that slavery was finally driven out of Africa. Why? Because it had a great influence, and the papers of England joined with that paper. If the great metropolitan press would honestly take a stand to have peace in the world and quit printing this junker stuff, peace could be brought about. Many of these junkers have no other purpose in talking this stuff than to get publicity and in order to get a big write up in some military paper or magazine. Some of our officers are putting forth stories about war in order to excite the fears of the people, and a lot of this is done for propaganda purposes in order to scare Congress and hurry Congress in the making of unlimited appropriations for the Army and the Navy.

Look where you are drifting to in this country. Some two or three or four years ago I said on the floor of this House, when there was a bill here to build airplane carriers, that they wanted these airplane carriers for the purpose of increasing the number of airplanes. I said they wanted them for the purpose of coming into Congress later and saying, "We now have the airplane carriers and we must have 1,000 airplanes apiece to put upon them, because it will not do to have airplane carriers without the airplanes." Of course, everybody knew what was coming, and it has come about.

Look how the appropriations for the Army and Navy have piled up. After the Army gets through then the Navy comes in and asks for a large amount of money, and the amounts now asked are indeed very high. I am not criticizing the men in Congress who have to present this legislation. They do the very best they can; and I will say it is to the credit of this subcommittee that it has brought in a bill that is \$500,000 less than the estimates of the Budget. They have been able to allocate the money in such a way as to bring in the bill in that reduced amount. But the thing I am complaining about is this constant talk about war. Some of our boys are on foreign soil now engaged in conflict. I believe in the Monroe doctrine; but I have never been able to understand how the Monroe doctrine could be twisted around to the point where we have to take our American boys and send them to a country for anything more than the protection of the interests of foreigners and Americans. I have never understood how the Monroe doctrine could be twisted into meaning that we had to send our boys over the hills and mountains of a foreign country for the purpose of maintaining order in that country. I have never understood that, and nobody has ever been able to explain it to me satisfactorily.

Maybe they will catch this fellow, Sandino, or whatever his name is, down in Nicaragua. They will run him down and catch him, perhaps, I do not know; but I do know it is a curious kind of construction to put on the phrase "Protection of American lives and property" to have our soldiers chasing through the jungles and running through the woods, running down a bunch of fellows who are trying to get away from them. [Laughter and applause.] I can not understand that.

Mr. SCHAFFER. Will the gentleman yield?

Mr. McKEOWN. Yes; I yield to the gentleman.

Mr. SCHAFFER. Perhaps they are following the policy of protection laid down by the late President Wilson when he sent our soldiers into Russia and into Mexico.

Mr. McKEOWN. Well, I want to say this: About the only time the Russians ever had any sort of order over there that was worth while was when the Americans were there. They may not have appreciated it, but it was about the best order they had ever had, and they have not had any since. [Laughter and applause.] So far as Mexico is concerned, I have always said, and I have always believed, if a fellow wants to invest his money in Mexico rather than under the flag of the United States, let him take the consequences of the laws of Mexico and live up to them. [Applause.] He has no right to come back to this country and ask our citizens to send their boys down there when he himself will not stay at home, and the only thing he keeps up here is his citizenship, although he is always ready to ask that his investments be protected.

Mr. SCHAFFER. Why did Woodrow Wilson, a Democratic President, send them down to Mexico?

Mr. McKEOWN. They had trouble down there, and he sent them down there to bring our fellows out from that country. [Laughter.] He sent them down there to stop them from coming over here and help the Americans who had not gotten out who had not sense enough to come out of that country; but he said he would not send our boys down there any more. [Laughter and applause.]

Mr. BLACK of Texas. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. BLACK of Texas. We might as well recall now the reason President Wilson sent General Pershing and his punitive expedition into Mexico, which was because Villa crossed into the United States and at Columbus, N. Mex., killed a lot of American citizens, and this expedition was in pursuit of Villa and his followers. It was made with that purpose alone, and while the expedition did not get Villa they drove him far into the interior and he did not repeat the Columbus, N. Mex., outrage.

Mr. McKEOWN. Yes.

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

Mr. COLLINS. Mr. Chairman, I yield the gentleman five minutes more.

Mr. DENISON. Will the gentleman yield for a question?

Mr. SCHAFFER. How about the Vera Cruz expedition?

Mr. BLACK of Texas. Oh, that is not involved at all in this discussion.

Mr. DENISON. I am interested in my friend's discussion of the Monroe doctrine. If we have the right under the Monroe doctrine to send our troops to Nicaragua to protect American lives and property, should they take a position down there and simply stay there and allow themselves to be ambushed, as was done by Sandino with his troops, when a lot of our men were killed? Does my friend think we ought to do that?

Mr. McKEOWN. I want to say to my friend that I am just as firm for the Monroe doctrine as anybody in the House, and if it was more safe to charge that bunch, they ought to run them farther; but after they ran off, then they ought to stand still and protect their lives and the property; and I can not understand why a man wants to run up through the hills and over the mountains to take some fellow who is clear out of the zone of trouble and away from the danger line. He is not trying to do anything but get away. [Laughter.]

Mr. DENISON. I think the gentleman is literally correct, but that is only one phase of it. As I understand the situation, our troops were sent down there and were stationed at a position, but they were ambushed and a number of them killed. It was then decided, as a matter of military necessity and self-protection, that they should run down the bandits and capture them or kill them in order to prevent another ambush. I am sure my friend will agree that that was proper.

Mr. McKEOWN. But I want to know whether they were in the right position in the first place. I want to know whether they were in the right place when they were ambushed. I do not know whether they were or not. [Applause.] They might not have been protecting American property. They ought to have been around where the American property was and maybe they got away from where such property was.

Of course, I am not criticizing them for fighting, because American boys will fight whenever there is any chance to fight, and they are always ready to fight. We all know they are good fighters, but what I am complaining about is going down there to protect American property and American rights and to protect the rights and the property of the citizens of the foreign countries who have business in there, because we do not let them go in and protect it, and naturally we have to "step-father" their interests; but when we have done the protecting we ought to quit and get through with it and we ought not to continue to carry on a warfare down there.

Mr. DENISON. I am sure that would be correct if the hostile enemy would let us do that, but they will not do that. They attack us from ambush, and then my friend, I am sure, understands it becomes necessary to pursue them until they are captured or driven into submission.

Mr. McKEOWN. Do they come up into the cities and into the places where American property is located?

Mr. DENISON. They certainly did in Nicaragua.

Mr. McKEOWN. Well, they can run them out of the cities and stop following them, can they not? [Laughter.]

You know, gentlemen, this is a serious matter. There are boys from all over the United States in the Marine Corps. They can not help themselves. They have got to go wherever they are told to go, and they have to die if necessary; but these boys, their kin, want to know for what purpose they are dying down there in Nicaragua.

I am not complaining about the Monroe doctrine. I am not complaining about defending our citizens and our property. I think every man in this country, if he goes on lawful business, ought to be entitled to go into any country and be protected by the flag of this Nation. [Applause.]

I have no apologies for, or no regret about, that doctrine, but I do not think that a man has a right to go off to a foreign country, leave the United States, and take all of his money

with him, and the only thing he leaves up here is his citizenship; and, then, when he gets into a row with them down there over some trick he played on them and they played on him, then to come up here and want to take our boys down there to protect him and his property. I am not in favor of that kind of doctrine. It may be all right, but I am not in favor of it. [Applause.]

Now, what is the situation? This resolution reported out by Congressman BURTON is most far-reaching and is one of the steps forward in the matter of controlling wars. Because, if the resolution is adopted and we go on record in saying that we do not believe in selling arms and munitions and are not going to stand up and let the arms and munitions go to prosecute wars abroad, in other countries, you are going to have less of it, and you will see if you don't have less war propaganda in the world.

Mr. McCLINTIC. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. McCLINTIC. I would like to say that I have heard that a number of marines have been wounded in Nicaragua. Has the gentleman any information on that subject?

Mr. McKEOWN. No; I have not been advised as to the number.

Mr. McCLINTIC. I have heard that more than 400 have been injured.

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

Mr. COLLINS. Mr. Chairman, I yield 20 minutes to the gentleman from Missouri [Mr. COMBS].

Mr. COMBS. Mr. Chairman and gentlemen of the committee, I am not insensible to the fact that there may be some presumption in my discussing a matter to which the experience and wisdom of much older men have been addressed. My only excuse for so presuming is the fact that, as the gentleman from Oklahoma has just told you, the question that confronts us in our international policy is a matter of the gravest public concern.

It is difficult to speak temperately of any injustice that compromises our national honor. It is even more difficult to speak without passion and without bitterness of the injustice of a cause that has brought upon our heads the censure of the entire civilized world.

So in approaching any discussion of this matter it is only fit and proper that it should be done in a spirit of the utmost gravity.

I want to read, not because I subscribe to all the sentiment it embodies, but because it is one of the most eloquent human documents that was ever written, a letter from the father of a marine who was killed in a Nicaraguan battle. I would like to include it in the RECORD, feeling that while it may be in some respects intemperate, it fairly expresses the opinion and attitude of a great many of our American people. This, mind you, is a citizen of my own State of Missouri who has written out of the fullness of a heart bereaved through the loss of his own son and addressed to the President of the United States:

Mr. CALVIN COOLIDGE,
Washington, D. C.

DEAR MR. PRESIDENT: According to the dispatches of to-day (January 3) from Managua, my son, Serg. John F. Hemphill, was killed in action against General Sandino's troops.

For the death of my son I hold no malice against General Sandino or any of his men, for I think, and I believe that 90 per cent of our people agree with me, that they are to-day fighting for their liberty, as our forefathers fought for our liberty in 1776, and that we, as a Nation, have no legal or moral right to be murdering those liberty-loving people in a war of aggression.

What we are doing is nothing less than murder, for the sole purpose of keeping in power a puppet President, and acting as a collector for Wall Street, which is certainly against the spirit and letter of our Constitution.

My son was 29 years old, served 3 years of his third enlistment, survived honorable service through the World War against Germany, only to be officially murdered in a disgraceful war against this little nation.

My father served through the Civil War, both my grandfathers died in action in the same war, and I am proud of their records, so this is not from the pen of a red radical, but from one who loves justice and fair play.

I have four sons, and if necessity arose I would be willing to sacrifice not only all four sons, but my own life as well, in a war of defense, but I am not willing to shed one drop of blood in a war of aggression such as this one is.

You have lost a son and know the sorrow, and we as a Nation mourned with you in your hour of grief. Suppose that son had fallen, as my son has, a victim of the greed of Wall Street, would you feel that the financial gain was worth the cost?

JOHN S. HEMPHILL.

FERGUSON, Mo.

Gentlemen, we have heard a number of different lines of argument to justify the intervention of this country in the affairs of Mexico, and most frequently, as the gentleman from Oklahoma has just said, the Monroe doctrine has been invoked in a variety of interpretations to defend what would otherwise be an absolutely indefensible war of aggression. What was the Monroe doctrine; what was the purpose of it? Was it intended to cover any such situation as confronts us in the Latin American countries? It was formed to combat the influence of the Holy Alliance, intent on restoring to Spain her colonies throughout the Latin American countries. We were unwilling to see a political system antagonistic to our own established on this continent through European coercion, knowing that our trade with Latin American countries, then being carried on peacefully, would be interrupted by the Spanish policy of limiting the trade of her colonies almost entirely to commerce with the mother country. Still more important was that the virus of autocracy, distilled at our very door, might poison the democratic institutions of this Nation while they were still in their infancy. When, under the guiding hand of Metternich, the Holy Alliance attempted to reestablish the Spanish Empire on this continent, both the United States and England protested and England withdrew from the alliance. It would seem the Monroe doctrine had been too well and too thoroughly discussed to need any word of interpretation here so far as its logical scope is concerned, but such liberties have been taken with its implications that we should try to define its original objectives.

Now we are told it was meant to embrace such conditions as have developed in Latin America. Let me read the words of President Monroe at the time the Monroe doctrine was formed, showing what his sole purpose was and his view of the scope of the pronouncement—that it was not meant to extend to our intervention in Latin American affairs, but, as a matter of fact, expressly committed us not to intermeddle in the private affairs of any other country. Not the least of the objects of the doctrine was to guarantee to each nation the right to determine its own form of government, free from either European or American coercion, and these are the words of James Monroe, uttered only two years after the enunciation of that doctrine:

The new States are settling down under their governments, elective and representative, in every branch similar to our own. In this their career, however, we have not interfered, believing that every people have the right to institute for themselves the government which in their judgment may suit them best.

He was followed immediately by John Quincy Adams, who really breathed the spirit of life into the Monroe doctrine, and whose reference to its scope was this:

We are disclaiming alike all right and all intention of interfering in those concerns which it is the prerogative of their independence to regulate as to them shall seem fit.

The Congress of the United States at the same time referring to the limitations of this doctrine, under whose protection we now seek to carry on a war of aggression in Nicaragua, said that we did not have the right of intervention with their private and purely national affairs.

In the opinion of this committee there is no proposition concerning which the people of the United States are now and ever have been more unanimous than that which denies not merely the expediency, but the right of intermeddling with the internal affairs of other States, and especially of seeking to alter any provision they may have thought proper to adopt as a fundamental law.

At the time the Monroe doctrine was enunciated the President of the United States, the Secretary of War, the Congress of the United States were unanimous in that interpretation of the Monroe doctrine which would have made it an act of intermeddling on our part to seek to dictate to any Latin-American country how it should order its private affairs. The Monroe doctrine has not changed. It is still what it was at the time of its enunciation, and while I will not pretend that it in any way exhausts our foreign policy so far as Latin America is concerned, but it is the only definite and unambiguous foreign policy that the United States has ever had toward those countries, and the enlargement of it to condone our paternalism in Latin America is without historical or moral justification.

We are committed to protect those countries against European aggression, very largely as a matter of our own protection,

being unwilling to see any other political system inimical to our own grow up on American soil. But by no possible refinement of reasoning can that be distorted to cover or justify our activity in going into the internal affairs of any Latin-American state. What have we done? The reason we went into Nicaragua was ostensibly to protect the sanctity of American investment. As a matter of fact, it has been said on this floor—and, I believe, never denied—that there is no definite proof, there is not even a word, that can convince a fair-minded man that American life was ever endangered in Nicaragua or that American property ever had been seriously threatened. When the American marines were ambushed it was after we had committed ourselves to pursuing Sandino and had virtually declared a state of war against him.

The barometer of political affairs in Latin America rises and falls so quickly that if we attempted to intervene in every purely national dispute that arises on that particular part of the continent we should be busy in no other thing. But conceding that we had the right to do this—and I do not, for one, deny that the sanctity of our American life and investment demands for the protection of the sovereignty of the United States the application of whatever force is necessary to protect our own interests—still we have gone further than guarding the rights of our nationals and have deliberately sought, not simply to establish zones of neutrality that would have been sufficient to guarantee the lives and property of our own citizens but to police a foreign state, to maintain a foreign government with only the most dubious claims to office and to make war on a large element of the Nicaraguan people.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. COMBS. Yes.

Mr. GARRETT of Tennessee. Does the gentleman make a distinction in the duty of the Government as between the protection of life and property? Would not the gentleman make a distinction in that respect?

Mr. COMBS. I do, of course, believe that the sanctity of American life is far more important than the sanctity of American investments that may have been made in a spirit of reckless disregard to their effect upon the policy of the United States.

Mr. GARRETT of Tennessee. That is the answer that I had expected from the gentleman. I just want to reinforce what the gentleman said a moment ago, and that is that again and again here on this floor those who have undertaken to uphold the policy adopted by the administration have been challenged to point to a single instance in which a single American life was even threatened, or to an instance in which American property that it was our duty to protect was in any way jeopardized, to the end that we might know under what circumstances life was endangered and that we might know the character of property and what its relation was to the Government of Nicaragua.

Mr. COMBS. May I say, expressing my gratitude to the gentleman from Tennessee for his interruption, that a substantial American investment has been made in Nicaragua since the outbreak of hostilities, when that part of the Liberal forces led by Moncado were induced by the unofficial representative of the United States to submit to Diaz. The Stimson plan provided they were to be paid for every gun that they brought in.

General Moncado surrendered his forces, but it was found that there was not enough money available in the Nicaraguan treasury to pay him, and that the United States would not lend enough money to the provisional government to pay General Moncado; and so the Diaz government of Nicaragua negotiated a loan, not with the Government of the United States, but with the Guaranty Trust Co. of New York, for \$1,000,000, which was to be expended under the supervision of a commission composed of three men, one of them a representative of the Nicaraguan Government, one of them a representative of the Guaranty Trust Co. of New York, and one of them a representative of the American State Department. Sandino rejected the offer, refused amnesty, and denied the right of the United States to supervise the affairs of Nicaragua. So American money began going into Nicaragua in an almost unbroken stream at a time when hostilities were again brewing and ready to burst into flame.

Now, the peril of it is this: What lien or mortgage must Nicaragua give for the one-year loan of \$1,000,000 the bankers made them? A mortgage on the capital stock and dividends of the National Bank of Nicaragua of \$600,000—the National Bank of Nicaragua is a corporation with a paid-in capital of \$300,000, and worth twice that—and the entire capital stock of the Pacific Railways of Nicaragua, worth more than the total amount of the loan; and they pledge the export tax on coffee, the new customs duty on tobacco, wine, and liquors, and the increased tolls on other commodities, and agree to give the bankers of New York a five-year option on new Nicaraguan

loans, and to transfer to New York, for the benefit of the credit givers, the bank's and railroad's deposits, worth in the neighborhood of \$400,000.

We have invested in that country in a time of great and dire peril. Now a new loan is projected even more sweeping in its provisions than the first one, one that will have an even more burdensome effect upon the Nicaraguan people. We are getting a lien on the customs, on the utilities, on the railroads, on the banks, and almost every productive industry in that country. Your American marines will never get out of there until each one of these various obligations is redeemed, whether that takes months or years. I believe that no man has a morally defensible right to go into a country whose internal affairs are as unstable as those of Nicaragua and then expect the American people to redeem the money recklessly and imprudently invested, through the intervention of our Army. [Applause.]

In conclusion I want to say that there is a serious question that we have not duly considered, which has to do with the right of our President to make war on any foreign people without the sanction of the Congress of the United States. I do not care how many times it has been done before. It is wrong. It will always be wrong. And this Congress is morally obligated to defend its own prerogative in a declaration of war.

Thomas Jefferson, at a time when matters similar to these were under consideration, laid down this doctrine, which is good, sound American doctrine at this time, and which apparently had something prophetic in it, since he forecasts clearly our present situation. I read what he said:

In the case of actual physical attacks upon American citizens or their property, or the immediate danger of such attacks, the forces of the United States may be used for strictly protective purposes without the consent of Congress, which it is manifestly impossible to obtain in such cases. When, however, any attempt is made to take over the control or territory, to use force for the collection of claims due to American citizens, to interfere with the military operation of foreign troops, or, above all, to interfere between two governments, each claiming to be the legal government of the country, war (perhaps only partial war, but still war) is waged, and this can only be constitutionally done under the authorization of Congress.

American lives are being sacrificed. By whose warrant? The Constitution of the United States provides expressly that the power to wage war shall be vested in the Congress. Has there been any warrant through which Congress to-day authorizes this aggressive war on Nicaragua? The Nation has been plunged into a war it does not approve, with casualties to its troops proportionately as great as those of the World War, by a usurpation on the part of the President and the State Department of a right which resides in Congress—an illegal as well as an immoral war.

We are getting deeper and deeper into the mud of Nicaraguan affairs. With every investment we are becoming more and more deeply involved. With every loss of American life the situation has become more and more critical; and I say that inasmuch as we are there without warrant of law and without the authorization of Congress, we would not be stultifying ourselves or our national honor, so far as the Stimson agreement is concerned, if we brought away our troops to-day without any apology to the world except for the harm we have already done. [Applause.]

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

Mr. COLLINS. Mr. Chairman, I yield to the gentleman from Georgia [Mr. LANKFORD] 20 minutes.

The CHAIRMAN. The gentleman from Georgia is recognized for 20 minutes.

Mr. LANKFORD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on various bills introduced by myself, and by replying to an editorial recently carried by the Washington News under the caption of "Religious tolerance and District of Columbia Sunday closing laws," and also by inserting some brief quotations and an item from the Literary Digest on Sunday observance.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the manner indicated by him. Is there objection?

Mr. MAPES. Reserving the right to object, Mr. Chairman, I will ask the gentleman if that is the same request he made yesterday in the House?

Mr. LANKFORD. It is the same request.

Mr. MAPES. I understood that the policy was not to ask for extensions in committee of matters foreign to the subject matter of the debate.

Mr. LANKFORD. I want to talk on the subject indicated at this time, under the rules of general debate.

Mr. MAPES. Does the gentleman think that it is good practice to ask to extend in the committee what has been objected to in the House?

Mr. LANKFORD. I do not feel that the fact that I have already asked unanimous consent to extend on any subject and have been denied that privilege deprives me of the privilege of repeating that request, and it does not deprive me of the right to ask unanimous consent for the insertion as a part of my remarks of an editorial which is discussed, and quotations which I wish to insert as a part of my discussion.

Mr. MAPES. If the gentleman is going to discuss the general subject, I will not object.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. TREADWAY. Mr. Chairman, I was compelled to object to the gentleman's request yesterday, and if he is repeating the same request now I shall be obliged again to object. I object to the insertion of something other than the gentleman's own remarks. I object to the insertion of editorials, articles in the Literary Digest, and similar extracts to which the gentleman referred yesterday. They are public property and do not need to go into the RECORD. I therefore object to the insertion of such extracts as the gentleman refers to as having been printed in the Literary Digest and other publications.

The CHAIRMAN. Objection is heard to that portion of the gentleman's request relating to extracts from the Literary Digest.

Mr. LANKFORD. Mr. Chairman, do I understand that means I can use nothing except my own remarks and that I can not quote even a sentence from any other document?

Mr. TREADWAY. It does not mean that at all. Everybody in the course of remarks such as I understand the gentleman is about to make brings in an extract from somebody else's speech or something like that. What I am objecting to is the insertion of articles taken bodily or partially from magazine articles, which is so frequently done here. The gentleman knows perfectly well what the nature of the objection is that I am making. I am not objecting to the gentleman quoting something in his own remarks and in his own time on the floor.

Mr. LANKFORD. That is what I am seeking to do, Mr. Chairman, give certain quotations in my own remarks, and I do not understand there is any limit as to the length of those quotations.

Mr. TREADWAY. I think there is a limit as to the length of such quotations, and unless the gentleman is willing to say how extensive those quotations are I shall be obliged to object. If he wants to say, "I am quoting simply a few lines to illustrate what I am saying," of course I shall not object, but I think it is the gentleman's intention to quote an article from the Literary Digest, and I object to that. We can get copies of the Literary Digest for 10 or 15 cents.

Mr. BANKHEAD. Will not the gentleman from Massachusetts withhold his objection for a moment. I would like to inquire just what the gentleman from Georgia desires to insert.

Mr. LANKFORD. I have asked unanimous consent to insert certain quotations from an editorial which was carried in the Washington News on the subject of religious tolerance and District of Columbia Sunday laws, and also to insert a short quotation from the Literary Digest, as well as some other quotations. I would insert, if permitted, the entire article from the Literary Digest, because it is not very long. I will say in this connection that on yesterday the gentleman from Massachusetts allowed an extension of remarks in the RECORD containing five newspaper articles, every one of which is much longer than my article, and then within five minutes he objected to my inserting in the RECORD one article not nearly as long.

Mr. TREADWAY. The gentleman does me an injustice. I did not permit anybody to put anything in the RECORD, because I do not have that power. All I can do is to make objection when the request is made, if such request does not seem proper. I did not permit anybody to put in five extracts, and I did not know anything about it.

Mr. LANKFORD. The RECORD shows that just before I made my request on yesterday the gentleman from Ohio [Mr. Roy G. FITZGERALD] obtained unanimous consent to extend his remarks in the RECORD. That was not objected to by the gentleman from Massachusetts, and those remarks contained five quotations from newspapers, every one of which is much longer than the quotation which I wish to put in the RECORD. The gentleman from Massachusetts could have ascertained from the gentleman from Ohio whether he intended to include such quotations in his own remarks. However, he did not do that, but

objected to my inserting these quotations. He could have made that inquiry of the gentleman from Ohio. Furthermore, last year, when I inserted an article which the gentleman [Mr. TREADWAY] thought ought not to be inserted, he moved to strike it out, but he has made no such motion with reference to the extension of remarks by the gentleman from Ohio. The gentleman from Massachusetts could have followed the same procedure he followed with respect to myself last year.

Mr. TREADWAY. I call the gentleman's attention to the fact that at the time I objected to the extension of his remarks another gentleman, Mr. UNDERHILL, objected to the extension of remarks by the gentleman from Illinois [Mr. RATHBONE]. His extension did not concern the same subject matter, but the gentleman's request included the same kind of an article, an editorial from a newspaper. That was objected to, and is going to be objected to again to-day.

Mr. LANKFORD. Mr. Chairman, we might as well get this matter straight. The RECORD every day carries column after column of liquor advertisements or matter put in on behalf of wet propaganda and on behalf of the bootleggers of the country, and then when I attempt to put in a very short article in defense of a bill I have introduced, and which has been attacked by some newspaper in Washington, I am confronted with the proposition that I can not insert short newspaper articles in the RECORD.

Now, Mr. Chairman, it seems to me there ought to be some definite rule as to the length of quotations that may be included in extensions of remarks. I do not want to violate any rule of the House. I only want to be treated fairly. I do not want anything left out of the RECORD simply because I happen to be in favor of Sunday observance or because I happen to want to quote something in support of that contention. I do not want anything left out of the RECORD because it happens to be in support of farm legislation upon objection by the same gentleman from Massachusetts who put in the RECORD a little while ago a lot of quotations from newspapers attacking farm legislation. I want to know where the line of distinction is. Is it because my article is in favor of Sunday observance or in favor of farm legislation, or because the gentleman just simply does not like the man who is trying to put in the article?

Mr. TREADWAY. I would not for a moment, Mr. Chairman, take the slightest offense at the gentleman from Alabama—

Mr. LANKFORD. Alabama would be as well, but I am from Georgia.

Mr. TREADWAY. Yes; the gentleman from Georgia. It is not a personal matter in any sense. At numerous times I have objected to extensions of remarks of the nature that the gentleman seems to want to insist upon inserting now. I offer this suggestion in all kindness to the gentleman. I am not going to make the personal type of remark that the gentleman has just made because there is nothing personal in this at all—

Mr. LANKFORD. There is nothing personal with me except that I can not understand why the gentleman objects to certain lines of extension and allows the other kind to go in.

Mr. TREADWAY. Just a moment. The gentleman made his statement, let me make mine.

Mr. LANKFORD. But this is my time, Mr. Chairman.

Mr. TREADWAY. Let me suggest, Mr. Chairman, probably we have taken more time in discussing this matter than it would have taken the gentleman to read, in his own time, the extracts he wants to put in the RECORD, and I suggest the gentleman read the extract from the Literary Digest in his own time, and then there will not be any objection to it upon my part.

Mr. LANKFORD. At the beginning I asked unanimous consent that I might proceed for 20 minutes and read what I had written with these extracts in it, and if I failed to read it all within the 20 minutes that the balance then might be extended in the RECORD.

Mr. TREADWAY. I still object to the gentleman inserting extracts from the Literary Digest or any other publication without having read them.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. TREADWAY. I object.

Mr. LANKFORD. At a more opportune time, Mr. Chairman—

Mr. CHINDBLOM. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The regular order is, Is there objection to the request of the gentleman from Georgia, and the Chair hears objection?

Mr. LANKFORD. As I understand it, the gentleman does not object to my reading what I have written.

Mr. CHINDBLOM. The discussion, of course, is all in the gentleman's time.

The CHAIRMAN. The gentleman may proceed with his remarks. He has been yielded time.

Mr. LANKFORD. And at some other time I shall ask unanimous consent to extend in the RECORD my own remarks on the inconsistencies of the very amiable gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Why does not the gentleman ask that privilege now? I shall not object to it.

Mr. LANKFORD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD, after taking ample time to look up the matter, showing the inconsistency of the splendid gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. I trust that right will be granted the gentleman.

Mr. CHINDBLOM. Reserving the right to object, the gentleman does not expect to quote from the Literary Digest on that subject?

Mr. LANKFORD. I do expect to quote from some remarks the gentleman has put in in opposition to farm relief.

Mr. TREADWAY. Oh, no. I have done nothing of the sort.

Mr. LANKFORD. And some remarks that have been allowed to go in unobjected to putting bootleg stuff in the RECORD.

Mr. TREADWAY. The gentleman is mistaken in the identity of the Member. I have never put anything of that kind in the RECORD at any time.

Mr. TABER. Regular order, Mr. Chairman.

The CHAIRMAN. The regular order is for the gentleman to proceed.

Mr. LANKFORD. I am proceeding, Mr. Chairman.

Mr. CHINDBLOM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman yield for a parliamentary inquiry?

Mr. CHINDBLOM. The time consumed by the gentleman, of course, is out of the time yielded him.

The CHAIRMAN. The Chair would not so hold, in view of the fact that during the discussion under a reservation of the right to object, any Member could have demanded the regular order. If anyone's fault, it was the fault of all the Members permitting the discussion to go on when any Member could have stopped it by a demand for the regular order.

Mr. LANKFORD. What I wish to say in that connection is simply this—

The CHAIRMAN. The gentleman's time is running now.

Mr. LANKFORD. All right. I shall quote in this extension of remarks from remarks made by the gentleman in opposition to farm relief, in which he extended certain articles, and also other articles put in by him, or which he permitted to be inserted, consisting of newspaper articles; and also certain bootleg stuff permitted to be inserted in the RECORD when the gentleman was present and made no objection.

Mr. TREADWAY. Mr. Chairman, I object to that sort of remark, as if I were the censor of every Member on this floor. We have had a nice, cordial, pleasant little talk here—

Mr. LANKFORD. And we are still having it.

Mr. TREADWAY. Why not continue it without any personal remarks of that kind? I have never inserted any bootleg legislation in the RECORD, or anything favorable to it.

Mr. LANKFORD. I did not say that.

Mr. TREADWAY. And the only thing the gentleman objects to is the fact that I have not stopped somebody else from putting in some of their own remarks. It is not fair, I will say to the gentleman from Georgia, to make any such insinuation. Let us be pleasant about this little matter.

Mr. LANKFORD. It has been very pleasant with me.

Mr. TREADWAY. Even to the extent of offending the gentleman about his Literary Digest item.

Mr. LANKFORD. I simply wish to say that I do not mean the gentleman has put in any bootleg extensions, but since the gentleman has set himself up as a censor of certain matter sought to be put into the RECORD by me, I am going to show that my quotations are better and of a higher class than other stuff which the gentleman permits to go into the RECORD.

Mr. Chairman and gentlemen of the committee, I shall now proceed with my remarks concerning the editorial carried by the Washington Times, and am quite sure I shall, yet in my own time, have an opportunity to read the article from the Literary Digest to which objection has been made.

First I wish to address myself to the editorial carried by the Times, leaving the contested Digest article to be read by me later, before I resume my seat.

Mr. Chairman and gentlemen of the committee, the Washington Times, on January 20 past, under a double-column caption of "Religious tolerance and District of Columbia Sunday closing law," editorially purposely attempted, as usual, to deceive

the public. The attack was aimed at a bill introduced by me to provide one day of rest out of every seven in the District of Columbia. Deception No. 1 is in the phrase "there is pending in Congress a bill, sponsored by Georgians and other citizens of particular creeds, providing for air-tight Sunday closing in the District of Columbia." If a bill, the entire effect of which would be to close only commercial sports, theaters, movies, dance halls, and night clubs on Sunday and secure one day of rest out of every seven for the workingman, is an air-tight Sunday closing then I wonder what the editor would consider a wide-open town. The editor knows I am not trying to legislate for an "air-tight Sunday closing in the District of Columbia." I do favor, though, an air-tight Sunday closing of theaters and movies which to-day are fiendishly kidnaping, debauching, and tearing to pieces all that is highest and best in the make-up of our children. While these kidnapers of the conscience and souls of our boys and girls are throwing their morally twisted and dismembered bodies at our feet, editors of many of the big dailies are pleading for these dens of vice, like the gates of torment, to stand open day and night and every day in the year.

This editor of the Times is very solicitous about the Sunday night clubs and Sunday dance halls, and is fighting shoulder to shoulder with the organization for the promotion of atheism in behalf of these dives of vice, lawlessness, and shame. The sanction, approval, and support of these things is demanded by the editor as being in furtherance of "orderly, sensible observance of the Sabbath Day." The editor says that "District pastors, citizens, and organizations" have denounced my bill as "being most dangerous to true religion."

To my mind, Sunday dance halls and Sunday night clubs constitute an odd and dangerous "true religion." Because a few have bitterly objected to my bill against these things does not lessen the merits of the bill. In my humble judgment there are a hundred times as many pastors, good citizens, and leading churchmen in Washington and elsewhere favoring my bill as there are against it.

Again, the editor says that Congress is composed of "enlightened men, the majority of whom represent constituents who do not favor such legislation." Why not make the statement stronger and say all Congressmen represent a few constituents who do not favor any Sunday legislation, object to all laws, and are professional criminals. Surely this is no argument against reasonable laws when favored by a great majority of our people. The desire for Sunday closing of theaters, movies, dance halls, and night clubs is not the "bigoted ideas of a comparative few outside men and women." If the overwhelming majority of the people in a great majority of the congressional districts do not favor my bill, then I do not want it passed. This can not be determined, though, by the number of petitions which may be obtained by false representations that my bill interferes with religious freedom or would bring a union of church and state, or will force Sunday religious observance.

Let us see what these Washington newspaper champions of Sunday night clubs say about these beloved objects of their deepest affections. After pleading for protection of the night clubs of debauchery in the name of the United States Constitution and all its wonderful provisions for religious freedom and human rights, their news columns carry story after story descriptive of these dens. Here is a little of the evidence quoted by these papers as given by a prominent citizen in a trial now in progress concerning what was seen at one of the most notorious clubs near Thomas Circle. The witness said:

On January 15, 1927, I saw a young girl slide under the table from her chair. Two young men, about 22, and another girl were at the table. The men picked the girl up and asked a waiter to bring them something. The waiter returned with a colorless liquid which they gave the girl and she was revived. Later they took her from the dance floor. I believe the girl was drunk. I saw 40 or 50 persons drunk that night. They were trying to dance. I smelled the odor of alcohol. Those trying to dance bumped into each other. They were boisterous. Men, and occasionally a woman, cursed. Their faces were flushed, the girls' hair were disheveled.

The editor argues that to close dens like this just described will "disgust many who believe in orderly, sensible observance of the Sabbath day," will "fasten on the District the bigoted ideas of a comparatively few outside men and women," will "force Sunday religious observance on the people," and that "modern religion can make no progress" where such Sunday performances are interfered with. Perhaps he believes these things; but if so, he is diseased with a strange kind of religio-fanatic-constitutive-don't know. He even urges that there shall be no good legislation for people, since we can not "make them good" by legislation. I admit that legislation can not make all people good, but that is less than no argument against laws for the

protection of both good and bad folks. All good laws improve not so much the individual as the whole citizenship. Laws are not made alone for the fellow who boasts that "laws can not make him good," but for the protection of those he would wrong or destroy. The insistence by any man that he will be maliciously bad in spite of law, and therefore others should join with him in violation of the law, is an effort to tear down all law, destroy orderly government under the Constitution, and to set up in lieu thereof anarchy by traitors.

I would not sponsor a bill based on the intolerance of any true religion, but I have no tolerance for any practice, be it called religious or not, which approves the eating of human beings by the cannibals of the Fiji Islands or the slaughter of innocent children by any people, civilized or uncivilized; neither do I profess any tolerance for the selfish desires of those who for "30 pieces of silver" are seeking to betray the moral manhood and womanhood of the next decade—our children of the present. I am very intolerant of the selfish practices and proclivities of those who are seeking to lead and herd our children like "dumb, driven cattle" in the slaughterhouses of atheists and those giving infidels aid and comfort in their fight to destroy all that is highest and best in the lives of ourselves and in the life of our Government.

By the way, just here let me give the editor a little tip. The Times and other Washington papers like to carry criticisms of my farm bills, Sunday bill, and so forth. Now, I have introduced a bill—

To prevent the handling in the United States mail or interstate commerce of any newspaper, magazine, or periodical which contains the name of a girl or woman as the individual upon which it is alleged or contended was committed a rape or an assault with attempt to rape.

I am trying to prevent the Times from lynching publicly, again and again, the outraged victim while the identical paper is shouting for the protection of the brute who committed the offense. I would like to shut up "airtight" this and some other papers—not only Sunday, but every day in the week—so as to prevent their subjecting by continuous publicity the innocent victim of an outrage to a torture worse than that of faggots and the torch.

The editor can write another editorial on this last-mentioned bill and can give forth ululations to his heart's content in behalf of his idea of "religious freedom," and especially can he feel he is very eloquent in behalf of "freedom of the press." Evidently the editor thinks that "freedom of the press" means a license to oppress the right and suppress the truth.

The editor can apply the epithet of "bigoted" to the great majority of people in the States who favor a decent Sunday law for their own Capital if he wishes. Not many of the 421 Members of the House who represent districts with stronger Sunday laws than that proposed by my bill will join with him in his unauthorized slander of over a hundred million of the best people of the Nation. In order to show what others think of the "bigoted" people who favor Sunday legislation I wish to read for the RECORD the following article from the Literary Digest of January 28, 1928.

This is the article to which objection has been made:

A LESSON ON SUNDAY OBSERVANCE

Big business and Sunday observance are not generally associated together in the public mind, but the Manufacturers Record (Baltimore) gives us striking instances in which two of the country's great business houses make it a strict rule to keep the Sabbath day holy. John Morrell & Co., packers, a century-old firm of Ottumwa, Iowa, which last year did a business of \$75,000,000, observe the Sabbath day so strictly, we read, that they do not permit anyone in their employ to work for them on that day. This is brought out in a letter from T. Henry Foster, the president of the company, to Edward T. Fenwick, a Washington attorney, who had written that he preferred not to travel on Sunday to attend some of the meetings of the company. In the course of this letter, as we quote it from the Manufacturers Record, Mr. Foster says:

"There is one thing, however, I want to comment on, and that is the fact that you do not like to travel on Sunday in order to appear at meetings in our behalf.

"I am glad to know this, and I want you to feel that you need never travel on Sunday in connection with any of John Morrell & Co.'s business. If in order to reach a destination it is necessary to travel on Sunday, it can be understood between us that the work is to go over until the next day, and in this connection you will find us always ready to cooperate with you.

"In our own business we observe the Sabbath day everywhere, and have done so as long as the business has been in existence. We not only do not work ourselves, but we do not want or permit anyone to work for us, and as long as the present management is in charge of this business we expect to maintain this rule.

"We are really glad once in a while to come across people who have the same respect for the Sabbath day we have."

In a letter to the Manufacturers Record on the same subject, Mr. Foster says:

"A great deal of our success I attribute to the high standard of living maintained by the founders of our business, and the importance they attached to spiritual values and made use of in their relations with their employees, their competitors, and the public. This has had its influence on the business down through the years and long after all of them have passed away.

"You will realize that we operate a highly perishable business, dealing as we do in livestock and fresh meats. Nevertheless, we have found it not only possible, but also entirely practical, to fully observe the Sabbath as a day of rest."

Another great western firm, Marshall Field & Co., of Chicago, which has ramifications all over the world, has a similar rule in regard to Sunday observance. Seventy-five years ago, we read, Marshall Field & Co. inaugurated a practice of pulling down their store-window curtains on Saturday night and leaving them down until Monday morning. This practice has continued to the present time.

Mr. TREADWAY. I would like to have the gentleman know that I am very proud of the fact that the merchant prince, Marshall Field, to whom he has referred, was born and raised and learned the mercantile business in my district.

Mr. LANKFORD (reading):

In a full-page advertisement in the Chicago Tribune some weeks ago that firm inserted the following statement:

"THE THINGS UNSEEN"

"At the end of their first week in business the owners of a little shop lowered the curtains of their windows and went home.

"On each succeeding Saturday night the curtains were pulled down and kept down until Monday morning.

"As the little shop grew the suggestion came from many sources that the curtains should stay up. 'The windows are beautiful,' people said, 'let us walk by and look.'

"The owners had an old-fashioned background. They had been taught in childhood that six days are enough for the things that are seen. The first day of the week, they said, is for the things unseen—rest and worship and family life and freedom from thought of business.

"Seventy-five years have passed. The store has grown until its windows are said to be more valuable than any windows in the world. But the example of the founders remains, and all day Sunday the shades are down.

"Is this old-fashioned custom good in days when so many old-fashioned customs are being crowded out? We like to think so. We like the idea that on the first day of the week the church and the home should come first.

"Strong churches and strong homes build strong cities. All the great words of business—service and courtesy and kindness and truth—have their inspiration in religion. And prosperity is only permanent where there is reverence and mutual trust and faith."

Here—

Says the Manufacturers Record—

is a lesson to all America to study. May it be heeded ere it is too late.

Here is a news item which shows how a man who is well known in the financial world feels about Sunday observance. I am sure it will not hurt the RECORD:

HANK WOULD'N'T POSE

TOLEDO, OHIO.—Henry Ford doesn't work on Sunday; neither does he want anyone else to do so. When on a recent Sabbath he was broached by an ambitious reporter and photographer for a story and picture, Henry replied: "This is Sunday, my boy. No one should work on the Sabbath unless it's absolutely necessary. Getting a story or a picture of me isn't."

Now, let us see how some noted men of the past felt about Sunday observance:

SIR WALTER SCOTT

Give the world one-half of Sunday and you will soon find that religion has no stronghold on the other half.

DISRAELI

The Sabbath is the cornerstone of civilization.

VOLTAIRE

You can only destroy the Christian religion when you first destroy the Christian Sabbath.

DANIEL WEBSTER

The longer I live the more highly do I esteem the proper observance of the Christian Sabbath and the more grateful do I feel toward those who impress its importance on the community.

THEODORE ROOSEVELT

Experience shows that the day of rest is essential to mankind; that it is demanded by civilization as well as by Christianity.

WILLIAM E. GLADSTONE

From a moral, social, and physical point of view the observance of Sunday is a duty of absolute consequence.

WILLIAM M'KINLEY

I am in favor of Sunday legislation and strict observance of the Christian Sabbath.

SUPREME COURT OF THE STATE OF NEW YORK

The Christian Sabbath, as one of the institutions of religion, may be protected from desecration by such laws as the legislature, in their wisdom, may deem necessary to secure to the community the privilege of undisturbed worship, and to the day itself that outward respect and observance which may be deemed essential to the peace and good order of society, and to preserve religion and its ordinances from open reviling and contempt, and this not as a duty to God but as a duty to society and the State.

I am glad to vouch for the merit of the last five quotations. I am sure all will admit none better could be placed in the RECORD.

Mr. Chairman, under leave to extend my remarks I wish to insert one newspaper item which the gentleman from Massachusetts [Mr. TREADWAY] included in an extension of his remarks last February. I do not wish to insist that he did wrong or exceeded his rights as a Member of Congress by including the item which I shall quote presently.

I do urge though that he can not now be quite as consistent in his objections to my inserting newspaper articles as he would be had he not done the same thing heretofore.

He may urge that his article was not quite as long as mine. But it must be remembered that mine is much better than his. Then again my quotations from Daniel Webster, William E. Gladstone, Theodore Roosevelt, and William McKinley are all much shorter than his and surely have more merit in them. I realize that the gentleman did not specifically object to these last-mentioned quotations; however, his general objection would have prevented my placing these in the RECORD without further insistence on my part. In fact when I first asked for leave to extend my remarks in the RECORD I stated that my remarks contained some brief quotations from several of the men just mentioned. I specifically named Presidents Roosevelt and McKinley.

After all, the gentleman from Massachusetts [Mr. TREADWAY], who is one of the most amiable and beloved men of the House, as well as one of the very foremost leaders in the Congress, is honest and sincere in his efforts to protect the RECORD and keep out unnecessary and objectionable matter. I am quite sure we both agree on the rights of Members and as to the courtesies that should be extended to each Member by his fellows. Neither of us wish to abuse the privilege granted us by Members to extend our remarks in the RECORD.

Let me say just here that while I agree with my friend Mr. TREADWAY in many, many matters, I disagree with him very much on the subject of farm relief, as will be seen by the article which he inserted in the RECORD last February, which I referred to earlier in my remarks and which I am, in justice to all concerned, by unanimous consent, again inserting in the RECORD.

On February 15, 1927, the gentleman from Connecticut [Mr. TILSON] obtained unanimous consent for all Members of the House to have five legislative days in which to extend their remarks on the McNary farm relief bill. (See CONGRESSIONAL RECORD, February 15, 1927, p. 3890.)

The gentleman from Massachusetts [Mr. TREADWAY] on February 15, 1927, availed himself of this opportunity to extend his remarks in the RECORD, and during the course of his remarks stated that a recent edition of the Washington Post had carried a letter from former Senator Thomas, of Colorado, and quoted from that letter in the Washington Post as set out in the CONGRESSIONAL RECORD of February 15, 1927, page 3894, as follows:

What are rivers and harbors bills, public buildings bills, and all other of the pork variety but "votive" tributes to compact minorities organized to raid the Treasury? And last but not least, what is the pending Haugen-McNary bill, ostensibly for farm relief, but a surrender of the National Legislature to the compact forces of an agrarian minority strenuously demanding an initial appropriation of \$250,000,000 as an alternative to its political displeasure? The demand failed last year. It now renews its assault with an apparent certainty of success, because its forces are augmented by a compact with the cotton planter and tobacco grower, with whom the coveted spoils are to be shared.

Here is a trinity of power before which many Senators heretofore in opposition are obsequiously kowtowing. Their previous objections to the bill were both sincere and genuine. They were based upon irrefutable principles. They are as irrefutable now as they were last spring, yet they are silenced in large degree by the coalition of wheat, cotton, and tobacco.

The scheme is as fantastic as Plato's ideal republic. It defies economic law and all human experience. Even if it were capable of practicable administration and within constitutional warrants of power, it would carry the Government far afield from its legitimate functions. But it is a vote getter and as such easily commands the majority of the legislative branch of the Government, which instinctively appeals for its conduct to many like precedents of its own establishment.

Between the candidate who uses his own fortune to secure political advancement and the legislative majorities devoting the public money to the same purpose there is no difference in principle or in morals unless it be that the latter is the more reprehensible.

Mr. Chairman and gentlemen of the committee, surely this is newspaper propaganda of the most vicious form. It is needless to say that neither I nor anyone else who are supporting the various farm-relief measures approve the language of this article.

I am again inserting the item in the RECORD for the purpose of showing just what kind of articles are being taken from the press and inserted in the RECORD, just how vicious the Washington Post and other big-interest papers are in their attacks upon all efforts to pass legislation in behalf of the farmers of the Nation, and how bitter some of the opponents of farm legislation feel toward those of us seeking to solve this great problem.

The gentleman from Massachusetts [Mr. TREADWAY] had a perfect right to insert the article in the RECORD as expressing his sentiments and convictions. In fact, I have inserted in the RECORD, both by speeches on the floor of Congress and by permission to extend my remarks, many times more newspaper articles, letters from farmers in my district and elsewhere, and remarks of people who are in favor of farm relief than was ever inserted in the RECORD against the McNary farm relief bill by the gentleman from Massachusetts. I inserted in the RECORD, at one time last year, an article in behalf of the farmers which covered several columns of the RECORD. I refer to the splendid article on farm relief by Mr. J. T. Holleman, of Atlanta, Ga. This is one of the very best discussions of the farmers' problems ever put in the RECORD by anyone. The space used by this article could not have been better used by any other speech or set of remarks in behalf of the farmer. I appreciated very much the opportunity of preserving this wonderful argument for all the peoples of the present and the future who shall read the RECORD.

Just in this connection let me say that many people in our districts do not understand why much is printed in the RECORD which is not actually read or delivered on the floor of Congress. We understand, of course, that this is true because the RECORD has come to be not only a record of the proceedings but also a daily periodical or newspaper in which is expressed the ideas of Members of Congress and the country on various matters pending in Congress or of national interest. There are not enough hours in the day and not enough days in the year for all Members of Congress to express fully their ideas on all matters on the floor of the House. Again, it would be much more expensive than to simply have them inserted in the RECORD. Then, again, many more Members of Congress read the RECORD than listen to the speeches on the floor. So it is that the busiest Members here do everything possible to put over their ideas, either in support of a measure or against it. They put data and remarks in the RECORD and make speeches whenever opportunity offers, and they believe they can help their cause—all in support of their legislative purpose.

Many of the best and most effective arguments in the higher courts of our land are those which are carefully written and filed but never orally delivered, and likewise many of the very best and most effective arguments here in Congress are those carefully prepared and placed in the RECORD but never actually delivered on the floor.

In conclusion, let me say that it is far from my purpose to say anything that would offend my good friend from Massachusetts or any other Member of Congress. We oftentimes "play rough" in our arguments and colloquys not because we have ill will for our fellow Members but for the purpose of giving emphasis to our ideas.

I feel by the gentleman from Massachusetts [Mr. TREADWAY] very much like the good old farmer felt by his son. Some one asked him about his boy and he said, "Well, he is a good boy in a great many ways and much better in a whole lot more."

The gentleman from Massachusetts [Mr. TREADWAY] is a loyal Republican, a good Member of Congress, an able Representative of his people and their interests, an amiable and excellent gentleman, and an embodiment of the highest and most splendid patriotism.

He is a good man in a great many ways and much better in a whole lot more.

Mr. CLAGUE. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, I have been asked by the chairman of the Committee on the Election of President and Vice President to present to the House a legislative matter which will probably soon be brought up in the form of a rule from the Rules Committee, under which we will take up the resolution which, I hope, may be passed to become the twentieth amendment to the Constitution of the United States. My brief remarks are merely to bring to the attention of the House the object of this resolution, and I shall read it so that it may become familiar to the Members and be incorporated in the RECORD.

The amendment proposed by this resolution is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

“ARTICLE —

“SECTION 1. The terms of the President and Vice President shall end at noon on the 24th day of January, and the terms of Senators and Representatives at noon on the 4th day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

“SEC. 2. The Congress shall assemble at least once in every year. In each odd-numbered year such meeting shall be on the 4th day of January unless they shall by law appoint a different day. In each even-numbered year such meeting shall be on the 4th day of January, and the session shall not continue after noon on the 4th day of May.

“SEC. 3. If the House of Representatives has not chosen a President, whenever the right of choice devolves upon them, before the time fixed for the beginning of his term, then the Vice President chosen for the same term shall act as President until the House of Representatives chooses a President; and the Congress may by law provide for the case where the Vice President has not been chosen before the time fixed for the beginning of his term, declaring what officer shall then act as President, and such officer shall act accordingly until the House of Representatives chooses a President, or until the Senate chooses a Vice President.

“SEC. 4. If the President elect dies before the time fixed for the beginning of his term, then the Vice President elect shall become President; and the Congress may by law provide for the case of the death of both the President elect and the Vice President elect before the time fixed for the beginning of the term, for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice devolves upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice devolves upon them.

“SEC. 5. Sections 1 and 2 shall take effect on the 30th day of November of the year following the year in which this article is ratified.”

Mr. Chairman, I wished to present the resolution in full, because many have heard a great deal about the so-called Norris amendment having passed the other branch of the Congress in four consecutive years. That proposed amendment was referred to our committee, but it has been much enlarged upon and is now very different from the resolution which was passed by the Senate.

This measure having been reconsidered each year for five years the hearings have been widely scattered and it would be impossible for the Members of the House to get all of them in one volume, but it seems desirable to arouse interest in them at this time, as it is to be expected that we shall have to consider the problem very soon.

It seems to me that the new Members of the House, who have had to wait 13 months before they could join us here in Washington, will favor this amendment. Many of them have told me that their constituents could not understand why they were not “on the job.” Such a change as is here proposed would have enabled them to take their places two months after their election.

You may call this proposition by whatever name you please. You may say that it is primarily a resolution providing for the

abolition of the short session of Congress. It is true that it will extend that to four months—from January 4 to May 4. Meeting as we do now in December, we practically sit for only a fortnight in that month and then have only January and February in which to complete our work, making a session of but about two and a half months. The committee has thought it wise to provide a time limitation in the second year of each Congress, and we have proposed to place that limitation as of May 4.

That, we think, will provide ample time. It will also do away with the present short session, while at the same time we are making it a limited session. There are obviously many arguments to be presented in favor of such a limitation. I was at the outset somewhat opposed to this proposed amendment to the Constitution because I was loathe to consider additional amendments thereto. They are too frequently presented. Yet I am now most fully in accord with the purposes of this one.

While considering the resolution which came from the Senate we of the Committee on Election of President, Vice President, and Representatives in Congress believed that we should at the same time incorporate in it several important changes which under the Constitution are apparently wholly lacking in the matter of election machinery. Suppose that the President elect, or the Vice President elect, either or both, should die prior to the beginning of their term of office. The question would then arise, Who would be President? We might possibly have to appeal to the Supreme Court for a decision and what would that decision be? In the event that the President elect should die and the Vice President elect be alive, the court would presumably decide that he would be the one who ought to take the office of President. But it is possible that some catastrophe might occur and both of the men supposed to have been chosen die. If the official meeting of the electors in January should come after such an event they could elect whosoever they pleased, and this amendment would not be necessary. That I suppose is correct in theory, yet one might well wonder whom they would possibly choose in such an event. It is fair to assume that they would in all probability fail to make a choice, the selection would then be thrown in the House of Representatives and it would be the old Congress, under the present method which would elect the new President.

Now, suppose that one of the three highest in the order of succession during the time in question, a political party might be powerless. There are many such situations in the election of the President and Vice President of the United States that should be carefully considered. Indeed, we have inserted in this resolution certain sections which should have the careful study of each of you. I sincerely trust that such consideration will be given it before it is brought on the floor of the House.

Mr. GARNER of Texas. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. Yes.

Mr. GARNER of Texas. Did I understand that the resolution had already been reported from the gentleman's committee?

Mr. GIFFORD. It has.

Mr. GARNER of Texas. When does the gentleman hope to get it up in the House?

Mr. GIFFORD. We hope within the next week or two.

Mr. McFADDEN. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. Yes.

Mr. McFADDEN. Has the gentleman's committee given any consideration to changing the length of the term of the Members of the House of Representatives from two to four years?

Mr. GIFFORD. The committee has given attention to that proposition. We did not wish to encumber this proposed constitutional amendment with any sort of legislation which might cause trouble in having it ratified by the State legislatures. In my own State—and I assume that it would be so in many others—there are many members of the legislature who would like to succeed you and me and might object to an extension of our terms. I hardly think that we could obtain the extension. For one, I do not care to load up the amendment with anything of that sort, although, as I have said, the committee did give it consideration.

One of the important features of this legislation is, of course, that it will shorten the term of some President by two months and will also shorten the terms of some Congressmen and Senators by the same period. The year on which your terms would normally have ended on March 4, will, under this amendment, end on January 4. This will have to take effect sometime, but it would not affect the terms of Congressmen in office previous to its ratification.

Since, under the Constitution, one has been elected to hold office for a term of four years, the question naturally arose

as to whether his term could be shortened, but the best authorities seem to agree that when the people have ratified an amendment, all previous conflicting sections of the Constitution are superseded and the new amendment is effective. However, if there are any of you who are "constitutionally minded" and who can find any basis for a contrary contention I hope that you will be ready to present it.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. Yes.

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

Mr. CLAGUE. Mr. Chairman, I yield the gentleman three minutes more.

Mr. GARRETT of Tennessee. I preface my question with the statement that I am disposed in a friendly way to the principle of this resolution; but I notice that the resolution fixes definite dates. The Constitution as it stands fixes no definite date. It says the first Monday in December, for instance, that Congress shall convene. You fix a definite day—the 15th or the 24th, or something like that. Evidently some of these days will fall on Sunday. What about that? Can it be adjusted so as to make it the first Monday, and so that those days will not fall on the Sabbath? Has that been given thought by your committee?

Mr. GIFFORD. I will say that there has been considerable thought given to it. I do not know that it presents any particular difficulty. We decided upon January 4, as there is now the definite date of March 4, being the end of the President's term and the expiration of Congress.

Mr. GARRETT of Tennessee. That is not in the Constitution itself. It so happens.

Mr. GIFFORD. Yes; it so happens.

Mr. GARRETT of Tennessee. Does not the gentleman think it would be better to say "the first Monday" rather than a specific date?

Mr. GIFFORD. I can not recall at this particular moment what real objection there was to that, but certainly there was not any great difference of opinion.

Mr. GARRETT of Tennessee. Now, you provide for a four-months' session. You provide that one session every other year shall end not later than May. I confess that my first reaction to that was rather one of doubt, to say the least, if it were wise to do that. The reasons given in your report are largely questions of expediency, questions of convenience to the sitting Member. I think there ought to be stronger reasons for a constitutional amendment than a question of the mere convenience of Members.

Mr. GIFFORD. I am not responsible for the expediency mentioned in the report. It is not my report, but I think there are other strong and compelling reasons which will be advanced when the bill comes up, if that portion of the bill meets with any contention.

Mr. GARRETT of Tennessee. One of the purposes of the amendment is to abolish the short session of Congress. This really fixes the short session only one month longer than the present short session.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLAGUE. Mr. Chairman, I yield 10 minutes to the gentleman from Vermont [Mr. GIBSON].

The CHAIRMAN. The gentleman from Vermont is recognized for 10 minutes.

Mr. GIBSON. Mr. Chairman, I was very greatly impressed by the speech of the gentleman from Missouri [Mr. COMBS] on our policy in Central America. I congratulate him, and I congratulate the State of Missouri on sending such an able young man here. But, Mr. Chairman, is the picture drawn by the gentlemen in their several speeches here a true one? Is this Nation headed toward imperialism? Are we embarking on a new policy so far as these nations are concerned? We must look to the past for the answer.

Administration after administration, Democratic and Republican, have each had a Mexican or a Central American problem with which to deal. Through all of them runs straight and clear one American policy, that of forbearance and benevolent protection. That policy has been called one of "watchful waiting," and has been given other names, but whatever called it is one and the same through many years of trouble and disagreements.

Let us see if we have followed a course of imperialism in the past. The death a short time ago of Carlotta, widow of the misguided Maximilian, recalls that period of Mexico's history during and at the close of our struggle between the States. The Emperor of France, Napoleon III, sought to establish an em-

pire in Mexico. He helped to place upon the throne a brother of the Emperor of Austria, and supported him with an army under the command of one of his trusted and able marshals. Owing to the struggle that was engaging our attention we could not put the Monroe doctrine into execution. But when our troubles had cleared we mobilized an army on the border under the command of Gen. Philip Sheridan and promptly notified France that she must withdraw. Napoleon saw the handwriting on the wall, he withdrew his support, and the empire of Maximilian crumbled. Mexico was saved from the imperialism of Europe—saved by the United States.

Have we of this day and generation forgotten the time when in dealing with that problem a Democratic President directed our Navy to capture Vera Cruz and sent an invading Army to protect our rights? This was not a move against a leader of a band of brigands, but a move against the sovereignty of Mexico. Did we then press our advantage? No; we withdrew. What other nation in all the world would have treated an offending nation with the same degree of forbearance?

Have we forgotten the day when a band of Mexicans under the command of one of their leaders invaded the United States and in the nighttime shot down our citizens at Columbus, N. Mex.? President Wilson placed Pershing in command and he chased Villa into the mountains of Sonora. Did we then press along the road of imperialism? No; again we withdrew. Do you know of any nation that would have adopted such a pacific attitude under such provocation?

Have we forgotten when the same President, owing to the conduct of Mexico, was compelled to mobilize our forces along the border for our protection? Still again we failed to take advantage of an opportunity if inclined toward imperialism.

Our country has been patient and long-suffering through all these troubles that have spanned our generation. We have never asserted sovereignty over a foot of Mexican territory by reason of this conduct.

We have been told that our conduct toward Nicaragua is unduly aggressive, that we are there bent on a policy of imperialism. We are told that we have no right to send the marines and that the Monroe doctrine is not concerned with the internal affairs of that nation. I challenge that contention with the policy stated by a great Democratic Secretary of State, Richard Olney, as follows:

The United States is practically sovereign on this continent and its fiat is law upon the subjects to which it confines its interposition.

Nine years later this was confirmed and elaborated by Elihu Root, then Secretary of State. According to his interpretation—

The Monroe doctrine * * * is an assertion of our right for our own interest to interfere with the action of every other nation in those other parts of the hemisphere where others are sovereign and to say if you do thus and so, even by the consent of the sovereign, we shall regard it an unfriendly act because it will affect us injuriously. We arrogate to ourselves only the right to protect; what we will not permit the great powers of Europe to do * * * we will not permit any American Republic to make it necessary for the great powers of Europe to do.

But has our conduct toward the Central American Republics been one of aggression? What are the facts? We have protected their territorial integrity for a century. During that period England, France, Belgium, and Germany have been reaching out for territory and have brought under their control wide areas of Africa, Asia, and the islands of the seas, but not a foot of Central America has come under their sway. During an age of conquest we have been the only protector of these republics.

Not only have we protected them, but we have actually driven Spain out of the West Indies, delivered Cuba from 300 years of misrule, put Santo Domingo on her feet, restored Belize to Guatemala, the Bay Islands to Honduras, and driven England from the so-called mosquito coast of Nicaragua. Where in all history has a course of action been more altruistic and less imperialistic than that of the United States toward these republics?

Are we changing overnight? One would think from the speeches delivered here that our Nation embarked on a new policy when President Coolidge ordered the marines to Nicaragua. But it has been the settled policy of the Government to use the marines to maintain peace and orderly government in Central America and that section of the world for more than 30 years. This is the record:

1895: Sixty officers, sailors, and marines from U. S. S. *Atlanta*, under Lieutenant Commander Taussig, landed at Boca del Toro March 8 to protect the United States consulate and Government property.

1901: Sailors and marines were landed at Panama from U. S. S. *Iowa* to protect American interests; also landed at Colon to protect property of the United States.

1902: A battalion of marines was landed at Colon September 20 and stationed at Panama, Colon, and along the line of the Panama Railroad until November 18, protecting American property and the transit of the Isthmus.

1903: Marine detachment landed at Santo Domingo to protect American lives and property. In the latter part of that year a brigade of marines was dispatched to Panama. This brigade returned to the United States in 1904, but left a battalion for permanent station in the Canal Zone. A force of this strength was maintained there until 1914.

1906: A brigade of marines was sent to Cuba and landed there, forming a part of the army of Cuban pacification, the cause of this occupation being the insurrection of Cuba. Part of this brigade returned on October 30, but 1,000 remained until December, 1909.

1906: One hundred and twenty sailors and marines landed at Habana, Cuba, from the U. S. S. *Denver* to protect American interests.

1907: Two detachments of sailors from the U. S. S. *Marietta* landed at Truxillo and Celba, Honduras, to protect American interests during an insurrection.

1907: A detachment of sailors under Lieut. J. V. Klemen, United States Navy, landed from U. S. S. *Marietta* at Puerto Cortez, Honduras, for the protection of American interests.

Marines and sailors from U. S. S. *Paducah* landed at Puerto Cortez, Truxillo, and Celba.

1908: An expeditionary force was dispatched to Panama for the purpose of insuring a peaceful election.

1909: An expeditionary regiment left the United States for Corinto, Nicaragua, arriving there December 20 and remaining until March 15, 1910, owing to the disturbed conditions arising from an insurrection in that country. In May, 1910, another, but smaller, expeditionary force left Panama for Bluefields, Nicaragua, where they remained until September of the same year. In 1912 a large expeditionary force was again sent to Nicaragua, as a revolution had again broken out in that country. This force occupied all the principal cities of Nicaragua, but to accomplish this end a regular campaign was necessary. The expeditionary forces were finally withdrawn January 9, 1913, a guard for the American legation being left. This guard was withdrawn August 3, 1925.

1912: A provisional brigade of marines was dispatched to Cuba in May of this year in view of extremely unsettled conditions in that country, and they were distributed over a large area in the eastern part of that island to protect the lives and property of Americans. It was withdrawn the following August.

1915: Serious disturbances broke out in Haiti and marines and blue-jackets from the U. S. S. *Washington* landed and occupied Port au Prince, July 28. The Second Regiment landed at Port au Prince, August 4. Marines have been on duty in this Republic continually since July, 1915, to present date.

1916: Trouble broke out in the Republic of Santo Domingo and marines were sent from Haiti to Santo Domingo and Puerto Plata and occupied those towns. Shortly after June 21 the Fourth Regiment of marines arrived and disembarked at Monte Cristi. By the end of the year the marine forces were in complete control of the country. The marines occupied this country until August 1, 1924, when they were withdrawn.

1919: Disturbance amounting to an insurrection occurred in Haiti and it was necessary for the marine brigade occupying that country to take the field again.

1921: The Third Battalion of the Fifth Regiment sailed from Philadelphia for special temporary duty in Panama on account of boundary trouble that had arisen between Panama and Costa Rica. It was not necessary for this battalion to take the field and it left Panama September 3 of the same year, returning to the United States.

1924: A serious revolution broke out in Honduras and marines were landed four times in several cities on the north coast of that country to protect American lives.

1925: There were further landing forces of marines in Honduras.

1926: Detachment of marines landed in Nacaragua.

It will be seen from this record that in 1912 a large expeditionary force was sent to Nicaragua and occupied all of the principal cities. While this force was withdrawn in 1913, a guard was maintained for 12 years. Nicaragua during that period entered into a period of great prosperity. It refunded its debt to English bondholders at a lower rate of interest, settled its French and American debts, recovered full ownership of its national bank and railroad, made many public improvements, and during the World War was one of the few countries of the world to maintain its currency on a par with the dollar. The guard was withdrawn in August, 1925.

At the time of the withdrawal, Solorzano, a Conservative, was the duly elected and qualified President, and Sacasa, a Liberal, Vice President. In October, 1925, the Conservatives took control of the fort which controls the capital. Sacasa fled the

country. In January, 1926, Solorzano resigned the Presidency. Sacasa being out of the country, there was a vacancy in both the Presidency and the Vice Presidency. The Congress elected Chamorro as President. But in 1923 the Central American countries had entered into a treaty by the terms of which they agreed not to recognize a government that came into power through a coup d'état or revolution. The United States is committed to a moral observance of the treaty. Chamorro was in command of the forces that captured the fort commanding the capital.

It was construed that he came into power in violation of the treaty agreement and the United States refused to recognize him as President. In the meantime a revolution had been started on the east coast which endangered American lives and property. Naval vessels were dispatched to the scene. Neutral zones were established by agreement. A peace conference of all the factions was called at Corinto, but that failed. Great Britain and Italy asked the United States to protect their nationals. Sacasa still being out of the country the Congress, in accordance with the constitution, elected Diaz President. He is de facto and de jure President. Upon coming to office he addressed a note to this country asking for its guidance and help, and at the same time expressing his absolute confidence in the high spirit of justice of the Government of the United States, and cited in justification of that confidence its action in withdrawing without compulsion from Cuba, the Dominican Republic, Nicaragua and other countries after rendering unselfish service in the restoration of order and the stabilization of government.

President Coolidge well stated our position in his reply to the new Nicaraguan minister at the time of his presentation of his letters of credence. The President said:

The United States, as I know your Government and the people of Nicaragua fully appreciate, has no selfish ends or imperialistic designs to serve. * * * The United States desires the independence and the prosperity of every Central American Republic.

Aside from all this there are special reasons why we must help to maintain a stable government in Nicaragua. We have acquired, at an expenditure of \$3,000,000, the right to construct a canal across that country. We have, therefore, certain vested rights that we may construct a waterway to facilitate the flow of the commerce of the world.

In this situation shall we recall the marines and leave Nicaragua, where we have acquired interests that place us under obligation to the world, to anarchy and plunder? Shall we pull down the flag and say to all Christendom that this Nation that believes in peace and prosperity will do nothing to maintain peace in this weak, but friendly nation that is asking our help?

Our Democratic friends denounce this course as imperialistic and loudly call for a reversal of our policy. Are these gentlemen going back on their party leaders of the past? It was a Democrat, Grover Cleveland, who first used the marines to maintain peace and assert our rights south of the Rio Grande. It was a Democrat, Richard Olney, who as Secretary of State, gave the broad interpretation of the Monroe doctrine now fully accepted as our rule and guide. It was a leading Democrat, Senator Raynor, of Maryland, who introduced the resolution in the United States Senate in 1909 authorizing the President of the United States to take all necessary steps to bring the President of Nicaragua to justice for permitting the murder of two of our citizens. It was William Jennings Bryan, three times the candidate of the Democratic Party for the highest office within the gift of the people, who negotiated the Bryan-Chamorro treaty with a provision conferring protectorate rights on the United States as to Nicaragua.

It was Mr. Bryan who negotiated a loan for Nicaragua from American bankers, kept marines there during his term of office, and acquired for the United States a naval station in the Gulf of Fonseca. It was Woodrow Wilson, the apostle of self-determination, who twice directed an invasion of Mexico and mobilized our forces for a third. If credit for this policy is to be claimed by any political party, it may well be claimed for the Democratic Party. Are our friends scuttling their ship?

In common with the gentleman, I find myself filled with indignation and sorrow at the killing of the brave men of the Marine Corps in Nicaragua. It is always a matter of concern to us when a situation becomes so acute that soldiers of America must sacrifice their lives.

But my indignation and sorrow arise from the fact that an attack was made on them by the common enemies of peace, prosperity, and the friendly relations between the peoples of the American Republics. Here is a weak nation, trusting in us, that has asked the help of this strong Nation that has practically guaranteed her integrity and protection from those

enemies who would destroy our friendly relations. Will we desert the weak nation in the hour of her peril? Our soldiers have not died in vain. Through them the spirit of America, the spirit of forbearance and benevolent protection, still lives and will cement us closer together in a common cause of American friendship.

Why is it that some of our citizens always find the other nation in the right and ours in the wrong? Why is it that some even paint bandits of other nations as heroes and our brave sons, who are trying to help maintain orderly government, as trespassers?

I believe my country to be in the right in this Nicaraguan question, but right or wrong, I stand by my country. I propose to stand by the administration in dealing with problems affecting foreign nations and their people, whether that administration be Republican or Democratic.

It has been said that we are waging war in Nicaragua. Waging war against what nation? Not against Nicaragua. We are not even discriminating against any political party in that country. President Diaz requested the presence of the marines for the maintenance of peace, and in his request paid a high tribute to the disinterested help of America in the Latin countries of this hemisphere. Moncada, leader of the Liberal Party and its candidate for President, said a few days ago in an unauthorized interview:

The presence of the marines in Nicaragua is for the guaranteeing of peace and liberty and for the defense of the citizens against an attempt on the life and property of persons. * * * The Liberal Party knows that since our independence from 1821 the Nicaraguans do not understand republican practices, and for them to attain this practice we need the impartiality of the American Government.

In another statement he put the thought in his mind in the following language:

A republican education at the hands of the United States is better than a monarchial education at the hands of some European nation.

We are simply trying to establish an orderly government in a disorganized friendly nation and at the request of every recognized agency therein.

It has been said that no instance can be cited where American lives or American property has been put in jeopardy in Nicaragua. In answer to that challenge let us look at the records of the State Department. We have not proceeded to send marines without due consideration. We have not acted on the impulse of the moment. The trouble started as far back as August, 1926.

On August 19, 1926, the Otis Manufacturing Co. telegraphed that further revolutionary disturbances in Nicaragua were reported, that an outbreak at Bluefields would be serious, and asked what steps were being taken by this Government to protect property. The department replied on August 21 that it was following developments closely and would take such appropriate action as possible to protect American interests which might appear to be in danger.

On August 20 the Freiberg Mahogany Co. telegraphed that interests in Nicaragua seemed to be in danger and said that sending a warship to Bluefields would help. This was answered on August 21 in the same words as the telegram from the Otis Manufacturing Co.

The Mengal Co. also telegraphed on August 20 and was answered in the same way.

On August 20 Senator RANDELL telephoned to Mr. Stabler on behalf of the Otis Manufacturing Co. He said he understood that all proper steps would be taken by the department to protect American lives and interests, and Mr. Stabler assured him that such was the case; the department was watching the matter closely. On August 30 Senator RANDELL was informed by letter that warships had been ordered from Balboa, Canal Zone, to Bluefields and Corinto to protect American lives and property.

On August 23 the American consul at Bluefields telegraphed that conditions were growing worse; that an attack on El Bluff and Bluefields was expected every moment; and that a warship was urgently needed to protect the lives and property of American citizens.

On August 25 the Freiberg Mahogany Co. telegraphed, asking that a warship be sent at once to Bluefields.

On August 27 the Bragmans Bluff Lumber Co. telegraphed that the revolutionists were attacking its property at Bragmans Bluff, one of the company's officials being seriously wounded, and asked that a warship be sent immediately. The company was informed in reply that the U. S. S. *Galveston* had been ordered to the east coast.

The American consul at Bluefields telegraphed on August 31 as follows:

Losses to Americans on the rivers will amount to \$2,000,000 unless conflict stopped soon. If the five mahogany companies can not get protection on all the rivers, their losses will be one and one-half millions. Contending factions take their boats; recruit their men, rendering them helpless; logs float out to sea. The two banana companies are also handicapped, their boats being taken and their laborers being recruited or frightened away.

On September 1 the A. W. Tedcastle Co. (makers of boots and shoes) wrote, inclosing a copy of a report from their representative at Bluefields, saying something should be done by the United States.

On September 2 the Bragmans Bluff Lumber Co. telegraphed that interests would suffer enormously unless warship *Rochester* remained indefinitely at Bragmans Bluff. This was answered the same day to the effect that the *Rochester* would remain on the east coast until further orders.

On September 3 the Freiberg Mahogany Co. telegraphed, asking for protection at Prinzapolka and various other loading ports, saying that neutral zones should be proclaimed and military force used if necessary. This was answered on September 4: "Two American warships at present on east coast of Nicaragua to protect American interests."

On September 4 the Mengel Co. telegraphed to ask that arrangements in force at Bluefields be extended to other loading ports. The department replied the same day, asking whether the Mengel Co.'s representative had communicated with the commanding officer of the nearest United States war vessel and informed him as to actual conditions.

On September 8 the Astoria Importing & Manufacturing Co. wrote to ask that loading ports north of Bluefields be declared neutral zone in the same manner as Bluefields itself.

On September 8 the Chicago Bridge & Iron Works wrote, inclosing a copy of a letter of August 29 from its manager at Puerto Cabezas describing chaotic and dangerous conditions there. A reply was sent on September 15 stating that American war vessels had been sent to the Atlantic and Pacific coasts of Nicaragua to extend protection to American lives and property.

On September 17 the Mengel Co. telegraphed that fighting at Bluefields and vicinity had paralyzed everything.

On September 22 the Astoria Importing & Manufacturing Co. wrote that too much emphasis could not be laid on the seriousness of the situation on the Atlantic coast of Nicaragua. The hope was expressed that the Government of the United States would use its utmost influence to effect an immediate and lasting truce.

On September 23 the Otis Manufacturing Co. wired to ask protection for loading operations at El Bluff. On September 24 this telegram was sent in reply:

An armistice was signed yesterday afternoon on board the S. S. *Rochester* at Bluefields, to take effect immediately. Armistice for 15 days, subject extension by mutual consent. Neutral zone extended to include Bluff and the bay. Escondido River opened to legitimate trade. Commerce may be promptly resumed with Bluefields and entire east coast of Nicaragua.

The same telegram was sent to the other companies interested.

On September 24 the department gave to the press the text of the 15 days' armistice agreement between the contending factions at Bluefields.

On October 11 Mr. Frank G. Otis, president of the Otis Manufacturing Co., called to discuss the situation. He said he hoped the conference to be held at Corinto would result in more stable conditions.

On October 13, 1926, the Astoria Importing & Manufacturing Co. wrote that in view of the approaching termination of the truce it was desired that protection be arranged for the shipment of mahogany from the various eastern Nicaraguan ports. In a second letter of the same date the strategic position of El Bluff in relation to Bluefields Harbor was explained; unless El Bluff were neutralized, no shipment could be made from Bluefields. Protection was requested for tugs and other floating equipment to prevent seizure by belligerents; the revolutionists tend to seizure of any floating equipment. Hope expressed that United States will exert all pressure within its power to avoid hostilities and effect a compromise; the people of Nicaragua, and reasonable men of both parties, are anxious to reach a compromise and are tired of warfare. The department replied that the matter would have careful consideration.

On October 25 the Standard Fruit & Steamship Co. wrote to call attention to the recent trouble in its Bragmans Bluff division at Puerto Cabezas. The company stated that its investment there amounted to about \$8,000,000 and that approximately 1,000 Americans were employed by it at Puerto Cabezas and along the railroad and tributaries thereto and asked

what protection might be expected from the United States Government.

On November 2 the Freiberg Mahogany Co. wrote asking advice as to probable developments. The department replied on November 9 that the armistice between the contending factions had expired on October 27, that Bluefields and El Bluff remained a neutral zone, that it was impossible to predict what the course of events might be, and that the policy with regard to future investments was a question upon which the department was unable to give advice.

On November 2 Mr. Salmen, of the Bragmans Bluff Lumber Co., telephoned to Mr. Morgan from New Orleans that the situation at Puerto Cabezas was becoming very serious and the company wanted to know what protection could be expected.

On November 10 the American Dyewood Co. wrote to ask for assistance in shipping fustic wood from Potosi, Nicaragua, in December or January. The department replied on November 11 that it was unable to predict what the situation might then be and therefore could give no advice.

On December 13, 1926, the Astoria Importing & Manufacturing Co. requested that Admiral Latimer be instructed to prevent unwarranted exaction of payments to revolutionary authorities who were demanding payments of taxes on shipments of logs already taxed and released by the Government.

On December 22 Mr. J. Gilmore Fletcher, agent for the Bragmans Bluff Lumber Co., wrote to protest against unwarranted interference by the forces of Sacasa at Puerto Cabezas, and to request adequate and prompt assistance and protection of American lives and property in danger.

On December 24 a joint telegram asking protection was sent to the department by the Otis Manufacturing Co., the Mengel Co., and the Astoria Importing & Manufacturing Co.

On December 29 the Bragmans Bluff Lumber Co. sent a strong telegram, quoting from Mr. Fletcher's letter of December 22, and again requesting that the lives of the employees and the property of the company, now clearly in jeopardy, be given full and prompt protection.

On December 30 Senator SACKETT left a letter from the Mengel Co., dated December 29, 1926, requesting his support to secure protection for their mahogany operations in Nicaragua.

Senator Ernst called at the department and left a copy of a telegram of December 29, 1926, from the Mengel Co. requesting his support for their requests for protection by this Government for their mahogany operations.

On January 2, 1927, Mr. Douglas H. Allen, in reporting his arrival at Bluefields, telegraphed that the situation was critical and rapidly growing worse; that warfare had passed into a new phase requiring immediate intervention by the United States, otherwise guerrilla warfare would result for a period of years; that immediate intervention could still control the situation and prevent widespread suffering, loss of life, and destruction of property.

On January 3, 1927, Eccleston & Son, (Inc.) wrote that the revolutionary authorities were interfering with their business operations through illegal collection of taxes and duties, and the department was requested to invoke the assistance of the naval authorities to extend protection to the company.

On January 4, 1927, the American Legation telegraphed that President Diaz had set forth his inability to guarantee protection of American and other foreign lives; that the British and Italian diplomatic representatives found their nationals in Nicaragua in imminent peril without outside protection; that postponement of the establishment of a legation guard until a crisis developed would prevent the accomplishment of any valuable purpose by the guard.

On January 4, 1927, Mr. Douglas H. Allen telegraphed from Bluefields that, in his opinion, revolutionary movements would lose much strength if United States would immediately issue public statement clearly defining its position.

On January 5, 1927, Representative ASWELL transmitted a letter, dated December 27, 1926, from the Standard Fruit & Steamship Co., indorsing the position of that company and requesting protection; and the representative indorsed the landing of American marines in Nicaragua.

On December 30, 1926, the LaLuz & Los Angeles Mining Co. wrote that they had \$1,000,000 paid-up capital invested in Nicaragua; that revolutionary parties had interfered with their mining operations and shipment of their products; that armed forces had made forced levies of merchandise from their stores; that employees had been conscripted; that outside food supplies for their mine had been stocked for two months; that all floating equipment in the vicinity had been commandeered. They requested that all possible assistance be given the established Government in Nicaragua. They stated that they have meticulously abstained from interference in Nicaraguan politics.

These are some of the requests and representations that came to the Department of State that lead to the very proper decision to send our marines to Nicaragua to assist in the establishment of orderly peace, as well as for the protection of the lives and property of our citizens.

We are told that our policy is resented by other Latin American countries. That statement may well be doubted. The statesmen of those countries are men of understanding and broad vision. They know that we are rendering to Nicaragua the greatest unselfish service that one nation may render to another. We are placing at her service our brave men to rid her of a bandit band led by a roving soldier of fortune, that her people may enjoy the blessings of a free government. We are not attacking her sovereignty, we are defending it for her people.

The statesmen gathered at Habana to help shape the destiny of this Western Hemisphere will understand the full measure of our service and the meaning of our sacrifices; that our policy measured by every standard of history has been unselfish, has been one of protection and civic helpfulness in working out the destiny of the Latin American Republics. Its aim has been to further a common rule of peace and justice and to strengthen political, spiritual, and moral unity.

Let the representatives at the Pan American Conference behold America as America is, an unselfish nation, ever ready to reach out a helping hand to the weak, ever ready to give aid in the maintenance of orderly liberty, a nation that never asked for reward, that has never taken a foot of territory through a war of aggression, America the friend of every Republic on this continent. [Applause.]

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

Mr. BARBOUR. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. Mr. Chairman, during the consideration of the appropriation item for the Federal Trade Commission there was a rather general discussion on both sides of the aisle a few days ago, in which I had a part. At that time I suggested that the Pittsburgh-plus investigation had been made because of interstate commerce being involved, but suggested that nevertheless it was an economic investigation. I am officially informed that it was investigated because it was in violation of the antitrust law and to that extent I stand corrected. I found a few days ago this illuminating comment on some of the very practical activities of the Federal Trade Commission. This was in a letter to the Washington Post by the chairman of that commission, and I want to read it:

ELIMINATING FRAUD IN TRADE

To the EDITOR OF THE POST:

SIR: I have just read with interest the editorial in this morning's issue of the Post entitled "False advertising." It refers principally to fraudulent practices in the fur industry. If the allegations that the commission has received are to be believed, this industry is one of the worst offenders in the country against fair dealing.

We have issued complaints against several concerns that are being vigorously pushed to a final conclusion.

But more important, however, is the fact that this great industry is to have what we call a trade practice conference at the Pennsylvania Hotel, in New York, on February 3, under the direction of the commission. In this conference the fur industry is going to undertake to clean its own house. If they fail to do so, the commission will do it for them. I feel certain the great majority of those engaged in the fur business will adopt rules of practice that will be approved by the commission, which will hereafter practically eliminate fraudulent and misleading practices.

We held a conference in the furniture industry, and 750 manufacturers signed the code. The effect of this action is indicated when we remember that it affected the sale of over \$560,000,000 worth of furniture that went into the homes of this country last year. Under the rules of this conference, gum is no longer sold as walnut, nor birch as mahogany. The truth is told about furniture.

In the correspondence school conference 90 per cent of those in this great business signed the code, with the result that schemes that were defrauding the ignorant and credulous of about \$35,000,000 annually were practically wiped out.

In the rayon industry the result was practically 100 per cent, and the women of this country are no longer sold artificial silk as the genuine article.

By the results of the foregoing conferences, and in others, I feel that the conference to be held in the fur industry will practically eliminate unfair practices therein.

W. E. HUMPHREY,

Chairman Federal Trade Commission.

WASHINGTON, January 24.

I think most of us are concerned not so much as to whether a prosecution or investigation is made under one provision of the act or the other. It is the practical results to the people that we are concerned in, and I have read this into the RECORD as further evidence—and from certainly the very best of authority, the chairman of the commission—that the Federal Trade Commission is a practical instrument in behalf of the people of the United States. [Applause.]

Mr. Chairman, I yield back the remainder of my time.

Mr. BARBOUR. Mr. Chairman, there are no other Members present who desire to use time and therefore I move that the committee do now rise.

Mr. HARRISON. Mr. Chairman, may I inquire how much time has been used on this side?

The CHAIRMAN. The gentleman from Virginia has used 82 minutes, and the gentleman from California, 111 minutes.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, 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. 10286), the War Department appropriation bill, had come to no resolution thereon.

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS

The SPEAKER. Without objection, the communication from the Secretary of War with regard to the National Home for Disabled Volunteer Soldiers which was referred, the Chair thinks in error, to the Committee on Expenditures, will be referred to the Committee on Military Affairs and ordered printed.

Mr. GARRETT of Tennessee. Jurisdiction of this institution has not been transferred to the Veterans' Committee, but is still in the Committee on Military Affairs?

The SPEAKER. Yes. Both chairmen have agreed that this is a proper reference. Is there objection?

There was no objection.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES FOR HIS APPROVAL

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval bills of the following titles:

H. R. 280. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Red River at or near Coushatta, La.;

H. R. 5547. An act granting the consent of Congress to the city of St. Joseph, in the State of Missouri, or its assigns, to construct a bridge and approaches thereto across the Missouri River between the States of Missouri and Kansas;

H. R. 5582. An act to extend the times for commencing and completing the construction of a bridge across the Rio Grande, at or near the point where South Santa Fe Street, in the city of El Paso, crosses the Rio Grande, in the county of El Paso, State of Texas;

H. R. 5642. An act to extend the time for the construction of a bridge across Red River at Fulton, Ark.; and

H. R. 7218. An act to legalize a bridge across Hillsborough Bay at Twenty-second Street, Tampa, Fla.

ENROLLED BILLS AND JOINT RESOLUTION

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported they had examined and found truly enrolled bills and a joint resolution of the following titles, when the Speaker signed the same:

H. R. 5725. An act to extend the times for commencing and completing the construction of a bridge across the Ouachita River at or near Monroe, La.;

H. R. 5726. An act to extend the times for commencing and completing the construction of a bridge across the Black River at or near Jonesville, La.;

H. R. 5728. An act granting the consent of Congress to the police jury of Morehouse Parish, La., or the State Highway Commission of Louisiana, to construct, maintain, and operate a bridge across the Bayou Bartholomew at or near Point Pleasant, La.; and

H. J. Res. 81. Joint resolution for the amendment of the act of March 3, 1927, by authorizing an annual appropriation to carry out the cooperative experiments contemplated by the act.

ADJOURNMENT

Mr. BARBOUR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 17 minutes p. m.) the House adjourned until to-morrow, Wednesday, February 1, 1928, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, February 1, 1928, as reported by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10 a. m.)

War Department appropriation bill.

(2 p. m.)

District of Columbia appropriation bill.

Agriculture Department appropriation bill.

COMMITTEE ON AGRICULTURE

(10 a. m.)

To establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities in interstate and foreign commerce (H. R. 7940).

COMMITTEE ON THE CENSUS

(10.30 a. m.)

To provide for the fifteenth and subsequent decennial censuses (H. R. 393).

COMMITTEE ON FLOOD CONTROL

(10 a. m. and 2 p. m.—caucus room)

A meeting to discuss proposals to control the flood waters of the Mississippi River.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To promote the unification of carriers engaged in interstate commerce (H. R. 5641).

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

(10 a. m.)

A meeting with members of Radio Board in an effort to determine whether the life of the board should be extended.

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

A meeting to discuss the naval building program.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION—SUBCOMMITTEE ON INSURANCE

(10 a. m.)

A meeting with General Hines for a general discussion of the insurance laws affecting World War veterans.

COMMITTEE ON THE CIVIL SERVICE

(10.30 a. m.)

To amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and acts in amendment thereof, approved July 3, 1926 (H. R. 25, 6034, 7369, 7943, 7953, 8301, 8315, 9840, 10051).

Providing for counting and allowing all service rendered as civilian employees of the Quartermaster Department fixing rights under retirement (H. R. 9967).

COMMITTEE ON ROADS

(10 a. m.)

To amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads," approved July 11, 1916, as amended and supplemented (H. R. 358, 383, 5518, 7343, and 8832).

To amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads," approved July 11, 1916, as amended and supplemented, and authorizing appropriation of \$150,000,000 per annum for two years (H. R. 7019).

COMMITTEE ON FOREIGN AFFAIRS

(10 a. m.)

To provide for the creation of the Pan American Peoples Great Highway Commission (H. R. 447).

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10 a. m.)

To create a commission to secure plans and designs for and to erect a memorial building for the National Memorial Association (Inc.), in the city of Washington, as a tribute to the negro's contribution to the achievements of America (H. J. Res. 60).

COMMITTEE ON RIVERS AND HARBORS

(10 a. m.)

A meeting to consider reports from the office of the Chief of Engineers on rivers and harbors projects.

COMMITTEE ON THE JUDICIARY

(10 a. m.)

To change the title of the United States Court of Customs Appeals (H. R. 6687).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

330. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the fiscal year ending June 30, 1929, for the War Department, amounting to \$32,000, for Chalmette National Cemetery, La. (H. Doc. No. 156); to the Committee on Appropriations and ordered to be printed.

331. A letter from the Acting Secretary of Commerce, transmitting report of disbursements from the general expenses, Bureau of Standards; to the Committee on Expenditures in the Executive Departments.

332. A letter from the president of the Capital Traction Co., transmitting report of the Capital Traction Co. for the year ending December 31, 1927; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. BARBOUR: Committee on Appropriations. H. R. 10286. A bill making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1929, and for other purposes; without amendment (Rept. No. 497). Referred to the Committee of the Whole House on the state of the Union.

Mr. McREYNOLDS: Committee on Foreign Affairs. H. R. 9286. A bill authorizing the appropriation of \$65,000 to be expended by the American section, International Boundary Commission, United States and Mexico, for the purpose of making a survey to fix the boundary between the United States and Mexico, between El Paso, Tex., and Fort Quitman, Tex., and for other purposes; with amendment (Rept. No. 501). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILLIAMSON: Committee on Expenditures in the Executive Departments. H. R. 9570. A bill to provide for the transfer of the returns office from the Interior Department to the General Accounting Office, and for other purposes; with amendment (Rept. No. 502). Referred to the House Calendar.

Mr. SMITH: Committee on the Public Lands. H. R. 142. A bill to add certain lands to the Idaho National Forest, Idaho; with amendment (Rept. No. 503). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH: Committee on the Public Lands. H. R. 144. A bill to add certain lands to the Challis and Sawtooth National Forest, Idaho; without amendment (Rept. No. 504). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH: Committee on the Public Lands. H. R. 6056. A bill to provide for addition of certain land to the Challis National Forest; with amendment (Rept. No. 505). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on the Public Lands. H. R. 8110. A bill withdrawing from entry the northwest quarter section 12, township 30 north, range 19 east, Montana meridian; with amendment (Rept. No. 506). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAAS: Committee on Foreign Affairs. H. J. Res. 141. A joint resolution to authorize the President to invite the Government of Great Britain to participate in the celebration of the sesquicentennial of the discovery of the Hawaiian Islands, and to provide for the participation of the Government of the United States therein; without amendment (Rept. No. 507). Referred to the Committee of the Whole House on the state of the Union.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 9064. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Coosa River near Pell City on the Pell City-Anniston road between Calhoun and St. Clair Counties, Ala.;

with amendment (Rept. No. 508). Referred to the House Calendar.

Mr. PEERY: Committee on Interstate and Foreign Commerce. H. R. 9186. A bill granting the consent of Congress to the Sistersville Ohio River Bridge Co., a corporation, its successors and assigns, for the construction, maintenance, and operation of a toll bridge across the Ohio River at Sistersville, Tyler County, W. Va.; with amendment (Rept. No. 509). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 9198. A bill granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Paris-Dover road in Henry and Stewart Counties, Tenn.; with amendment (Rept. No. 510). Referred to the House Calendar.

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 9204. A bill granting the consent of Congress to the Arkansas Highway Commission to construct, maintain, and operate a free highway bridge across the Current River at or near Success, Ark.; with amendment (Rept. No. 511). Referred to the House Calendar.

Mr. CROSSER: Committee on Interstate and Foreign Commerce. H. R. 9339. A bill granting the consent of Congress to the Board of County Commissioners of Trumbull County, Ohio, to construct a free highway bridge across the Mahoning River at Warren, Trumbull County, Ohio; with amendment (Rept. No. 512). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 9484. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Tombigbee River near Aliceville on the Gainesville-Aliceville road in Pickens County, Ala.; with amendment (Rept. No. 513). Referred to the House Calendar.

Mr. COLTON: Committee on the Public Lands. S. 1312. An act to change the name of the Utah National Park, the establishment of which is provided for by the act of Congress approved June 7, 1924 (43 Stat. 593), to the "Bryce Canyon National Park," and for other purposes; without amendment (Rept. No. 514). Referred to the House Calendar.

Mr. ENGLEBRIGHT: Committee on the Public Lands. H. R. 5545. A bill granting certain lands to the State of California; with amendment (Rept. No. 515). 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. REECE: Committee on Military Affairs. H. R. 1023. A bill to correct the military record of Charles Ebin Campbell, alias Ebin Campbell; without amendment (Rept. No. 498). Referred to the Committee of the Whole House.

Mr. GARRETT of Texas: Committee on Military Affairs. H. R. 2098. A bill for the relief of Alonzo Northrup; without amendment (Rept. No. 499). Referred to the Committee of the Whole House.

Mr. JAMES: Committee on Military Affairs. H. R. 6908. A bill for the relief of Michael Iltz; without amendment (Rept. No. 500). Referred to the Committee of the Whole House.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 3372. A bill for the relief of George M. Browder and F. N. Browder; with amendment (Rept. 516). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 10130) authorizing and directing the Secretary of the Interior to issue a patent to E. L. Johnson and A. L. Johnson, of Hawthorne, Fla.; Committee on Claims discharged, and referred to the Committee on the Public Lands.

A bill (H. R. 8354) granting a pension to Isaac Adler; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARBOUR: A bill (H. R. 10286) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1929, and for other purposes; committed to the Committee of the Whole House on the State of the Union.

By Mr. LAGUARDIA: A bill (H. R. 10287) to prohibit the sending and receipt of stolen property through interstate and foreign commerce; to the Committee on the Judiciary.

By Mr. WILLIAMSON: A bill (H. R. 10288) to provide for a uniform retirement date for authorized retirements of Federal personnel; to the Committee on Expenditures in the Executive Departments.

By Mr. TILLMAN: A bill (H. R. 10289) for the erection of a public building at Springdale, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. SWING: A bill (H. R. 10290) to relinquish to its lawful owners the title of the United States to certain land in the county of San Bernardino, State of California; to the Committee on the Public Lands.

By Mr. BYRNS: A bill (H. R. 10291) to establish a national military park at Fort Negley on the battle field of Nashville, Tenn.; to the Committee on Military Affairs.

By Mr. GREEN of Iowa: A bill (H. R. 10292) to amend the World War adjusted compensation act, as amended; to the Committee on Ways and Means.

By Mr. HASTINGS: A bill (H. R. 10293) authorizing the purchase of additional land and the purchase and installation of a central heating plant for the Sequoyah Orphan Training School; to the Committee on Indian Affairs.

By Mr. MANSFIELD: A bill (H. R. 10294) to amend the tariff act of 1922; to the Committee on Ways and Means.

By Mr. TILLMAN: A bill (H. R. 10295) to appropriate the sum of \$25,000 out of the United States Treasury to improve, beautify, and care for the cemetery at Berryville, Ark., where are buried many Union soldiers of the Civil War; to the Committee on Appropriations.

By Mr. HOFFMAN: A bill (H. R. 10296) to regulate the manufacture and sale of stamped envelopes; to the Committee on the Post Office and Post Roads.

By Mr. HULL of Tennessee: A bill (H. R. 10297) to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, and all acts supplementary thereto, and the United States Department of Agriculture; to the Committee on Agriculture.

By Mr. SPEARING: A bill (H. R. 10298) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near New Orleans; to the Committee on Interstate and Foreign Commerce.

By Mr. DYER: A bill (H. R. 10299) to incorporate the Reserve Officers' Association of the United States; to the Committee on the Judiciary.

By Mr. ROY G. FITZGERALD: A bill (H. R. 10300) to amend the retirement laws affecting certain grades of Army officers; to the Committee on Military Affairs.

By Mr. FULBRIGHT: A bill (H. R. 10301) to regulate the manufacture and sale of stamped envelopes; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 10302) to amend paragraph 12 of section 202 of the World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

By Mr. FULMER: A bill (H. R. 10303) to provide for the use of net weights in interstate and foreign commerce transactions in cotton, to provide for the standardization of bale covering for cotton, and for other purposes; to the Committee on Agriculture.

By Mr. HILL of Alabama: A bill (H. R. 10304) authorizing the Secretary of War to erect headstones over the graves of soldiers who served in the Confederate Army and to direct him to preserve in the records of the War Department the names and places of burial of all soldiers for whom such headstones shall have been erected, and for other purposes; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 10305) to authorize the refund of visa fees in certain cases; to the Committee on Immigration and Naturalization.

By Mr. OLIVER of New York: A bill (H. R. 10306) to declare the future policy of the Director of the Budget with reference to the items in the budget of the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. UPDIKE: A bill (H. R. 10307) to provide a presumption of death whenever a person, while serving in the Army or naval forces of the United States, has disappeared and his whereabouts remain unknown for a period of seven years; to the Committee on World War Veterans' Legislation.

By Mr. WINTER: A bill (H. R. 10308) to investigate and determine the feasibility of the construction of an irrigation dam on the Greybull River, Wyo.; to the Committee on Irrigation and Reclamation.

Also, a bill (H. R. 10309) to investigate and determine the feasibility of the construction of an irrigation dam on the Bear River, Wyo.; to the Committee on Irrigation and Reclamation.

By Mr. CRAIL: A bill (H. R. 10310) authorizing the Secretary of War to convey a certain portion of the military reservation at Fort MacArthur, Calif., to the city of Los Angeles, Calif., for street purposes; to the Committee on Military Affairs.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. HALL of North Dakota: Memorial of the Legislature of the State of North Dakota, in special session, for the relief of the flooded districts along the Mouse River; to the Committee on Flood Control.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRITTEN: A bill (H. R. 10311) granting a pension to Emma W. Smith; to the Committee on Invalid Pensions.

By Mr. BUSHONG: A bill (H. R. 10312) granting an increase of pension to Mary A. Longenhagen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10313) granting an increase of pension to Kate Hardenstin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10314) granting an increase of pension to Della M. Yeager; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10315) granting an increase of pension to Clara O. Horning; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10316) granting an increase of pension to Mary Baker; to the Committee on Invalid Pensions.

By Mr. BUCKBEE: A bill (H. R. 10317) for the relief of Bernard J. Coss; to the Committee on World War Veterans' Legislation.

By Mr. BURDICK: A bill (H. R. 10318) providing for the examination and survey of the entrance to Great Salt Pond, Block Island, R. I.; to the Committee on Rivers and Harbors.

By Mr. CHAPMAN: A bill (H. R. 10319) granting a pension to Terese Blackburn Hall; to the Committee on Pensions.

By Mr. DRIVER: A bill (H. R. 10320) granting an increase of pension to Julia L. Sparks; to the Committee on Invalid Pensions.

By Mr. ESLICK: A bill (H. R. 10321) for the relief of B. P. Stricklin; to the Committee on Claims.

By Mr. FULBRIGHT: A bill (H. R. 10322) granting an increase of pension to Laura Barnes; to the Committee on Invalid Pensions.

By Mr. GILBERT: A bill (H. R. 10323) granting an increase of pension to Elisha F. Winfrey; to the Committee on Pensions.

By Mr. GOLDBER: A bill (H. R. 10324) for the relief of Lieut. Commander Cornelius Dugan (retired); to the Committee on Naval Affairs.

Also, a bill (H. R. 10325) for the relief of John Holly Wilkie; to the Committee on Claims.

By Mr. HALL of North Dakota: A bill (H. R. 10326) granting a pension to Mrs. Morris O'Connor; to the Committee on Invalid Pensions.

By Mr. HASTINGS: A bill (H. R. 10327) for the relief of Charles J. Hunt; to the Committee on Indian Affairs.

By Mr. HERSEY: A bill (H. R. 10328) granting an increase of pension to Etta A. Burke; to the Committee on Invalid Pensions.

By Mr. HICKEY: A bill (H. R. 10329) granting a pension to Chester R. Stroud; to the Committee on Invalid Pensions.

By Mr. JOHNSON of South Dakota: A bill (H. R. 10330) granting an increase of pension to Elissa Bahlkow; to the Committee on Pensions.

By Mr. KNUTSON: A bill (H. R. 10331) granting an increase of pension to Charles V. Harris; to the Committee on Pensions.

Also, a bill (H. R. 10332) granting an increase of pension to Anna T. Shaw; to the Committee on Invalid Pensions.

By Mr. MAAS: A bill (H. R. 10333) for the relief of John A. O'Keefe, administrator of the estate of William M. O'Keefe; to the Committee on Claims.

By Mr. PEAVEY: A bill (H. R. 10334) granting an increase of pension to Martin L. Haynes; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 10335) granting an increase of pension to Lucy Embler; to the Committee on Invalid Pensions.

By Mr. RATHBONE: A bill (H. R. 10336) for the relief of Nannie Swearingen; to the Committee on Claims.

By Mr. RAYBURN: A bill (H. R. 10337) granting a pension to Isaac Workman; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 10338) for the relief of James Craig; to the Committee on Military Affairs.

Also, a bill (H. R. 10339) granting a pension to Sereny Catherine Brooks Babb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10340) granting a pension to Fannie Drain; to the Committee on Pensions.

Also, a bill (H. R. 10341) granting a pension to Lucy A. Stubbs; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 10342) granting an increase of pension to Joanna Gooch; to the Committee on Invalid Pensions.

By Mr. SEARS of Florida: A bill (H. R. 10343) granting a pension to Hattie Andrist; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 10344) granting an increase of pension to Hattie L. Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10345) granting an increase of pension to Mary E. Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10346) granting an increase of pension to Nancy Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10347) granting an increase of pension to Helen A. Miner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10348) granting an increase of pension to Ida E. Saxbury; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 10349) for the relief of the Old Dominion Land Co.; to the Committee on War Claims.

By Mr. SWICK: A bill (H. R. 10350) granting an increase of pension to Mary A. Shatzer; to the Committee on Invalid Pensions.

By Mr. TATGENHORST: A bill (H. R. 10351) granting a pension to Margaret Wertheimer; to the Committee on Pensions.

Also, a bill (H. R. 10352) to correct the military record of Edward Delaney; to the Committee on Military Affairs.

Also, a bill (H. R. 10353) granting an increase of pension to John Guethlein; to the Committee on Pensions.

Also, a bill (H. R. 10354) granting a pension to Swift Carey; to the Committee on Pensions.

By Mr. TILLMAN: A bill (H. R. 10355) granting a pension to Temperance Harper; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 10356) granting an increase of pension to Sarah R. McGinnis; to the Committee on Invalid Pensions.

By Mr. WHITE of Colorado: A bill (H. R. 10357) granting a pension to Clara J. Horner; to the Committee on Invalid Pensions.

By Mr. GIFFORD: Joint resolution (H. J. Res. 185) for the relief of Katherine Imbrie; to the Committee on Foreign Affairs.

By Mr. FROTHINGHAM: Joint resolution (H. J. Res. 186) that the use of submarines be prohibited and their construction discontinued in this and every other country; to the Committee on Foreign Affairs.

By Mr. HALL of Indiana: Joint resolution (H. J. Res. 187) for the appointment of a member of the board of managers of the National Home for Disabled Volunteer Soldiers; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2812. By Mr. BOHN: Petition by citizens of Antrim County, Mich., opposing House bill 78; to the Committee on the District of Columbia.

2813. By Mr. BUCKBEE: Petition of J. A. Kyler and 42 other citizens of Genoa and Kingston, Ill., protesting against the Lankford compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

2814. Also, petition of W. D. Rankin and 14 other citizens of Kingston, Ill., protesting against the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

2815. Also, petition of Mrs. John Howe and 11 other citizens of Kingston, Ill., protesting against the Lankford compulsory

Sunday observance bill; to the Committee on the District of Columbia.

2816. By Mr. BURTNESS: Resolution passed by the County Commissioners' Association of the State of North Dakota, at its meeting at Bismarck, N. Dak., on January 19, 1928; to the Committee on Rivers and Harbors.

2817. By Mr. CURRY: Petitions of citizens of the third California district, against House bill 78; to the Committee on the District of Columbia.

2818. By Mr. DENISON: Petition of various citizens of Franklin County, Ill., urging that immediate steps be taken to bring to a vote a Civil War pension bill carrying the rates proposed by the National Tribune in order that relief may be accorded to needy and suffering veterans and the widows; to the Committee on Invalid Pensions.

2819. By Mr. DOUGHTON: Petitions from Albemarle, N. C., against the House bill 78; to the Committee on the District of Columbia.

2820. By Mr. ENGLEBRIGHT: Resolution of Santa Barbara Post No. 49, American Legion, favoring the inclusion of the national rifle matches for 1928 in the War Department budget; to the Committee on Appropriations.

2821. Also, petition of the citizens of Anderson, Calif., urging increase of pensions for the veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

2822. Also, petition of A. W. Savercool, Taylorsville, Calif., and other citizens of the same vicinity, protesting against the Sunday closing bill for the District of Columbia; to the Committee on the District of Columbia.

2823. By Mr. ESLICK: Petition of Roy Story, Dickson County, Tenn., and others, against the compulsory Sunday observance bill; to the Committee on the District of Columbia.

2824. By Mr. EVANS of Montana: Petition of Mrs. Sam Beeman and other residents of Creston, Mont., protesting against the passage of House bill 78, the Sunday observance bill; to the Committee on the District of Columbia.

2825: Also, petition of Clarence Crane and other residents of Hamilton, Mont., protesting against the passage of House bill 78, the Lankford Sunday observance bill; to the Committee on the District of Columbia.

2826. Also, petition of J. De Long and other residents of Darby, Mont., protesting against the passage of House bill 78, the Lankford Sunday observance bill; to the Committee on the District of Columbia.

2827. Also, petition of I. B. Carroll and other residents of Dillon, Mont., protesting against the passage of House bill 78, the Lankford Sunday observance bill; to the Committee on the District of Columbia.

2828. By Mr. FULBRIGHT: Petition of citizens of East Prairie, Mo., in support of House bill 7329, relative to the proposed bridge across the Mississippi River at Hickman, Ky.; to the Committee on Interstate and Foreign Commerce.

2829. By Mr. GALLIVAN: Petition of Massachusetts Department of the American Legion, D. H. Haverty, State adjutant, Statehouse, Boston, Mass., requesting appropriation for national rifle matches to be included in War Department appropriation bill; to the Committee on Appropriations.

2830. By Mr. GARBER: Concurrent resolution of the House of Representatives and Senate of South Carolina, urging the enactment of legislation giving honorable retirement to the emergency Army officers; to the Committee on Military Affairs.

2831. Also, letter of National Beauty & Barbers Supply Dealers' Association, in support of the Capper-Kelly bill; to the Committee on the District of Columbia.

2832. Also, statement of R. F. Duckworth, editor and publisher of the Apostolic Way, in opposition to war in which human lives are taken; to the Committee on Military Affairs.

2833. Also, resolution of William F. Scannell Chapter, No. 5, Disabled American Veterans, of Liberty, N. Y., urging the enactment of legislation to give aid to the disabled ex-service men; to the Committee on World War Veterans' Legislation.

2834. Also, resolution of Exchange Club of Belmar, Belmar, N. J., in support of House bill 2 and Senate bill 2036 and in opposition to the Jones bill; to the Committee on the Merchant Marine and Fisheries.

2835. Also, letter of the Shoe Polish Manufacturers' Association of America, by Thos. A. Anderson, in support of Senate bill 1418 and House bill 11; to the Committee on Interstate and Foreign Commerce.

2836. Also, letter of Victor S. Purdy, secretary-treasurer of the Oklahoma State Federation of Labor, Oklahoma City, Okla., in support of House bill 7729, requiring the labeling of convict-made goods entering interstate commerce; to the Committee on Labor.

2837. Also, petition of residents of Grant County, Okla., urging the enactment of legislation for Civil War veterans and their widows; to the Committee on Invalid Pensions.

2838. Also, letter of Allie Bickford, of Fairvalley, Okla., in support of civil service for the third-class post offices and allow rent, light, fuel, and equipment for fourth class; to the Committee on the Post Office and Post Roads.

2839. Also, letter of Felda Rose Canning and Lucile Canning, of Washington, D. C., in support of Welch bill (H. R. 6518), Madden bill (H. R. 47), and Lehlbach bill (H. R. 492); to the Committee on the Civil Service.

2840. Also, resolution of patrons of Cleo Springs, Okla., in support of legislation to be enacted for relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

2841. Also, letter of H. E. Hart, manager of the Alva Roller Mills, of Alva, Okla., in protest to the paragraph in the revenue act for 1928 which would give the commissioner the right to assess taxes for the years of 1917, 1918, 1919 under warrant of distraint or court proceedings, even though the statute of limitations has run; to the Committee on Ways and Means.

2842. Also, letter of Mississippi Valley Association, by James E. Smith, president, in support of the appropriation asked for in the river and harbor section of the Army appropriation bill; to the Committee on Rivers and Harbors.

2843. Also, resolution of the members of Lodge Grant, No. 134, of the Bohemian Fraternal Association of Medford, Okla., in protest to the enactment of legislation requiring the annual registration of all aliens; to the Committee on Immigration and Naturalization.

2844. Also letter of George J. Eacock, Oklahoma City, Okla., in support of House bills 5608, 8230, 8555, and 8556, with reference to the modification and adjustment of schedule of fees of United States commissioners; to the Committee on the Judiciary.

2845. Also, letter of John Howe, secretary-treasurer of the Oklahoma Trades and Labor Council, in support of Senate bill 1940 and House bill 7729; to the Committee on Labor.

2846. Also, letter of B. A. Leatherman, Rosston, Okla., in support of civil service for the third-class post office and allow rent, light, fuel, and equipment for fourth class; to the Committee on the Post Office and Post Roads.

2847. By Mr. HADLEY: Petition of residents of Everett, Wash., protesting against the Lankford Sunday closing bill; to the Committee on the District of Columbia.

2848. Also, petition of a number of residents of Washington State, protesting against the Lankford Sunday closing bill; to the Committee on the District of Columbia.

2849. Also, petition of residents of Auburn, Wash., protesting against the Sunday closing bill; to the Committee on the District of Columbia.

2850. Also, petition of residents of Snohomish, Wash., protesting against the Lankford Sunday closing bill; to the Committee on the District of Columbia.

2851. Also, petition of residents of Bellingham, Wash., protesting against the Lankford Sunday closing bill; to the Committee on the District of Columbia.

2852. Also, petition of residents of Sequim, Wash., protesting against the Lankford Sunday closing bill; to the Committee on the District of Columbia.

2853. By Mr. HICKEY: Petition of Mrs. B. Crawford and other citizens of St. Joseph County, urging the passage of a bill increasing the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

2854. By Mr. HOWARD of Nebraska: Petition signed by John Trowbridge and other citizens of Burt County, Nebr., protesting against the passage of the Lankford bill (H. R. 78) for compulsory observance of Sunday, or any other proposed legislation providing for compulsory observance of the Sabbath in the District of Columbia; to the Committee on the District of Columbia.

2855. Also, petition signed by J. C. Abbott, of West Point, Nebr., and other citizens of that vicinity, protesting against the passage of the Lankford bill (H. R. 78) for compulsory observance of the Sabbath, or any other proposed legislation providing for the compulsory observance of Sunday in the District of Columbia; to the Committee on the District of Columbia.

2856. Also, petition signed by Mrs. T. S. Teas, of Fremont, Nebr., and other citizens of that vicinity, protesting against the passage of the Lankford bill for compulsory Sunday observance, or any other legislation proposed for the compulsory observance of the Sabbath in the District of Columbia; to the Committee on the District of Columbia.

2857. Also, petition signed by R. F. Whitney, Craig, Nebr., and other citizens of that vicinity, protesting against the pas-

sage of the Lankford bill (H. R. 78) providing for compulsory Sunday observance, and any other proposed legislation for compulsory observance of the Sabbath in the District of Columbia; to the Committee on the District of Columbia.

2858. Also, petition signed by Mrs. Arthur Lindell, West Point, Nebr., and other citizens of West Point, protesting the passage of the Lankford bill (H. R. 78), or any other proposed legislation providing for the compulsory observance of the Sabbath in the District of Columbia; to the Committee on the District of Columbia.

2859. Also, petition signed by Louise Middaugh, of Ames, Nebr., and other citizens of that vicinity, protesting against the passage of the Lankford Sunday observance bill, or any other proposed legislation providing for compulsory observance of the Sabbath in the District of Columbia; to the Committee on the District of Columbia.

2860. Also, petition signed by Charles Eckley, of Tekamah, Nebr., and other citizens of that vicinity protesting against the passage of the Lankford bill for compulsory observance of the Sabbath, or any other proposed legislation for compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

2861. Also, petition signed by A. G. Nelson, of Tekamah, Nebr., and other citizens of that vicinity, protesting against the passage of the Lankford bill (H. R. 78), providing for compulsory observance of the Sabbath, or any other legislation providing for compulsory observance of Sunday in the District of Columbia; to the Committee on the District of Columbia.

2862. Also, petition signed by G. A. Anderson, Bradish, Nebr., and other citizens of Bradish, protesting the passage of Lankford bill for compulsory observance of the Sabbath, or any other proposed legislation providing for compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

2863. Also, petition signed by C. Lovejoy, of Bloomfield, Nebr., and 15 other petitioners of that city, protesting against the passage of the Lankford bill (H. R. 78) for compulsory observance of the Sabbath, and any other proposed legislation providing for compulsory observance of Sunday in the District of Columbia; to the Committee on the District of Columbia.

2864. Also, petition signed by Mrs. J. W. Blue, of Tekamah, Nebr., and 23 other citizens of that vicinity, protesting against the passage of the Lankford bill (H. R. 78) or any other proposed legislation providing for compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

2865. By Mr. JOHNSON of South Dakota: Petition of 424 citizens of Redfield, Ashton, and Doland, S. Dak., protesting against the passage of the Lankford compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

2866. By Mr. KEARNS: Petitions signed by citizens of Scioto County, Ohio, against compulsory Sunday observance; to the Committee on the District of Columbia.

2867. By Mr. KORELL: Petition of citizens of Portland, Oreg., protesting against the passage of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

2868. By Mr. KNUTSON: Petition submitted by Albert F. Houck and others, protesting against compulsory Sunday observance legislation; to the Committee on the District of Columbia.

2869. By Mr. KVALE: Petition of R. J. McRae and other officers of the First National Bank, Graceville, Minn., protesting against enactment of Senate bill 1752, proposing to discontinue the printing of return requests on Government stamped envelopes; to the Committee on the Post Office and Post Roads.

2870. Also, petition signed jointly by Z. O. Johnson, commander Colonel Hegg Post, Grand Army of the Republic.; Frank E. Hohnberg, commander United Spanish-American War Veterans; and Roy Christian, commander Austin Hanscom Post 167, American Legion; urging on behalf of their organizations the prompt enactment into law of the so-called Morgan bill to increase pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

2871. Also, petition of "the thousands of members of the lodges under the jurisdiction of the Minnesota District Lodge, Vasa Order of America," protesting against the national-origins basis for immigration, and urging its repeal at this session of Congress and permanent retention of the present basis of immigration; to the Committee on Immigration and Naturalization.

2872. Also, petition of Northwest Theatre Owners' Association, unanimously urging enactment into law of the Brookhart anti-block-booking bill; to the Committee on Interstate and Foreign Commerce.

2873. Also, petition of Minneapolis Reserve Officers, in annual meeting, condemning charging of cost of Army Air Corps against appropriation of Organized Reserves; to the Committee on Appropriations.

2874. Also, petition of National Association of Postal Supervisors, urging enactment into law of House bill 7593, to amend laws covering retirement of employees in the classified civil service; to the Committee on the Civil Service.

2875. Also, petition of L. H. Powell, chairman Lyon County Council of Agriculture, Marshall, Minn., protesting against enactment of farm relief legislation with equalization fee provisions omitted; to the Committee on Agriculture.

2876. Also, petition of Hon. Charles Salmonson, State representative, Clinton, Minn., urging for his constituency that equalization fee be retained in the Haugen farm relief bill; to the Committee on Agriculture.

2877. Also, petition of Women's Club of Kandiyohi County, Minn., protesting against policies of the Federal Radio Commission; to the Committee on the Merchant Marine and Fisheries.

2878. Also, petition of Women's Club of Kandiyohi County, Minn., urging prompt enactment of the Copeland-Berger resolution for investigation of the strike situation in Pennsylvania; to the Committee on Interstate and Foreign Commerce.

2879. Also, petition of N. H. Ley, cashier, and officials of Farmers' State Bank, Watkins, Minn., protesting against legislation designed to discontinue Government printing of stamped envelopes; to the Committee on the Post Office and Post Roads.

2880. Also, petition of 54 members of Gimle Lodge, No. 174, Sons and Daughters of Norway, Starbuck, Minn., urging enactment of amendments to the immigration act of 1924 which will repeal the national-origins basis of immigration, retain the present temporary basis, and will not further reduce the Scandinavian quotas; to the Committee on Immigration and Naturalization.

2881. Also, petition of Mrs. Robert S. Myers and 102 residents of Parkers Prairie, Minn., protesting against enactment of any legislation providing for compulsory Sunday observance; to the Committee on the District of Columbia.

2882. Also, petition of the administrative committee of the university senate of the University of Minnesota, urging enactment of legislation which will remove hardships now suffered by educational institutions in obtaining lecturers and instructors from abroad, and indorsing House bill 9284; to the Committee on Immigration and Naturalization.

2883. Also, petition of Chapter 85, Izaak Walton League, Hanley Falls, Minn., urging immediate enactment into law of House bill 69, proposing to establish a migratory-bird refuge at Bear River Marsh, Great Salt Lake, Utah; to the Committee on Agriculture.

2884. By Mr. LINTHICUM: Petition of Francis M. Boid, Pimlico Road, Mount Washington, Md., indorsing McSweeney-McNary bill to insure proper use and adequate supply of timber and other forest products for people of the United States; to the Committee on Agriculture.

2885. Also, petition of A. S. Dulaney and Wallace Williams, department commander American Legion, War Memorial Building, Baltimore, indorsing legislation for relief of dependents of officers and men of submarines *S-4* and *S-51*; to the Committee on Naval Affairs.

2886. Also, petition of Dr. Robert P. Pay, of Baltimore, and S. M. Shoemaker, of University of Maryland Board of Regents, Baltimore, urging salary increases of Federal veterinarians; to the Committee on Foreign Affairs.

2887. Also, petition of Jackson & Jackson Co., Salisbury, Md., indorsing legislation on parcel-post shipments to Cuba; to the Committee on the Post Office and Post Roads.

2888. Also, petition of Ernest J. Clark, of the National Society of the Sons of the American Revolution, Baltimore, Md., presenting resolution adopted at the Thirty-seventh annual Congress held in Philadelphia June, 1926, on memorial for Gen. George Rogers Clark (H. R. 5689); to the Committee on the Library.

2889. By Mr. MacGREGOR: Resolutions of Swedish Evangelical Trinity Church, of Buffalo, N. Y., in reference to immigration; to the Committee on Immigration and Naturalization.

2890. By Mr. McREYNOLDS: Petition signed by 60 voters of Hamilton County, Tenn., requesting that immediate steps be taken to bring to a vote a Civil War pension bill carrying the rates proposed by the National Tribune; to the Committee on Invalid Pensions.

2891. Also, petition signed by 111 voters of Ravenscroft, White County, Tenn., requesting that immediate steps be taken to

bring to a vote a Civil War pension bill carrying the rates proposed by the National Tribune; to the Committee on Invalid Pensions.

2892. By Mr. MONTAGUE: Petition of citizens of Williamsburg, Va., in relation to the storage of explosives at Yorktown, Va.; to the Committee on Naval Affairs.

2893. By Mr. MORROW: Petition of citizens of Las Cruces, N. Mex., protesting against House bill 78, compulsory Sunday observance for the District of Columbia; to the Committee on the District of Columbia.

2894. Also, petition of citizens of Artesia, N. Mex., protesting against enactment of House bill 78, compulsory Sunday observance for the District of Columbia; to the Committee on the District of Columbia.

2895. By Mr. O'CONNELL: Petition of the Shawinigan Products Corporation, of New York City, favoring flood-control legislation; to the Committee on Flood Control.

2896. Also, petition of the Knights of Malta, Philadelphia, Pa., favoring certain immigration legislation; to the Committee on Immigration and Naturalization.

2897. Also, petition of the United States Blacksmiths' Helpers' Union, of New York City, favoring the passage of House bill 25, Federal employees retirement; to the Committee on the Civil Service.

2898. By Mr. OLDFIELD: Petition of citizens of Randolph County, Ark., urging increased pensions for Civil War veterans; to the Committee on Invalid Pensions.

2899. By Mr. RAINEY: Petition of Dr. J. Ulysses Day, Jacksonville, Ill., urging the passage of the Civil War pension increase bill; to the Committee on Invalid Pensions.

2900. Also, petition of 61 citizens of Jacksonville, Ill., for increased pensions for Civil War veterans and their widows; to the Committee on Invalid Pensions.

2901. By Mr. ROBINSON of Iowa: Petition from Mary A. Lavery and about 125 citizens of Cascade, Iowa, and Dubuque County, Iowa, urging the passage of a Civil War pension bill; to the Committee on Invalid Pensions.

2902. Also, petition from Mrs. Ellen E. Peck and about 75 citizens of Franklin County, Iowa, urging the passage of a pension bill for Civil War widows; to the Committee on Invalid Pensions.

2903. By Mr. SANDERS of New York: Petition of Florence B. Lucas and 40 citizens of Medina, N. Y., protesting against the passage of the Lankford bill (H. R. 78) compulsory Sunday observance legislation; to the Committee on the District of Columbia.

2904. By Mr. STEELE: Petition of 32 citizens of Atlanta, Fulton County, Ga., protesting against the passage of legislation enforcing compulsory Sunday observance, and especially House bill 78; to the Committee on the District of Columbia.

2905. By Mr. STOBBS: Petition of residents of Worcester County, Mass., asking for increase of Civil War pensions; to the Committee on Invalid Pensions.

2906. Also, petition of residents of Worcester County, Mass., protesting against House bill 78; to the Committee on the District of Columbia.

2907. Also, petition of residents of Worcester, Mass., protesting against House bill 78; to the Committee on the District of Columbia.

2908. By Mr. STRONG of Kansas: Petition of certain citizens of Kansas, opposing House bill 78, the compulsory Sunday observance bill; to the Committee on the District of Columbia.

2909. Also, petition of Alice Harris and 52 other citizens of Minneapolis, Kans., protesting against the passage of House bill 78, or any other bills providing for compulsory Sunday observance; to the Committee on the District of Columbia.

2910. By Mr. SUMMERS of Washington: Petition signed by Hal V. Bolam and 184 others, of Yakima, Wash., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

2911. Also, petition signed by Mrs. D. A. Melton and 145 others, of Yakima, Wash., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

2912. Also, petition signed by I. S. Kelso and 32 others, of Wapato, Wash., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

2913. By Mr. SWING: Petition of citizens of San Diego, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

2914. Also, petition of citizens of Buena Park, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

2915. Also, petition of citizens of Arlington, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

2916. By Mr. TEMPLE: Petition of a number of residents of Washington, Washington County, Pa., in support of legislation increasing the rate of pension to Civil War veterans and widows of Civil War veterans; to the Committee on Invalid Pensions.

2917. Also, petitions of United National Association of Post Office Clerks, Branch 741; National Association of Letter Carriers, Branch 974; Canonsburg Post, No. 253, American Legion; Alberta Circle, No. 419, Protected Home Circle, all of Canonsburg, Washington County, Pa., in support of House bill 25 and

Senate bill 1727, known as the Dale-Lehlbach retirement bill; to the Committee on the Civil Service.

2918. By Mr. TILSON: Petition of A. W. Gary and other residents of New Haven, Conn., protesting against the passage of House bill 78, for compulsory Sunday observance; to the Committee on the District of Columbia.

2919. By Mr. WHITE of Colorado: Petition of Mrs. F. P. Kibler and other citizens of Denver, Colo., protesting the enactment of House bill 78, providing for compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

2920. By Mr. WINTER: Resolution by the board of governors of the Alfalfa Commercial Club, of Worland, Wyo., opposing the further restriction of Mexican immigration; to the Committee on Immigration and Naturalization.