

vided, That nothing in this act shall prohibit the mining and sale of sodium compounds under potassium leases issued pursuant to the acts of October 2, 1917 (40 Stat. L. 297), and February 7, 1927 (44 Stat. L. 1057), nor the mining and sale of potassium compounds as a by-product from sodium leases taken under this section: *Provided further*, That on application by any lessee the Secretary of the Interior is authorized to modify the rental and royalty provisions stipulated in any existing sodium lease to conform to the provisions of this section."

Mr. BRATTON. Mr. President, I would like to inquire whether this bill was referred to a committee. The calendar says that it was read twice and placed on the calendar.

The PRESIDING OFFICER. An identical Senate bill (S. 3375) had been reported from the Committee on Public Lands and Surveys and placed on the calendar. The House bill went directly to the calendar.

Mr. BRATTON. Very well.

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

Mr. ODDIE. Mr. President, there is on the calendar the bill (S. 3375) to amend sections 23 and 24 of the general leasing act approved February 25, 1920 (41 Stat. L. 437), being a bill identical with that just passed. I ask that the Senate bill be indefinitely postponed.

The PRESIDING OFFICER. Without objection, Senate bill 3375 will be indefinitely postponed.

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.

RECESS

Mr. CURTIS. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and the Senate (at 4 o'clock and 10 minutes p. m.) took a recess until to-morrow, Thursday, April 5, 1928, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate April 4, 1928

UNITED STATES COAST GUARD

John W. Malen to be a temporary ensign in the Coast Guard of the United States, to take effect from date of oath.

The above-named person has passed the examinations prescribed for appointment.

CONFIRMATION

Executive nomination confirmed by the Senate April 4, 1928

CIRCUIT COURT JUDGE FOR HAWAII

William C. Achi, jr., to be circuit judge, fifth circuit, Territory of Hawaii.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 4, 1928

The House met at 12 o'clock noon.

The Clerk read the following letter:

APRIL 4, 1928.

I hereby designate Hon. JOHN Q. TILSON to act as Speaker pro tempore to-day.

NICHOLAS LONGWORTH.

The House was called to order by the Speaker pro tempore [Mr. TILSON].

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

PRAYER

Our Father in heaven, we thank Thee for the new morning hours. In the joy of renewed strength and with glad hearts enable us to go forward unafraid and undisturbed. Through tasks faithfully performed, set free other of our highest and best impulses; may they be brought into splendid service. The blessing of a life lived wisely is not gold nor jewels, but more life—broader use of our powers, a healthier capacity, and a larger usefulness. Now, our Father, we pray that we are all here to dedicate our gifts to Thee; let us come and go just as Thy children, to speak the truth and to do Thy will. Oh, true success is to labor; to travel hopefully and blessedly day by day is far better than to arrive. Oh, fill our hearts with love, and

then there shall be no place for hate; fill our minds with heaven, and then there shall be no place for hell; thus God shall be all in all. Bring us to the shades of evening weary though satisfied and not dishonored. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed the following resolution:

Senate Resolution 187

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Hon. JAMES A. GALLIVAN, late a Representative from the State of Massachusetts.

Resolved, That a committee of six Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

The message also announced that pursuant to the foregoing resolutions the Vice President had appointed Mr. WALSH of Massachusetts, Mr. GILLET, Mr. DALE, Mr. HARRISON, Mr. TYDINGS, and Mr. BARKLEY members of the committee on the part of the Senate to attend the funeral of the deceased Representative.

The message further announced that the Senate had passed without amendment bills of the following titles:

H. R. 6993. An act authorizing the Secretary of the Interior to sell and patent certain lands in Louisiana and Mississippi; and

H. R. 12245. An act to amend the War Finance Corporation act, approved April 5, 1918, as amended.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 89. Joint resolution designating May 1 as child health day.

The message further announced that the Senate disagrees to the amendment of the House of Representatives to the bill (S. 1822) entitled "An act to authorize the Secretary of War to transfer or loan aeronautical equipment to museums and educational institutions," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. REED of Pennsylvania, Mr. BINGHAM, and Mr. FLETCHER to be the conferees on the part of the Senate.

FLOOD CONTROL BILL

Mr. FREAR. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the subject of flood control.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the Record on the subject of flood control. Is there objection?

There was no objection.

Mr. FREAR. Mr. Speaker, I am submitting flood-control data for the Record that to my mind is of vital importance in the determination of the Mississippi River flood control bill that will soon come before the House for consideration.

It is universally conceded that the problem is of national importance and that it must be constructed by the Government without delay. Arguments before the House committee by witnesses were devoted to the effects of the flood and necessity for Federal aid.

All these were unquestioned. Practically no data was offered before the House or Senate committees disclosing the large financial interests that are concerned in the passage of a bill costing the Federal Government \$1,000,000,000. The amount of increase in land values and other property by complete flood control is incalculable. I am in favor of flood control, but am opposed to this bill that prohibits contribution.

A brief word as to the checkered course of the flood control bill may be proper at the outset. Hearings were begun by the House committee on November 7, 1927, and over 300 witnesses were heard during the ensuing three months. Their testimony was strangely cumulative, for, as shown by the record, nearly all declared with unanimity that this is a national problem and should be built at national expense. Senators and Members living on the Mississippi or its tributaries or on other possible future flood projects were also of this same opinion prohibiting local contributions, and from the published list it will be dis-

covered that these distinguished legislators made up about one-third of the total number of witnesses who furnished expert evidence for the use of the committee and who have an active interest in this or some other flood-control project.

After the hearings a bill was reported by a majority of the committee that provided no local contribution should be had and further provided for an appropriation of \$325,000,000 with which to construct all the control works. Six minority members filed a report showing the estimated cost fixed by experts would reach \$1,400,000,000 or about four times the amount fixed in the bill, and criticized other features of that bill.

Nothing further occurred until the tobogganing of a bill in record time through another deliberative body that can not be mentioned here as fully as it deserves.

That bill was reported and passed by the Senate about a week ago, or nearly five months after the hearings were begun by the House committee without any action on the House bill. In an effort to get something definite before the House and avoid needless differences in conference, particularly where both committees had majorities opposed to local contribution, and there was no choice the House committee reported the Senate bill last week with several inconsequential amendments, and that bill is now on the calendar for action after over 20 weeks of hearings and long consideration of the problem.

The one outstanding objection I wish here to discuss is a refusal to permit any local contributions from beneficiaries of a flood-control project that will cost the Federal Government \$1,000,000,000.

THIS BILL PREVENTS ANY CONTRIBUTION FROM BENEFICIARIES

In all other Government-aid legislation the Government is protected from inordinate demands and gross favoritism by requiring local contribution where private interests are primarily benefited. Benefits in this flood-control measure often not "special" in character reach presumably into billions of dollars in the aggregate.

From section 1 of the bill—S. 3740—I quote:

That it is hereby declared to be the sense of Congress that the principle of local contribution toward cost of flood-control work which has been incorporated in all previous national legislation on the subject (and is now the law) is sound as recognizing the special interest of the local population in its own protection and as a means of preventing inordinate requests for unjustified items of work having no material national interest * * * and in view of the gigantic scale of the project involving flood waters of a volume and flowing from a drainage area largely outside the States most affected and far exceeding those of any other river in the United States no local contribution to the project herein adopted is required.

On that statement the Senate bill 3740 as passed by the Senate and as reported with amendments by the House requires the Federal Government to acquire for flood ways 3,713,696 acres, or probably an additional 10 per cent for levees, spillways, and other purposes, making a total of about 4,000,000 acres of land belonging to 7,500 separate owners. This land must be acquired by separate suits for condemnation unless purchased by Government agencies for prices the agency deems "reasonable," and the land acquired by the original owners in many cases for a few cents an acre is required to be procured by the Government at a minimum estimate of \$100,000,000, and a possible or probable expense of \$300,000,000 after costs and all expenses are considered.

OVER 7,500 SUITS INVITED BY THE BILL

All are familiar with lands not worth \$10 an acre that have brought nearer ten times that amount when needed by a railroad that submitted values to a jury of good men and true. Over 7,500 such cases are invited by the terms of the bill unless bought at private sale.

This is only one element in the lower Mississippi flood-control project that is reasonably certain to cost the Federal Government in the neighborhood of \$1,000,000,000. Counting \$100,000,000 estimated for bank, flood-control protection, \$71,000,000 to \$100,000,000 for changing railway tracks and relocations, together with—

just compensation to be paid by the United States for all property taken, damaged, or destroyed * * * including all expenditures by persons, corporations and public-service corporations, made necessary to adjust or conform their property because of the spillways, flood ways, or diversion channels herein provided.

All these may make a draft on the Federal Treasury of far more than \$1,000,000,000. Engineers can not submit any close guess. Laymen, including Congress, must go it blind.

From those who are best acquainted with the probable cost and have expert knowledge of the subject, I submit an esti-

mate for the Mississippi River project asked for from the Army engineers that reaches practically \$1,000,000,000. The estimate of land cost to the Government of 4,000,000 acres, figured at \$75 an acre at my suggestion, is one item that may not be reached, for the actual value of the land ought not to average near that amount, but other costs not considered by the board I believe will bring the amount up to or in excess of that figure, and that evidence was submitted to the committee for cut-over land value.

The estimate is as follows:

ENGINEERS' ESTIMATE OF COST TO GOVERNMENT

Costs that may develop from the Jones flood control bill

Original Army engineers' project	\$296,400,000
All rights of way and drainage, plus flowage and damages, Bonnet Carre and Bayou Des Glaizes Loop	11,500,000
Land, damages, etc., Birds Point-New Madrid flood way, as estimated by local people (Mr. Reid)	18,500,000
Boeuf and Atchafalaya flood ways—3,713,696 acres, at \$75 per acre	278,600,000
Railroad claims estimated by railroad chief engineers' committee—see page 146 report of Chairman Frank R. Reid—flood control in the Mississippi Valley, March, 1928	71,800,000
Highway claims if allowed	11,500,000
Masonry spillways if substituted by board	54,000,000
Additional freeboard of 4 feet if substituted by board	167,000,000
Atchafalaya revetments (M. R. C.)	4,500,000

Total 913,800,000

From the surveys of tributaries authorized there may develop tributary and upper river work far exceeding \$86,000,000 (estimate for parts affected by backwater). The total will be dependent upon local contributions and rights-of-way payments adopted.

Grand total 999,800,000

From the survey authorized from Baton Rouge to Cape Girardeau there may develop a reservoir project which would substitute \$1,500,000,000 for the above.

All this Federal expense, reaching from \$7 to \$10 or more for every man, woman, and child in the country, is to be made without any local contribution to protect 30,000 square miles of land or 19,000,000 acres of land, of which 15,000,000 acres outside the flood ways will be increased in value from small amounts upward of \$100 an acre in the highly valuable alluvial valley of the Mississippi, without any local contribution.

The corporation or large individual owners hereinafter named may now be as rich as Croesus, the holders of millions of drainage bonds, valued on the market as low as 40 cents, will now reach par all at the expense of the Federal Government, without contribution.

BURYING THE FORMER MINORITY REPORT

On page 143 of the report on H. R. 8219, No. 1072, is buried, out of sight, the protest of six members of the Flood Control Committee against this wholesale gift to private and corporate interests required to be made by the Government in this humanitarian effort to protect life and property in the valley. Local contribution was there urged, from pages 145 to 154, for reasons therein specifically set forth.

That report was buried, of course, by accident, but it is set forth herein because of its importance.

In report on this bill, No. 1100, page 98, appears a statement regarding the California-Sacramento River project. The people in that valley, the report discloses, have expended over \$100,000,000 for flood control and land reclamation under circumstances largely similar to those existing in the Mississippi Valley. The State and Federal Governments are now asked to join in a \$51,000,000 project to protect the lives and property of that great valley. Of this amount the Federal Government is asked to pay only \$17,600,000, or one-third of the total.

The State of California contributes the same amount and property owners the remainder. Statements to the committee showed cases of physical and financial distress approaching destitution, but two-thirds of the total expense is borne by local interests, whereas 1,757,560 acres of land held by Mississippi Valley corporations and 1,101,154 acres held by large owners, all in the proposed Mississippi flood way, are to be paid the highest price fixed by local juries—without contribution from these same owners, who own by far the largest portion of the 15,000,000 acres of other land hereafter to be given complete protection.

By what argument can the lumber owners of Chicago and the Mississippi River Valley be given all this vast increase in property values—without local contribution—when the people in California pay two-thirds of the cost for like protection.

LARGE FINANCIAL INTERESTS TO BENEFIT

In other words, those benefited include the Descha Land & Timber Co., the Price Ledbetter Land Co., the Madison Land

Co., the Jerome Hardwood Co. (with 22,726 acres alone in the flood ways), the Harris Drew Land Co., the Chicot Farms Co., the Bonita Lumber Co., the Louisville Cooperage Co., the Interstate Cooperage Co. (with 48,120 acres in the flood way), the Pioneer Cooperage Co. (32,000 acres), Singer Sewing Machine Co., Tall Timber & Good Pine Lumber Co. (53,010 acres in the flood way), Tensas Delta Land Co. (121,856 acres), and hundreds of other corporations that appear in the list I offer herewith furnished by Army engineers under the direction of the Secretary of War.

Herewith I am printing the names of 1,000 owners of land the Government is required to deal with. Seventeen per cent of the 7,500 owners of the 4,000,000 acres own 77 per cent of all lands in the proposed flood ways.

It will be noted from the lists herewith submitted that many of the large owners hold over 5,000 acres of land in the flood ways alone, and that proportion indicates three times the amount on the average of lands so owned outside the flood ways which are to be increased in values from 100 per cent to many times that amount by complete flood control, at Government expense—without local contribution. Take two large owners in the Concordia Parish whose names are together with an aggregate of 30,000 acres in the flood way, and if the average holds good over 100,000 acres owned by them outside the flood way are to be vastly increased in value. On what theory of right or justice will the Government grant this vast wealth to people who fortunately live or have property in the Mississippi Valley instead of in California, possibly bought for a few cents an acre according to some of the data presented.

The statement herewith submitted of property owners of nearly 4,000,000 acres to be acquired by the Government under the bill discloses the acreage held by corporations and large owners reaching over 75 per cent of lands to be used in the various flood ways. The lists cover States, parishes, and other data and are offered at the outset to indicate the character of a vast project that has enlisted the sympathies of both Congress and the country, but has had no consideration by either House in so far as applying the ordinary rules of either public or private business is concerned:

Summary of property ownership in flood ways—Final corrections made

	Acreage held by corporations	Acreage held by large owners	Acreage held by small owners ¹			Total acreage
			Number of owners	Average acres	Total	
Boeuf flood way above Sicily Island.....	427,411	327,829	3,172	139	² 440,181	1,195,421
Backwater below Sicily Island.....	646,869	380,557	1,430	148	³ 212,040	1,239,458
Total.....	1,074,280	708,386	4,602	142	⁴ 652,221	2,434,879
Atchafalaya flood way.....	683,280	392,768	1,899	107	⁵ 202,769	1,278,817
Grand total.....	1,757,560	1,101,154	6,501	131	⁶ 854,990	3,713,696

¹ "Small owner" owns less than 1 section (640 acres).

² 37 per cent.

³ 17 per cent.

⁴ 27 per cent.

⁵ 16 per cent.

⁶ 23 per cent.

THIRD MISSISSIPPI RIVER COMMISSION DISTRICT

Summary of tabulated ownership of lands in Boeuf River flood way, above Sicily Island, La.

Counties or parishes	Acreage held by corporations	Acreage held by large owners	Acreage held by small owners			Total acreage in Boeuf River flood way
			Number of owners	Average acres	Total	
Desha.....	10,285	20,372	176	154	27,025	57,682
Chicot.....	48,595	63,201	756	142	107,244	219,040
Ashley.....	1,280	24,600	107	61	6,609	32,489
Total for Arkansas.....	60,160	108,173	1,039	135	140,878	309,211
Morehouse.....	108,160	71,300	272	200	54,400	233,860
West Carroll.....	70,524	24,705	361	95	34,323	129,552
No. 1, Ouachita.....	29,925	15,903	58	140	8,100	53,928
No. 2, Ouachita (backwater).....	4,894	14,032	200	122	24,353	43,279
Richland.....	68,540	52,040	450	184	82,820	203,400
Caldwell.....	57,486	18,444	247	145	35,888	111,818
Franklin.....	27,722	23,232	526	108	56,828	107,782
Catahoula.....			19	136	2,591	2,591
Total for Louisiana.....	367,251	219,656	2,133	140	299,303	886,210
Total.....	427,411	327,829	3,172		440,181	1,195,421

Tabulation of ownership of lands in Boeuf River flood way

DESHA COUNTY, ARK.

(a) Total acreage in flood way.....	57,682
(b) Acreage owned by corporations:	
Desha Land & Timber Co.....	2,125
Price Ledbetter Land Co.....	4,657
Tillar Mercantile Co.....	320
Security Bank & Trust Co.....	500
Madison Land Co.....	1,403
Capron Wood Co.....	320
R. W. G. Stock Farm.....	800
Fee Crayton Hardwood Co.....	160
	10,285
(c) Acreage held by large landowners:	
B. O. Zellner.....	900
E. E. Hopson.....	5,190
F. B. Douglas.....	960
E. G. Munsel.....	700
Joe De Marke.....	480
E. E. Courtney.....	680
J. L. Flowers.....	640
W. H. Halley.....	640
C. R. Johnson.....	640
S. S. Ford.....	1,182
W. I. Thompson.....	774
Charles L. Brown.....	2,080
J. W. Tillman.....	3,106
B. J. Terry.....	680
Edward Alexander.....	920
A. O. Nichols.....	800
	20,372
(d) Acreage held by small landowners:	
176 small landowners, averaging 154 acres each.....	27,025
Total acreage in Desha County.....	57,682

SUMMARY

Acreage held by corporations.....	10,285
Acreage held by large landowners.....	20,372
Acreage held by small landowners.....	27,025
Total.....	57,682

CHICOT COUNTY, ARK.

(a) Total acreage in flood way.....	219,040
(b) Acreage owned by corporations:	
Bismel-Ashcraft Manufacturing Co.....	2,000
Exchange Bank & Trust Co.....	1,360
Chicago Mill & Lumber Co.....	120
Jerome Hardwood Co.....	22,726
Simms, Metcalf & Kretschmer.....	2,040
Chicot Bank & Trust Co.....	400
Alliance Trust Co.....	80
International Life Insurance Co.....	739
Missouri State Life Insurance Co.....	100
Union Trust Co.....	80
Fee Crayton Lumber Co.....	80
Bank of Commerce.....	120
Cincinnati Cooperage Co.....	1,960
M. R. H. & W. Ry.....	285
Bank of Dermott.....	400
Ozark Timber Co.....	40
M. H. & L. Ry. Co.....	3
The Harris-Drew Land Co.....	4,220
Nashville Plantation Co.....	320
Sherrard, Parks & Parks.....	3,808
George A. Brown & Co.....	320
First National Bank.....	200
Stewart Land Co.....	209
Dale Cooperage Co.....	400
Bank of Eudora.....	398
Chicot Alfalfa Farms Co.....	4,721
Dermott Grocery Co.....	520
Haynes Hardy Co.....	426
Hibernia Bank & Trust Co.....	520
	48,595

(c) Acreage held by large landowners:	
L. F. Wallace.....	685
H. A. Bomer.....	1,362
W. P. Halliday estate.....	8,277
William T. Hardie.....	6,950
J. W. Swygart.....	640
G. A. Granble.....	640
Franklin & Walker.....	640
A. D. Downing.....	1,431
Robinson & Nelson.....	3,378
A. R. Keifer.....	2,715
W. W. McGehee.....	1,768
J. H. Sillar.....	1,146
Barton & Barton.....	1,411
Hunter & Mott.....	1,437
Humphrey & Baird.....	803
Echol & Moore.....	1,316
J. W. Hargrave.....	4,798
H. W. Graves.....	2,099
W. H. Wells.....	1,745
George E. Herren.....	1,260
Paul Brown.....	9,595
H. M. Merriweather.....	3,030
G. E. Snell.....	838
N. Todhunter.....	640
J. A. Spies.....	4,029
W. W. Grubbs.....	1,568
	63,201

(d) Acreage held by small landowners:	
756 small landowners, averaging 142 acres each.....	107,244
Total acreage in Chicot County.....	219,040

SUMMARY

Acreage held by corporations	48,595
Acreage held by large landowners	63,201
Acreage held by small landowners	107,244
Total	219,040

ASHLEY COUNTY, ARK.

(a) Total acreage in flood way	32,489
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(b) Acreage owned by corporations:	
State Life Insurance Co.	80
National Cooperage Co.	880
Missouri State Life Insurance Co.	320
	1,280

(c) Acreage held by large land owners:	
Alexander & Young	1,120
W. B. DeYampert	7,475
J. W. McGarey estate	1,715
B. O. Jackson	560
Phin Kimball	3,205
B. A. Blankenship	640
R. L. McKinney	3,997
W. B. Bynum	1,600
J. H. Caldwell	667
E. C. Morshemer	2,000
J. S. O'Neal	651
Mary Bain Sherrill	970
	24,600

(d) Acreage held by small land owners:	
107 small land owners, averaging 61 acres each	6,609

Total acreage in Ashley County	32,489
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SUMMARY

Acreage held by corporations	1,280
Acreage held by large land owners	24,600
Acreage held by small land owners	6,609
Total	32,489

MOREHOUSE PARISH, LA.

(a) Total acreage in flood way	233,860
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(b) Acreage owned by corporations:	
P. Kimball	10,960
Walker & Bridges	2,400
Bonita Lumber Co.	10,520
Louisville Cooperage Co.	15,640
Interstate Cooperage Co.	48,120
Morehouse Planting Co.	3,800
Chess-Wymond	640
Southern Carbon Co.	2,800
Holly Ridge Lumber Co.	5,840
Tensas Delta Land Co.	3,000
Public-school land	4,440
	108,160

(c) Acreage held by large landowners:	
G. W. Naff	2,800
A. W. Jones	2,080
Polk Hunter	1,060
J. W. Shulk	960
J. L. Daniel	1,560
W. E. Hopkins	1,120
George K. Bradford	640
C. H. Henkel	2,640
M. A. Davenport	2,000
E. L. Gladney	800
Pinkston estate	700
W. C. Andrews	3,640
C. C. Felton	900
G. B. Shirkney	1,120
L. Higginbotham	7,780
W. Rutherford	640
W. L. Davis	1,920
D. E. Ivey	1,400
R. E. Barham	5,250
B. C. Singleton	640
J. T. Eubanks	1,080
W. T. Dufur	840
J. S. Rolfe	2,320
N. N. Malone	640
W. S. White	1,600
F. E. Jordan	850
Pipes & Wimberly	960
J. B. West	8,080
I. A. Starwood	700
J. W. Brodnax	3,840
D. W. Pipes	1,560
W. L. Moore	1,440
W. T. Smith	2,000
Naff & Lewis	2,760
Dunn & Pugh	700
G. E. Mott	640
Griffith & Murphy	1,640
	71,300

(d) Acreage held by small landowners:	
272 small landowners, averaging 200 acres each	54,400

Total acreage in Morehouse Parish	233,860
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SUMMARY

Acreage held by corporations	108,160
Acreage held by large landowners	71,300
Acreage held by small landowners	54,400
Total	233,860

WEST CARROLL PARISH, LA.

(a) Total acreage in flood way	129,552
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(b) Acreage owned by corporations:

Pioneer Cooperage Co.	32,000
Frank James Co. (Ltd.)	7,084
Koerner & Co.	588
R. J. Darnell (Inc.)	18,103
Palmer Clothing Co.	56
Tensas Delta Land Co.	116
Bain Wagon Co.	5,090
Federal Land Bank	120
Graves Bros. (Inc.)	150
Hoosier Veneer Co.	1,088
Bank of Kilbourne	20
Bank of Oak Grove	29
Bank of West Carroll	80
Singer Sewing Machine Co.	6,000
	70,524

(c) Acreage held by large landowners:

John R. McIntosh	1,979
S. W. Balding estate	2,060
D. B. Fiske	2,425
Mrs. Ruby G. Hunt	1,689
H. V. Richardson	1,267
L. M. Nicholson	2,450
H. W. Graves	1,188
W. C. Buchanan	1,377
H. M. Spain	1,229
Evander Wilber	600
Clyde Turner	785
George Croak	719
W. A. Heddrick	704
John and Joe Jones	645
D. M. McIntosh	947
Lillie J. Bowers	698
D. W. Kelly	721
Nickey Bros.	842
Brigg & Sullerds	800
Mrs. H. L. Chatham	833
Andrew Jackson	747
	24,705

(d) Acreage held by small landowners:	
361 small landowners, averaging 95 acres each	34,323

Total acreage in West Carroll Parish	129,552
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SUMMARY

Acreage held by corporations	70,524
Acreage held by large landowners	24,705
Acreage held by small landowners	34,323
Total	129,552

OUACHITA PARISH, LA. (NO. 1)

(a) Total acreage in flood way	53,928
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(b) Acreage owned by corporations: (Does not include back-water territory around Bosco.)

Manning & Faust	732
Tremont Lumber Co.	6,140
T. G. Easterling & Co. (Inc.)	642
Trout Creek Lumber Co.	638
Major Stave Co.	1,576
West Virginia Timber Co.	18,088
Ouachita National Bank	40
McGuire Cattle Co.	242
Anderson Land & Timber Co.	742
Bledenharn Realty Co.	40
Arant Investment Co.	404
Canal Commercial Trust & Savings Bank	641
	29,925

(c) Acreage held by large landowners:

E. N. & M. L. Fiol	1,259
E. R. Ratcliff	5,672
J. H. Rhymes	1,360
E. Fudiker	1,414
G. B. Stubbs	1,843
C. F. Huenfield	1,918
A. C. Call	1,040
Genie & M. Miller	733
Ella Gross	664
	15,903

(d) Acreage held by small landowners:	
58 small landowners, averaging 140 acres each	8,100

Total acreage in Ouachita Parish	53,928
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SUMMARY

Acreage held by corporations	29,925
Acreage held by large landowners	15,903
Acreage held by small landowners	8,100
	53,928

OUACHITA PARISH, LA. (NO. 2)

(a) Total acreage in flood way	43,279
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(b) Acreage owned by corporations: (Territory affected by backwater around end of levee at Bosco.)

Consolidated Ice Co.	160
Dixie Lumber Co.	1,265
C. D. Brooks (Inc.)	698
Brown Paper Mill	100
Linwill Saw Mill Co.	176
Bon Air Planting Co.	160
West Virginia Timber Co.	480
Major Stave Co.	140
Arant Investment Co.	156
T. G. Easterling & Co. (Inc.)	320
Groves Planting Co.	380
Tensas Lumber Co.	40
Manning & Faust	819
	4,894

(c) Acreage held by large landowners:	
G. B. Haynes	2,500
Hoffman & Ruffin	1,200
Joe Gratz	1,966
J. H. Rhymes	1,520
Frank Stubbs	1,280
Mrs. W. H. McHenry	1,985
J. H. and R. V. M. Cordell	1,400
R. G. Harmon	660
R. W. Davis	760
Mrs. D. L. Cowan	761
	14,032

(d) Acreage held by small landowners:	
200 small landowners, averaging 122 acres each	24,353
Total acreage in Ouachita Parish (backwater)	43,279

SUMMARY

Acreage held by corporations	4,894
Acreage held by large landowners	14,032
Acreage held by small landowners	24,353
	43,279

RICHLAND PARISH, LA.

(a) Total acreage in flood way	203,400
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(b) Acreage owned by corporations:	
Chess-Wymond Co.	16,000
E. Sondheimer Co.	1,520
Holly Ridge Lumber Co.	720
Mengel Co.	640
Foust Bros. Lumber Co.	2,160
Wayne Land & Timber Co.	20,080
Rosengrant & Ducomb Co.	1,120
Marshfield State Co.	1,600
Tensas Delta Land Co.	15,340
School lands	640
Ouachita National Bank	1,280
England Planting Co.	1,840
Stone-Jones Land & Timber Co.	1,480
Kinsell-Summers estate	4,120
	69,540

(c) Acreage held by large landowners:	
F. E. Jordan	1,640
E. F. Justice	1,040
J. A. Hemler	2,820
P. P. Norman	1,880
Stubbs estate	1,880
W. T. Jones	1,880
M. E. Carr	2,840
G. G. Griffith	2,240
McCoy estate	2,760
Mary L. Millsap	3,000
R. R. Rhymes	4,920
C. R. Singletree	960
C. E. Slocum	680
Robinson estate	640
Sartor & Sons	5,900
M. W. Wooten	780
C. M. Noble	4,520
R. L. Bell	1,160
G. M. Humble	820
W. D. Humble	3,160
J. L. Hewitt	1,080
R. S. & L. O. Boughton	800
M. L. Bell	920
J. R. Herndon	960
Hatch Bros	2,480
M. E. McIntosh	900
C. D. Williams	1,600
	52,040

(d) Acreage held by small landowners:	
450 small landowners, averaging 184 acres each	82,820

Total acreage in Richland Parish	203,400
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SUMMARY

Acreage held by corporations	68,540
Acreage held by large landowners	52,040
Acreage held by small landowners	82,820
	203,400

CALDWELL PARISH, LA.

(a) Total acreage in flood way	111,818
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(b) Acreage owned by corporations:	
Southern States Realty Co.	1,349
Trout Creek, Tall Timber & Good Pine Lumber Co.	53,010
Investors Manufacturing Co.	2,543
Caldwell Bank	40
Standard Lumber Co.	80
Riverton Lake Lumber Co.	64
Citizens Progressive Bank	360
Federal land bank	40
	57,486

(c) Acreage held by large landowners:	
Mrs. Mary Day	1,312
W. H. Filhiol	1,688
Dr. J. Q. Grover	1,002
Joe Hogue	1,308
C. H. Miller	2,912
Mrs. M. P. Powell	1,083
F. G. Nelson	1,250
J. W. James	3,443
H. Ferrand	660
A. R. Taylor	650

(c) Acreage held by large landowners—Continued	
Mrs. L. E. Groves	773
David Dunn	851
A. L. Winn	954
Mrs. J. F. Girod	758
	18,444

(d) Acreage held by small landowners:	
247 small landowners, averaging 145 acres each	35,888

Total acreage in Caldwell Parish	111,818
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SUMMARY

Acreage held by corporations	57,486
Acreage held by large landowners	18,444
Acreage held by small landowners	35,888
	111,818

FRANKLIN PARISH, LA.

(a) Total acreage in flood way	107,782
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(b) Acreage owned by corporations:	
Tensas Delta Land Co.	10,346
Tensas Basin levee board	350
Metropolis Bending Co.	5,060
Winnboro State Bank	540
Wyatt Lumber Co.	9,380
E. J. Kiper & Co.	80
West Virginia Timber Co.	820
Pardue Bros.	965
A. A. Bush	140
Brooks & Son	41
	27,722

(c) Acreage held by large landowners:	
Gilbert & Hobgood	1,100
W. S. Desha	802
Mrs. M. V. Moore	840
M. P. Daily estate	680
T. J. Mathews, sr.	640
W. B. Grayson, sr.	800
T. B. Gilbert	3,380
C. J. Ellis, sr.	700
L. L. Lieber	800
Gilbert, Hurdle & Walden	1,200
Mrs. M. B. Wigger	640
H. H. Buie estate	2,270
H. A. Buie	1,280
J. R. Woolridge	660
J. R. Howington	710
Price, Moore & Strahan	960
Curry, McConnell & Sartor	640
I. Q. Robinson	680
S. Senseman	1,160
Benson & Anderson	880
Mrs. M. D. Mason estate	1,600
Mrs. H. Ensminger	810
	23,232

(d) Acreage held by small landowners:	
528 small landowners, averaging 108 acres each	56,828

Total acreage in Franklin Parish	107,782
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SUMMARY

Acreage held by corporations	27,722
Acreage held by large landowners	23,232
Acreage held by small landowners	56,828
	107,782

CATAHOULA PARISH, LA.

(a) Total acreage in flood way	2,591
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(b) Acreage owned by corporations	None.
(c) Acreage held by large landowners	None.
(d) Acreage held by small landowners:	
19 small landowners, averaging 136 acres each	2,591

Total acreage in Catahoula Parish	2,591
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SUMMARY

Acreage held by corporations	None.
Acreage held by large landowners	None.
Acreage held by small landowners	2,591
	2,591

Tabulation of ownership of lands in Bocuf River flood way below Sicily Island—Backwater area

LA SALLE PARISH

Corporations:	Acres	Acres
Highland Farm Co.	520	
Tensas Delta Land Co.	64,113	
Small owners (46)		64,633
Total		2,885
		67,518

GRANT PARISH

Large owners:		
Bannon, E. M. O.	640	
McAdams, J. E.	940	
		1,580
Corporations:		
Central Development Co.	120	
Chic Lumber & Coal Co.	120	
Lee Lumber Co.	880	
		1,120
Small owners (52)		8,180
Total		10,880

RAPIDES PARISH		Acres	Acres
Large owners:			
O'Neal, J. A.	818		
Ryland, A. W.	683		
S. A. Robt. Rider	790		
Wise, J.	1,567		
		3,858	
Corporations:			
Alexandria Lumber Co.	620		
Eota Realty Co.	9,800		
Lanier Oil & Gas Co.	150		
Lee Lumber Co.	2,000		
		12,570	
Small owners (102)		13,641	
Total		30,069	

CATAHOU LA PARISH		Acres	Acres
Large owners:			
Adams, John J.	740		
Alexander, J. S.	995		
Alexander, T., estate	1,120		
Beitzhoover, Helss	1,882		
Bryan, Mrs. A. J.	721		
Burroughs, Nelson T.	2,183		
Calhoun, W. T.	980		
Davis, Samuel P.	1,058		
Friel, F. M.	633		
Gilbert, T. B.	760		
Gilbert, Mrs. A. C.	1,120		
Gillis, Mrs. Lucille B.	2,627		
Gregg, E. E.	3,100		
Gumerson, S. M.	761		
Hegedore, Mrs. C. L.	1,491		
Hyman, Alexander	816		
Hoen, E. H.	964		
Jones, Mrs. R. L.	3,234		
Leigh, A. C.	6,289		
Link, M. T.	667		
Lonneau, K. P.	1,237		
McCarty, E. S.	759		
McComb, A. C.	1,154		
May, Mrs. J. B.	1,880		
Michel, R. L.	2,134		
Morris, J. W., estate	760		
Mount, W. H.	1,137		
Newell, Mrs. Leo W.	1,460		
Niagruder, W. A.	1,720		
Norton, Oliver B.	1,185		
Ormsby, J. E.	1,390		
Peck, W. S.	2,377		
Prichard, C. E., estate	1,430		
Richardson, W. P.	2,212		
Robert, Robert, jr.	1,093		
Smith & Norton	983		
Spencer, Miss A.	1,282		
Stearns, D. M.	2,815		
Tallafarro, R. M.	2,739		
Ulrichs, Joseph S.	644		
Webb, Dr. A. A.	730		
Wilkinson, C. A.	691		
Winston, H. L.	1,152		
Wilson, R. J.	648		
Wooden, D. E.	688		
Wurster, John A.	2,204		
Young, E.	1,384		
		70,059	

Corporations:			
Bank of Commerce	1,007		
Bayou Land & Lumber Co., Hattiesburg	1,835		
Catahoula Realty Co.	80		
Cypress Shingle Co.	6		
Crusader Pipe Line Co.	9		
Delta Hardwood Co.	6,289		
Dunbarton Planting Co.	31		
Ferguson Lumber Co.	1,440		
First National Bank, S. J. Harper	586		
Fisher Lumber Corporation	881		
Graham Stove & Hardware Co.	4,936		
Grant Timber & Manufacturing Co. (Inc.)	9,870		
Harrisonburg State Bank	240		
Hyman, Harris & Co.	270		
Josephine Land Co.	1,298		
Lasalle State Bank	50		
Lorimer, William, Lumber Co.	16		
McWilliam Marsh (by Zenoria Lumber Co.)	8,927		
Naples Lumber Co.	507		
Dixie Pecan Co.	1,119		
Smith Hall Lumber Co.	1,505		
Stewart Bros. & Co.	100		
Tall Timber Lumber Co.	466		
Tensas Delta Land Co.	121,856		
Tensas Delta Land and Monohand Land Co.	11,516		
Thompson, W. B., & Co.	642		
Three Rivers Hardwood Lumber Co.	19		
Utley Holloway Sawmill Co.	1,489		
Zenoria Lumber Co. (Inc.)	4,246		
		181,236	
Small owners (136)		72,899	
Total		324,186	

AVOYELLES PARISH		Acres	Acres
Large owners:			
Garlington, B. F.	3,000		
Gardiner, S. W.	777		
Snowden, George G.	19,986		
Coco, J. M.	744		
Cole, Howard	3,830		
Peters, E.	770		
		29,107	

Corporations:		Acres	Acres
American Investing Co.	490		
Avoyelles Bank & Trust Co.	240		
J. H. Hines Co.	10,202		
Godchaux Realty Co.	120		
Harris Hyman Co.	80		
National Lumber Co. & Ice Co.	15,277		
Naples Lumber Co.	344		
Commercial Estate Co.	13,370		
Gulf Land Co.	2,880		
Howard Cole Co.	3,300		
Harris Hyman Co.	340		
Pardy Hess Co.	8,572		
Leach & Edwards	22,374		
Lannier Land & Oil Co.	1,038		
The Parker Co.	1,400		
Commercial Estate & Investing Co.	2,272		
Gulf Land Co.	5,849		
Southwestern Lumber Co.	22,659		
Lampton Realty Co.	3,726		
		114,533	
Small owners (528)		31,936	
Total		175,576	

FRANKLIN PARISH		Acres	Acres
Large owners:			
Collins, J. T.	4,428		
Conn, E. K.	950		
Feltus, Mrs. E. C.	2,311		
York, Zeb., sr.	1,304		
		8,993	
Corporations:			
Josephine Land Co.	2,680		
Fisher Lumber Co.	1,399		
Chicago Mill & Lumber Co.	1,160		
		5,239	
Small owners (5)		510	
Total		14,742	

CONCORDIA PARISH		Acres	Acres
Large owners:			
Davis, J. M.	1,982		
Maxwell, M. B.	2,936		
Butler, S. H.	3,900		
Byrnes, C. F.	1,580		
Freeman, T. O.	746		
Learned, A. B.	3,056		
Metcalfe, Mrs. Louise	3,056		
Mitchell, J. F.	5,254		
Prince, Dr. J. L.	2,644		
Jones, J. M.	709		
Farmer, Late	2,054		
Hockins, W. H.	1,205		
Learned, A. B.	1,539		
Metcalfe, Mrs. Louise	1,529		
Porter, Samuel	1,709		
Wilkins, C. M.	1,594		
Mosley, C. A. et al.	1,326		
Campbell, A. H.	5,326		
Hogue Bros.	2,480		
Surget, estate of James	2,300		
Crawford, Mrs. Annie	1,250		
Winston, S. L.	1,040		
Buck & Jones	2,966		
Merrell, Miss Jennie	1,250		
Sherman, E. C.	2,950		
Corbett, P. H., & D. B. Fleming	1,442		
Gillespie, A. H.	2,900		
Carter, estate of Mrs. Pauline	3,769		
Hinderleider, J. M.	635		
Hall, Edwin S.	644		
Merrerve, A. G.	2,561		
Schiele, estate of R. P.	1,000		
Alexander Bros.	1,300		
Bank of Commerce and heirs of J. L. Clayton, Natchez	3,478		
R. W. Clayton	800		
Carr, T. Leavitt	877		
Neal & Son	705		
J. W. Oden	1,110		
J. H. Boschert	775		
I. J. Duffy	2,177		
Louis Fry	1,725		
Metcalfe, Mrs. Louise	1,304		
Miller & Smith	4,432		
Mulvibill, Mrs. L. H.	1,779		
Cowan, J.	1,082		
Guill, J. H.	1,142		
Hawkins, C. M.	4,854		
Wade, estate of Mrs. C. J.	1,646		
Barchus, Miss Iona	1,425		
Brown, F. D.	4,184		
Berymer, F. O.	2,240		
Engle, C. F.	1,806		
Leonard, A. R.	1,600		
Saunders, R. P.	1,803		
Splane, Mrs. E. E.	1,193		
Stacey, estate of Anna Lee	1,280		
Ball, W. B.	2,770		
Brown, George M., estate	1,406		
Thomas, J. B.	808		
Brooks, Mont.	640		
Zurbellen, J. C.	6,373		
Bairnsfather, H. M.	960		
Black, R. L.	962		
Hardin, A. L., trustee	17,533		
Hartke, J. S.	13,098		
Kelly, G. M.	2,131		
Kennedy, J. R.	3,074		
Parker, J. G.	958		
	1,555		

Large owners—Continued	Acres	Acres
Reynolds, J. J.	1,066	
Balch, Geo. R.	6,657	
Campion, D. S.	881	
Brown, L. D.	1,401	
Burgin, J. P.	2,303	
Learned, A. B.	2,738	
Wilds, R. S.	719	
Grey, W. W.	810	
Griffin, Mrs. Julia	1,370	
Learned, A. B.	1,587	
	183,405	

Corporations:	Acres	Acres
Arcadia Land Co.	19,447	
Bank of Commerce (Natchez)	500	
Concordia Realty, Milling & Planting Co.	15,337	
Bank of New Roads	930	
First National Bank (Hattiesburg)	798	
National Box Co.	800	
Parks, W. B., & Co.	3,663	
Perciful, Patto O'Brien, Townsend & Brown	2,743	
Bank of Commerce (Natchez)	4,000	
Warrior Planting Co.	4,095	
Willett's Wood Products Co.	41,336	
Forest & Moro Plantations	4,334	
Cupples, J. E., & Son	927	
Fisher Lumber Corporation	21,823	
Posternack, W., & Son	552	
Vidalia Bank & Trust Co.	120	
Welle Bros.	1,531	
Crusader Pipe Line Co. (Arkansas)	75	
Interstate Natural Gas Co.	14	
Louisiana & Arkansas R. R.	57	
Southern States Realty Co.	30	
Burnside, W. W., & Co.	1,110	
Pan American Life Insurance Co.	1,761	
Bullis, Pritchard & Wheeler, and Bayou Land & Lumber Co.	3,246	
Ferriday Cooperage Co.	30	
Ferriday Hoop Co.	13	
Ferriday Realty Co.	350	
Rowe & Mahon	952	
Utley-Holloway Sawmill Co.	926	
Vidalia Bank & Trust Co.	840	
Britton & Koontz Bank	274	
Grant Timber & Manufacturing Co.	5,040	
Natchez Fish Co.	7	
Natchez Investment Co.	4,446	
Pecan Products Co.	2,125	
Bullis & Conn.	797	
Clayton Planting Co.	3,275	
Milton & Calvert	1,718	
Graham Stave & Heading Co.	107	
McGraw & Perkins	1,530	
Mittendorf, Bradley Co.	586	
Southern States Realty Co.	1,644	
Baxter, Forest Hardwood Co.	8,653	
Bullis & Thomas	1,007	
Concordia Abstract Realty Co.	977	
Thomas & Bullis	1,740	
Willson Planting Co.	1,004	
Missouri Pacific R. R.	209	
Gumble, S., & Co.	96	
Lorimer Lumber Co.	669	
Livermore & Ellis	13,944	
Mengales Co.	2,370	
University of the South	80	
Bayou Land & Lumber Co.	6,521	
Woodmen of World	1	
	191,153	

Small owners (377)	43,105
Total	417,663

TENSAS PARISH

Large owners:	Acres	Acres
Curry, Joseph T.	2,650	
Estate Joe Curry	1,300	
Davidson, Mrs. C. M.	1,820	
Daniels, S. C.	660	
Daniels, I. F. and Mary	1,970	
Goodwine, Freement	1,385	
Stanton, J. M.	1,500	
Whitney, Mrs. L. M.	2,440	
Worrel, Mrs. E.	1,219	
Yourtree, S. T.	2,630	
Anderson, V. S.	3,209	
Bailey, Mrs. K. A., estate of	712	
Burton, Dr. W. M.	1,040	
Epstein, J. I.	1,015	
Hops, Frank W.	1,886	
Hart, J. H.	1,680	
Street, J. Clark	1,024	
Weatherly, Mrs. L. B. and W. W.	3,209	
West, A. M., jr.	1,040	
Wiley, E. F.	2,473	
Cook, W. L. and L. H.	1,285	
Lynch, R. B., estate	846	
Nye, W. F.	820	
Smith, Mrs. P. C.	640	
Anderson, Mary G.	759	
Anderson, Margaret	759	
Chilton, J. W.	1,160	
Adams, F. O.	877	
Bennie, Mrs. M. E. A.	719	
Deason, O. B.	640	
Fowler, A.	2,400	
Hopkins, Mrs. M. L.	1,659	
Harris, J. W. and Roscoe	690	
Shelly, Mrs. M., estate of	1,114	
Watson, S. D.	1,596	
Burton, Dr. W. M.	738	
Carpenter, N. L.	2,219	
Hughes, Charles R.	940	

Large owners—Continued.	Acres	Acres
Johnson, H. A. & Grace	729	
Leonard, A. B.	1,000	
Rhodes, Mrs. Grace	1,157	
Bowman, F. E., estate of	1,311	
Duffy, F. J.	1,020	
Ingell, C. E.	1,319	
Eure, Mrs. Joseph	1,310	
Freeman, E. E.	702	
Fee, Mamie K.	800	
Hay, William J.	1,200	
Kelly, G. M. D.	2,514	
Shelly, Mrs. M., estate of	1,060	
Stone, Dwight	3,121	
Hawkins, R. C.	884	
Jacobs, P. C.	676	
Miller, D. F.	2,764	
Pierce, M. C.	720	
Post, George E.	703	
Smith, Bolton	2,787	
Sayles, Mrs. Annie P.	856	
Wright, Mrs. Annie M.	699	
Wright, Dr. W. R.	2,100	

Corporations:		83,553
Crimea Planting Co.	1,612	
Marks Realty Co.	4,238	
Hines, J. H., & Co.	1,295	
Claranook Plant Co. (Inc.)	1,216	
Desha Lumber Co.	13,386	
Mutual Realty Co.	2,888	
Mississippi Valley Timber Co.	17,330	
Pritchard Wheeler Lumber Co.	12,445	
Burn Plant. Co.	2,813	
Pan American Life Insurance Co.	2,169	
Penrod Jurdan Lumber Co.	6,307	
Smith Hall Lumber Co.	2,576	
Wilbert Sons Lumber & Shingle Co.	450	
Bank of Baton Rouge	15	
Cytron Mortgage Co. (Inc.)	1,564	
First National Bank of Texas	413	
First National Bank of Hattiesburg	675	
Etley Holloway & Co.	4,993	
	76,385	
Small owners (184)	38,884	
Total	198,824	

Tabulation of ownership of lands in Atchafalaya flood way

ST. MARTIN PARISH

Large owners:	Acres	Acres
Adam, Joseph	1,220	
Ashley, F. W.	686	
Bourdin, J. J.	11,270	
Case, Cy., & V. J. Kenzweg	1,806	
Case, John	4,100	
Martin, J. S.	1,212	
Martin, Robert	1,243	
Martin, R.	1,318	
Martin, R. & J. J.	1,985	
Stockstill, Gilbert	645	
Unknown owners	10,489	
Durand, Edgar	880	
Durand, Ed.	800	
Alvin, R. Albritton	718	
Boudreaux, L. L.	750	
Brownell, C. R.	680	
Crussel, J. E.	3,979	
Grange, Florian	808	
Johnson, Ben	1,314	
Nolbert, Prene	1,078	
Schewing, E. B., etc.	2,890	
Shelburne, H. N.	7,080	
Shelburne, N. H., et al.	5,856	
Stewart, E. C.	1,141	
Unknown owners	6,100	
Voorhies, Lucien	989	
	71,067	

Corporations:	Acres	Acres
Martin Fish Co.	354	
Rycaide Oil Corporation	2,511	
Levert Mercantile Co. (Ltd.)	35	
Atchafalaya Land Co.	2,431	
Adler, A., Realty Co.	80	
Arkansas Full Oil Co.	77	
Bank of St. Martinville	118	
Bourgeois & Beauchoux	1,430	
Broussard & Schwing	738	
Broussard, Ed, S. E., John E. Schwing	1,029	
Brownell Drews Lumber Co. (Ltd.)	200	
Brownell Drews Lumber Co. (Ltd.)	400	
Brownell Drews Lumber Co. (Ltd.)	4,262	
Chapman, Storm Lumber Co. (Inc.)	1,800	
Cotton Bros. Cypress Co.	340	
Coyle, H. E., and J. R. Rarble	1,293	
Lental, Sam., and John D. Bell	1,088	
Grace Thomas Co.	300	
Gulf Refining Co. of Louisiana	1,243	
Hiller-Hyman Co. (Ltd.)	58	
William P. Hodges & Norman Breaux Lumber Co.	5,177	
Humble Oil & Refining Co.	486	
Heyman Harris & Co. (Inc.)	160	
Ideal Land & Improvement Co.	3,058	
Jeanerette Lumber Co. (Ltd.)	8,218	
Jeanerette Lumber & Shingle Co. (Ltd.)	26,297	
Breaux Lumber Co.	955	
King, Dr. H. A.	2,154	
Kyle Lumber Co. (Ltd.)	1,823	
Louisiana Land & Planting Co.	338	
Louisiana Land & Planting Co., R. C. Milling	2,253	
Irving, R. Saal	2,253	

Corporations—Continued		Acres	Acres
Leverett, St. John (Inc.)	-----	182	
Do	-----	2,500	
McReynolds, Miss Edith	-----	730	
Morse, J. F. Clifford, and W. H. Whatley	-----	8,482	
Norman-Breaux Lumber Co. (Inc.)	-----	5,044	
Do	-----	1,410	
Norman-Breaux Lumber Co. (Inc.) and Fernert Segura	-----	268	
Schwing Lumber & Shingle Co. (Ltd.) and W. J. Burks	-----	3,047	
Schwing Lumber & Shingle Co. (Ltd.)	-----	14,266	
St. Martin Land Co.	-----	34,000	
Sun Oil Co.	-----	240	
Limber Land Co. (Inc.)	-----	8,339	
Thompson, A. H., and G. P. Johnson	-----	6,033	
Luckens, Ben Franklin, and John W. Lewis	-----	972	
Wilbert, A., Son Lumber & Shingle Co.	-----	4,912	
Williams, S. B., Cypress Co. (Ltd.), plant No. 1	-----	25,535	
Williams, S. B., Cypress Co. (Ltd.), plant No. 2	-----	2,328	
Bernard Fish Co.	-----	15	
	-----	189,007	
Small owners (259)	-----	24,314	
Total	-----	284,388	

IBERVILLE PARISH		Acres	Acres
Large owners:			
Angelloz, A. H.	-----	2,349	
Donaldson, G.	-----	777	
Grace, Joseph A.	-----	772	
Levy, H. J.	-----	1,167	
Do	-----	980	
Row, C. W.	-----	4,145	
Do	-----	1,206	
Schwing, S. P.	-----	500	
Do	-----	779	
Ely, S.	-----	724	
Feret, P. R.	-----	1,367	
Picard, A. J.	-----	657	
Gulotta, C.	-----	682	
Kurzweg, V. S., and Cyrus Case	-----	6,143	
Lotz, J.	-----	1,000	
Schwing, E. B.	-----	2,244	
Do	-----	427	
Sherburne, H. W.	-----	524	
Do	-----	164	
Do	-----	9,478	
Geblin	-----	2,647	
McCardle, S. T.	-----	128	
Do	-----	753	
Pollock, W. M.	-----	3,045	
Schwing, E. B.	-----	2,381	
Do	-----	633	
Do	-----	200	
Do	-----	1,148	
Do	-----	3,485	
Do	-----	3,950	
Do	-----	637	
Do	-----	513	
Do	-----	974	
Do	-----	141	
Do	-----	868	
Do	-----	468	
Do	-----	1,789	
Morse, J. F.	-----	666	
Probaska, F. L.	-----	2,288	
	-----	62,799	

Corporations:		Acres	Acres
Gumble, S. Co.	-----	5	
Sherburne Industries (Inc.)	-----	145	
Barst Cooperage Co.	-----	2,765	
Do	-----	3,251	
Do	-----	7,009	
Barst Shingle Co.	-----	160	
Dupont Co.	-----	330	
Gay Lord Co.	-----	1,993	
Holliday, P. W. Sons (Ltd.)	-----	8,818	
Louisiana Cooperage Co.	-----	1,704	
Do	-----	476	
Lauve Co.	-----	200	
Reulet, J. M., & Bros.	-----	384	
Schwing, L. & S., & Co., and Walter Burke	-----	2,320	
Schwing, L. & S., Co.	-----	4,918	
Wilbert, A., Sons, L. & G. Co.	-----	28,837	
Clover Ridge Co., P. & M.	-----	1,230	
Pelican Realty Co.	-----	168	
Ruth Oil & Realty Co.	-----	165	
Baist, L. & G., Co.	-----	81	
Hurdle Bros.	-----	134	
Wilbert & Sons L. & S. Co.	-----	15,260	
Do	-----	4,402	
Crottan Bros.	-----	126	
Iberia Cypress Co.	-----	8,224	
Bayou Hooper Land Co.	-----	81	
Schwing, R. & J., Co.	-----	6,013	
Do	-----	13,048	
Do	-----	80	
Blevin, J. V., & Co.	-----	283	
Brawnell, Drew L., Co.	-----	667	
Cotton Bros.	-----	1,872	
Atchafalaya Land Co.	-----	2,831	
Kyle Lumber Co.	-----	2,065	
Louisiana Land & Planting Co.	-----	714	
Rycaide Oil Corporation	-----	200	
Waddell Williams Lumber Co.	-----	499	
F. B. Williams Cypress Co.	-----	2,847	
	-----	119,314	
Small owners (275)	-----	31,705	
Total	-----	213,818	

ST. MARY PARISH		Acres	Acres
Large owners:			
Parro, Dolph	-----	1,138	
Pharr, J. N.	-----	10,045	
Foster, J. W.	-----	1,750	
John C. Bussy estate	-----	675	
Moberly, E. E.	-----	718	
	-----	14,326	
Corporations:			
Adeline Sugar Co.	-----	3,492	
Rio Bravo Oil Co.	-----	100	
Southern States Realty Co.	-----	326	
A. Veeder Co.	-----	198	
Laws Realty Co.	-----	440	
Kyle Lumber Co.	-----	1,331	
South Coast Co.	-----	3,010	
Sterling Sugar Co.	-----	3,227	
Shady Side Co.	-----	3,490	
Victoria Sugar Co.	-----	945	
Cotton Bros. Cypress Co.	-----	95	
Bass Uye & Lacuzzo	-----	1,292	
Louisiana Syrup & Canning Co.	-----	5	
Lyons Co.	-----	1,752	
Morgan City Co.	-----	660	
Morgan City Co. (Inc.)	-----	2,867	
The Polourde Development Co.	-----	76	
Thibodeaux C. M. Co.	-----	112	
The Texas Co.	-----	25	
Walsh, D. C., & Co.	-----	64	
Whitney Building	-----	5,094	
Wax Bayou Co.	-----	6,794	
	-----	35,395	
Small owners (138)	-----	13,424	
Total	-----	63,145	

POINTE COUPEE PARISH		Acres	Acres
Large owners:			
Baxton, J. L.	-----	988	
Crews, C. C.	-----	956	
Glynn, A. L.	-----	675	
Hearin, D. B.	-----	657	
Major, P. C.	-----	1,415	
Provosty, O. & A.	-----	711	
Robinson, D.	-----	1,408	
Wall, J. D.	-----	640	
Coats, W. T.	-----	2,400	
Cole, J. C.	-----	950	
Patton, M. B.	-----	4,271	
Simpson, J.	-----	3,162	
Clairborne, N.	-----	960	
Cranor, A. J.	-----	1,311	
Crowe, R. W.	-----	997	
Dooley, Hugh	-----	961	
Gumbel, F.	-----	960	
Haas, J.	-----	890	
Hedric, Grace	-----	756	
McNeil, H. R.	-----	2,921	
Tharue, V.	-----	800	
Carloen, C. J.	-----	1,534	
Chamberlain, Hugh	-----	890	
Delatte, Rewee	-----	880	
Derrington, J. A.	-----	867	
Hillis, J. E.	-----	720	
Long, O. J.	-----	1,105	
Needham, B. E.	-----	2,750	
Gayden, L. P.	-----	800	
Harris, R. E.	-----	1,566	
Hotsen, F. H.	-----	1,855	
Keller, G.	-----	3,194	
Lacour, O.	-----	1,680	
Larkin, J. O.	-----	1,026	
Levee, L. P.	-----	1,339	
Mounger, H. P.	-----	1,859	
Phillips, N. P.	-----	2,120	
Provosty, O. O.	-----	1,463	
Robert O. G.	-----	754	
Smith, A.	-----	1,095	
Smith, A. K.	-----	1,340	
Anderson, A. R.	-----	1,225	
Carruth, R. B.	-----	1,440	
Cotton, M. B.	-----	1,100	
Cotton, J.	-----	750	
Hill, W. A.	-----	1,000	
Jones, H. W.	-----	2,445	
Lacour, O.	-----	4,508	
Reuter, Chris	-----	678	
Smith, A. A.	-----	7,193	
Borah, C. F.	-----	1,402	
	-----	79,367	

Corporations:		Acres	Acres
Baist, L. & S. Co.	-----	413	
Bank of New Roads	-----	697	
Roltz Cooperage Co.	-----	493	
Brownwell Dieu Lumber Co.	-----	325	
Canal Bank & Trust Co.	-----	893	
Godchaux Realty Co.	-----	140	
Hackney Lumber Co.	-----	3,159	
Louisiana Land & Plantation Co.	-----	1,186	
Ortego & Langlois	-----	700	
Pelican Realty Co.	-----	374	
Penick & Ford	-----	990	
Schwing Lumber & Shingle Co.	-----	191	
Sherbourne Industries (Inc.)	-----	6,840	
Celtic Land & Improvement Co.	-----	480	
Franklin Realty Co.	-----	365	
Lacour Plantation Co.	-----	3,430	
Dodge & Sumbery	-----	2,880	
Louisiana National Bank	-----	489	
Standard Box Co.	-----	243	
Bank of Baton Rouge	-----	130	
Gumbel & Co.	-----	612	
Hackney Lumber Co.	-----	4,800	

Corporations—Continued.	Acres	Acres
Point Coupee Land Co.	4,604	
Bank of Lottie	300	
Edwards Bradford Lumber Co.	8,458	
Louisiana Cert. Land Co.	4,300	
Point Coupee Trust Co.	50	
Standard Oil Co.	10	
Phillips & Thompson	1,876	
Gumbel, S., & Co.	398	
Northern Lumber Co.	5	
Poydras Funds	260	
Wilbert, A., Sons, T. & S. Co.	1,886	
Wilson & Cochran	1,886	
Small owners (819)	54,907	46,413
Total	180,687	

AVOYELLES PARISH

Large owners:		
Blakenwood, E. G.	859	
Bennette, P. J.	716	
Cappel, J. C.	865	
Gauthier, W.	4,470	
Godchaux, W.	4,470	
Hickman, W. P.	770	
Morgan, Y.	1,400	
Means, D. B.	640	
Nolin, F. P.	1,090	
Norwood, E. J.	1,000	
Perkins & Holden	967	
Corporations:		17,247
Avoyelles Bank & Trust Co.	160	
Avoyelles Wholesale Grocery Co.	22	
Bexmere Co.	1,990	
Desha Lumber Co.	620	
El Paso Discount Co.	300	
Kohlman Moss Co.	2,021	
Lampton Realty Co.	4,441	
Woodside Co.	1,651	
Yellow Bayou Gin & Planting Co.	930	
Sondheimer Co.	14,450	
Small owners (252)	26,585	19,778
Total	63,610	

ST. LANDRY PARISH

Large owners:		
Aschauer, Dr. Henry	640	
Brock, John B.	640	
Banning, Heland G.	660	
Clopton, Bellison W.	1,620	
Converse, W. O.	1,664	
Day, Thomas C.	3,028	
Deal, D. W.	1,635	
Hass, Mrs. Janet R., and Nathalie Hass Kirsch	3,601	
Haas, W. D.	1,000	
Hawkins, Mrs. Sallie	660	
Haas, Dr. W. D.	637	
Lacroix, John L.	653	
Lawler, J. G.	2,800	
Lewis, Warren	6,447	
Melms, Fred	927	
Mertz, Mrs. Henrietta	640	
Murphy, Wm. M.	5,435	
Merts, Mrs. Albert A.	640	
Meyer, Dr. J. G.	1,605	
Morrison, Mrs. Mary J.	826	
Worman, W. H.	18,410	
Penick, Dr. N. A.	1,624	
Perkins, J. A.	582	
Perkins, J. A.	93	
Penick, Dr. N. A.	1,582	
Quinn, E. C.	640	
Richard, Eugene Gordy	786	
Veazie, widow and heirs of E. P.	1,515	
Whiteman, C. T., Lumber	19,680	
Watterson, Charles G.	640	
Wilson & Cochman	667	
Corporations:		81,977
Anchor Sawmill Co.	160	
Brooklyn Cooperage Co.	22,515	
Bank of Lafayette & Trust Co.	780	
Bank of Planters & Trust	360	
Board of Missions, M. E. Church South	680	
Brewer Neinstelt Lumber Co.	6,956	
Botany Bay Lumber Co.	3,042	
Caldwell, W. E. Co.	6,120	
Canal Comm. T. & S. Bank	1,399	
De Bileux Lumber Co.	4	
Day, Thomas C.	3,028	
Elcher Woodland Lumber Co.	640	
Felger Lumber Co.	1,116	
Fred Brenner Lumber Co.	1,003	
Godchaux Realty Co.	3,020	
Globe Tailoring Co.	160	
Flyman, Harris & Co.	1,650	
Martin, Roy Lumber Co.	320	
Nesson, J. O., Lumber Co.	5,107	
Pelonson St. Landry Security	240	
Planters Bank & Trust Co.	280	
Penick Molasses Co.	62	
Palmetto Mercantile Co.	19	
Parish Bank & Trust Co.	440	
Sandelheimer, E., & Co.	1,482	
Southern States Realty	225	
Southwest Louisiana Farm Mortgage (Inc.)	80	
Sterling Sugar Refining Co.	120	
Swain Roach Lumber Co.	80	

Corporations—Continued.	Acres	Acres
St. Landry Land & Lumber Co.	15,316	
Thistlewaite Lumber Co.	5,340	
Williams, F. B., Cypress Co.	241	
Williams, F. B., Cypress Co.	844	
Small owners (438)	82,829	48,916
Total	213,722	

ASSUMPTION PARISH

Large owners:		
Michel, Myrtle	846	846
Corporations:		
Brownell-Drews	2,298	
Wilbert, A., & Sons	296	
Waties & Gulon	123	
Gumble, A., & Co.	7,177	
Small owners (6)	9,894	1,037
Total	11,777	

TERREBONNE PARISH

Large owners:		
Foucher, F. E.	1,213	
Henican, Joseph P.	5,000	
Nelson, Frank G.	38,961	
Corporations:		45,174
Atchafalaya Bay Ship Channel Co.	1,480	
Border Research Corporation	39,518	
Brownell-Drews Lumber Co.	440	
Louisiana Terre Co. (Inc.)	22,347	
The Castell Co. (Inc.)	64,499	
Small owners (10)	128,284	960
Total	174,418	

IBERIA PARISH

Large owners:		
Beckman, H. H.	684	
Bourgeois & Beaulieu	1,242	
Elmore, J. K., Jr.	695	
Herald, Sidney, et al.	1,170	
Johnson & Thompson	691	
Kling & Walet	1,649	
Schwing & Burke	752	
Weeks & McHugh	827	
Weeks, McHugh & Kepper	812	
Cypress, William F. B.	10,697	
Voorhies, Lusien	746	
Corporations:		19,965
American Banking & Trust Co.	38	
Bank of Loreauville	30	
Bayou Pigeon Oil Mineral Co.	400	
Bernard Wagon Work Co.	128	
Brownell-Drews Lumber Co.	2,990	
Cotton Bros. Cypress Co.	2,593	
Federal Land Bank of New Orleans	30	
Gulf Refining Co. of Louisiana	869	
Humble Oil Refining Co.	214	
Iberia Cypress Co.	6,998	
Jeanerette Lumber & Shingle Co.	26	
Kyle Lumber Co. (Ltd.)	11,758	
Little Bayou Oil Co.	175	
Loissel Sugar Co.	87	
Maximilian Planting Co.	282	
New Iberia Co.	13	
Planters Lumber Co.	3,870	
Schwing Lumber & Shingle Co.	3,305	
The Texas Oil Co.	590	
Timber Land Co. (Inc.)	249	
Waddell Lumber Co.	680	
Wilbert Lumber Co.	1,740	
Small owners (202)	37,035	16,222
Total	73,222	

ABOVE BENEFITS AFFECT LANDS, BONDS, AND OTHER PROPERTY

The foregoing data affects only one phase of the problem because every debt in the alluvial valley, whether represented by bonds, mortgage, or other evidence, will be increased in value. Those who have taken over millions of acres of farm lands on mortgages and have vacant houses and deserted farms subject to heavy taxes will gladly exchange places with the above-named owners of property whose holdings in the flood ways to be sold to the Federal Government at high prices will be less than 25 per cent of their holdings on the average, and in many cases will become a gold mine without local contribution.

Examine section 4 of the bill. It will stand close inspection because it was written by railway attorneys and inserted in both Senate and House bills without the change of a comma so far as I could determine, for I examined an original copy furnished members of the committees by a high railway official, and it protects the railway even if it does not protect the Government. That section, as heretofore stated, provides that when public service corporations—railways—change or relocate their tracks so as to take advantage of the complete flood control insured by the Government, the Government must pay all their

costs of relocation and damages (?) unless "special" benefits can be shown.

RAILWAYS ESPECIALLY PROFIT

The railways are likely to be immune from any contribution under that proposal. Such prospective "damages" to the 11 railways in the valley from past floods were estimated by their engineers at \$71,000,000, but will probably reach, in loss of business and actual injuries, to over \$100,000,000. In the 1927 flood these roads stated to the committee their direct damages reached \$6,318,000, which did not include losses in business and other like injuries.

Before the House committee the Illinois Central Railway engineer, Mr. Blaess, presented their case, as did ex-Senator Lorimer in the case of property owners, of whom he is one of many interested in the flood districts. These railways, Mr. Blaess, alleges, would present claims of \$71,835,000 against the Government for relocation of their tracks, bridges, and so forth, to fit the plans for flood control. Protection to the railways from floods, protection to landowners, and increased business and profits because of flood control at Government expense does not enter into the equation. The roads want the money, and although the Illinois Central Railway has had the most profitable year, during 1927, of its existence, I am informed, no "special benefits," it is predicted, will be found to offset any part of Federal Government expenditures.

This railway charge of damages of possibly \$100,000,000 against the Government is also considered in the minority report attached to these remarks.

OWNERSHIP OF 4,000,000 ACRES

In connection with the ownership of lands in the flood ways I have been furnished, at my request, a tabulation showing 265 corporations and 553 large owners of lands, each of whom have over a square mile—640 acres—in the flood ways, indicating three times that acreage on the average that will be protected outside the flood ways.

Other data that may be of interest on the same matter is herewith set forth.

Summary of property ownership in flood ways—Final corrections made

	Acreage held by—		Acreage held by small owners ¹			Total acreage
	Corporations	Large owners	Number	Average acres	Total	
Boeuf flood way above Sicily Island.....	427,411	327,829	3,172	139	440,181	1,195,421
Per cent.....					37	
Backwater below Sicily Island.....	646,869	380,557	1,430	148	212,040	1,239,458
Per cent.....					17	
Total.....	1,074,280	708,386	4,602	142	652,221	2,434,879
Per cent.....					27	
Atchafalaya flood way.....	683,280	392,768	1,899	107	202,769	1,278,817
Per cent.....					16	
Grand total.....	1,757,560	1,101,154	6,501	131	854,990	3,713,696
Grand total.....					23	

¹ "Small owner" owns less than 1 section—640 acres.

Summary of property ownership in flood ways—Corporations and large owners

	Acreage held by corporations (varying amounts)			Acreage held by large owners (over 640 acres)		
	Number	Average acres	Total acres	Number	Average acres	Total acres
Boeuf flood way (above Sicily Island).....	122	3,503	427,411	194	1,690	327,829
Backwater area (below Sicily Island).....	133	4,864	646,869	201	1,893	380,557
Total.....	255	4,213	1,074,280	395	1,793	708,386
Atchafalaya flood way.....	205	3,333	683,280	158	2,486	392,768
Grand total.....	460	3,821	1,757,560	553	1,991	1,101,154

NOTE.—Corporations holding less than 640 acres, 195; corporations holding more than 640 acres, 265; total, 460. Large owners holding over 640 acres, 553.

NO STATES WITHOUT DEBTS

It has been urged that Southern States have suffered severely from floods and that they are entitled to special consideration from that fact. I am in sympathy with that argument to the extent of urging early prosecution of the flood-control plan and that provision of law requiring one-third contribution on the

lower Mississippi River approved March 1, 1917, quoted in the former minority report attached hereto, should be waived or modified in all and every case where the locality can not assume any part of the burden even by a governmental loan, placing authority for such determination in the hands of responsible agencies of the Government. That can be provided in an amendment to the bill later to be offered.

The following debt comparison of six Northern States, however, and six Southern States speaks for itself. The per capita debt in the Northern States averages almost double that of the Southern States. To be absolutely fair this may be in part met by increased wealth per capita in the first six States, but without other data the facts presented indicate that if these States now to be exempt from contribution gave, like California, for a primarily local improvement that they would do only what other States are compelled to do. The comparison follows:

California, after its people have spent \$100,000,000 on its Sacramento Valley, now offers to contribute two-thirds of the cost of the \$51,000,000 additional improvement, of which the State government is to contribute \$17,000,000, the valley residents an equal amount, and the Federal Government the remaining \$17,000,000. California now has a State and local debt (Statistical Abstract, 1926, p. 220) reaching \$16,582,000, based on last reports available, and the per capita indebtedness of \$142.81 is more than double that of any of the States affected by floods in the lower Mississippi Valley. I am not offering any argument as to the injustice exercised toward California and its people beyond a brief statement of the facts existing in a country when every State must contribute its part of the tax for all public improvements and for any work that increases the holdings of the Mississippi Valley corporations and landowners hereinbefore named:

Debt burdens of certain States year 1922 [Statistical Abstract of the United States, 1926, p. 220]

	Amount in thousands of dollars, 1922	Per capita
6 Northern States:		
New York.....	\$1,683,820	\$158.15
New Jersey.....	882,172	116.40
Pennsylvania.....	550,439	61.28
Ohio.....	669,443	112.25
Illinois.....	364,019	54.66
Wisconsin.....	104,523	38.81
Total.....	3,754,416	541.55
Average.....	625,736	90.26
6 Southern States:		
Missouri.....	118,276	34.46
Kentucky.....	50,519	20.68
Tennessee.....	133,337	56.27
Mississippi.....	111,499	62.37
Arkansas.....	91,280	51.03
Louisiana.....	126,946	69.18
Total.....	631,857	293.89
Average.....	105,309	48.98

For the student a brief comparison of conditions as shown by income and profits taxes and other revenues is also offered which has a bearing on the same general subject:

Internal revenue—Receipts by States [Statistical Abstract of the United States, 1926, p. 174. All figures in thousands of dollars]

	Income and profits taxes, year 1925	Miscellaneous internal revenue, year 1926	Total
New York.....	\$569,505	\$164,224	
New Jersey.....	72,252	40,119	
Pennsylvania.....	195,396	56,922	
Ohio.....	109,071	46,685	
Illinois.....	176,861	39,859	
Wisconsin.....	28,650	10,945	
Total.....	1,151,735	358,754	\$1,510,489
Average.....	191,956	59,792	251,748
Missouri.....	49,603	18,325	
Kentucky.....	14,639	12,206	
Tennessee.....	11,398	5,860	
Mississippi.....	3,527	440	
Arkansas.....	4,392	542	
Louisiana.....	12,683	3,765	
Total.....	96,142	41,138	137,280
Average.....	16,023	6,856	22,879

With this statement I attach the minority report to H. R. 8219, which, under the head of local contribution, discusses the

situation presented by this bill and shows beyond cavil how unjust and unprecedented it is to undertake such a monstrous proposal for the Federal Government without requiring contribution from those well able to contribute. The minority report of 12 pages was buried between the 393 pages of the report submitted by Chairman REID with 142 pages preceding 239 pages following as an appendix. That part of the minority report signed by six Republican members of the committee which relates to "contributions" applies with equal force to the Senate bill as reported.

[House Report No. 1072, Seventieth Congress, first session]

MINORITY REPORT

From the Committee on Flood Control, House of Representatives, March 29, 1928. To accompany H. R. 8219

In presenting this minority report we desire to express entire agreement with our committee colleagues as to the importance of enacting into law a complete flood-control system for the lower Mississippi River from Cairo to the Gulf of Mexico.

We submit, however, that the bill reported by the committee, in our judgment, is defective in the following particulars:

It offers no basis for a definite flood-control plan for the lower Mississippi River.

It delays the adoption of any definite flood-control plan until a complete study of the Mississippi watershed shall have been made by a newly created commission of seven members, a majority of whom may be unfamiliar with the Mississippi River problem.

It provides maximum flood-crest heights at Cairo, Arkansas City, and New Orleans, which heights have been arbitrarily and unwisely fixed without supporting evidence therefor.

It exempts from local contribution all cost of construction and maintenance of such control works without reference to local benefits, ability to contribute, eventual cost to the Federal Government, or existing law.

Detailed reasons for objections to these obvious defects in the bill are not here set forth, but we submit that—

After a period of practically three months of hearings at which 300 witnesses were heard, including civil and Army engineers, no semblance of a plan for flood control is provided by the bill. On the contrary, it provides for the appointment of a commission of seven members, who may be civil and Army engineers, which commission first is to begin and entirely complete a study of the entire Mississippi Valley watershed. A delay of a year or more is thereby threatened before any plan can be adopted for the lower Mississippi Valley.

ARMY OR CIVILIAN ENGINEERS

Nothing was presented or discussed in favor of a commission of seven members either by witnesses or in committee.

Over \$1,000,000,000 have been expended by Army engineers on rivers and harbors without question raised as to their efficiency or honesty. For many years they and the Mississippi River Commission have studied the varying moods of the Mississippi and have a knowledge and experience that is invaluable at this present time. After hearing all witnesses, including many civilian engineers, the committee did not by its action adopt or consider any flood-control plan for the Mississippi River recommended by any civilian engineer. The civilian experts did not always agree with the Army engineers nor with each other, particularly when the interests of clients or localities conflicted.

The only plans before the committee during three months of hearings were those of the Mississippi River Commission, of which Colonel Potter, an Army engineer, is chairman, and the Jadwin plan, submitted by General Jadwin, Chief of Engineers. The Panama Canal was constructed under the direction of an Army engineer, so it would seem that this agency, at all times loyal to the General Government, should receive careful consideration from Congress.

IMPRACTICABLE GAUGE HEIGHTS

Flood-crest heights at Cairo, Arkansas City, and New Orleans have been fixed in the bill without any dependable information or competent testimony or any proper consideration by the committee. The following brief correspondence authoritatively expresses unanswerable objections to these gauge heights based on probable costs:

HOUSE OF REPRESENTATIVES,
Washington, February 16, 1928.

Maj. Gen. EDGAR JADWIN,
Chief of Engineers, United States Army,

Washington, D. C.

DEAR GENERAL JADWIN: The engineering testimony taken by our committee is not yet available, but it is my recollection that in addition to discussing the highest state of maximum floods to be prevented on the Mississippi River by your plan you gave estimates of increased costs if the flood crest was reduced at various points along the river.

I know different members of the committee believe your evidence to be very clear and definite on this point, and for that reason I am asking you to furnish me with a general estimate of the cost to the Federal Government, without contribution, if the maximum flood crest is re-

duced at Cairo to 54 feet, at Arkansas City to 58 feet, and at New Orleans to 19 feet.

These suggested flood heights, as I understand it, are reduced far below those recommended by the Mississippi River Commission and by your Board of Engineers as a safe maximum, and it is my impression that if the maximum flood crest is reduced to these figures the expense will be far in excess of the \$296,000,000 estimate made by you for the complete flood-control works on the lower Mississippi.

An early answer, with estimated cost of the reduction to such maximum flood heights at the points designated, will be greatly appreciated.

Very respectfully,

W. F. KOPP.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., February 18, 1928.

Hon. W. F. KOPP,

House of Representatives, Washington, D. C.

DEAR MR. KOPP: In reply to your letter of February 16, 1928, I will say that studies of the Mississippi problem soon made it clear to us that any attempt to restrain the flow line below the heights we used would be very expensive, if practicable at all.

In estimating the cost of holding the maximum flood crest down to 54 feet at Cairo, to 58 feet at Arkansas City, and to 19 feet at New Orleans we have used a combination of reservoirs and flood ways. The general estimate to accomplish this is about \$1,400,000,000.

The above estimate is based on preliminary examinations which assume average conditions and average unit costs. When such an estimate gives a figure obviously beyond all reason as to expense the investigation is carried no further. If such a project should be seriously considered, it would be necessary to pursue the examination and make detailed surveys, borings, etc. With a mandate to hold the Mississippi River down to the stages referred to above, no responsible person could begin work without first spending considerable time—probably a year or more—making plans.

Sincerely yours,

EDGAR JADWIN,
Major General, Chief of Engineers.

From the foregoing opinion of the Government's Chief Engineer it appears that the enormous sum of \$1,400,000,000 will be required to provide gauge heights fixed by the bill or an average of \$1,500,000 per mile of the lower river for occasional flood protection, "if practicable at all," in addition to all cost of revetment, which alone is estimated at over \$100,000,000, and other costs for maintenance and river improvement for navigation.

It further appears from the Chief Engineer's letter that probably a year or more will be required by experts who are familiar with the Mississippi flood-control problem in making plans before construction work can begin.

LOCAL CONTRIBUTION

The bill provides that all flood-control improvements shall be paid by the Federal Government "without local contribution." Levees, flood ways, spillways, and all other control works constructed to protect cities in the flood-control area and millions of acres of alluvial lands are thus to be protected and benefited entirely at Federal expense.

This proposal against contribution goes beyond any plan yet offered for consideration. The Mississippi River Commission plan, Army engineers' plan, and other plans now before Congress, at least require donation of rights of way for river levees and one-third contribution according to existing law for levee building to present grade heights.

Complete protection will make flooded lands 100 per cent productive in the richest valley in the country. If any sector is unable to meet its contribution and is essential to the complete plan, the Federal Government, through proper agencies, can be authorized to advance money on such terms as would be warranted.

The Jadwin plan provided that flood ways or diversions like the Boeuf flood way of more than 1,000,000 acres shall be furnished to the Federal Government by the State. The committee bill requires that the Federal Government shall purchase or secure by condemnation this flood way and the Atchafalaya flood way and other lands in addition to construction of works.

Testimony before the committee is that in the proposed flood ways upward of 50 per cent of the land, or more, has had the valuable timber removed and is what is termed "cut-over land." This cut-over land in some places was valued at \$75 an acre by witnesses. On these tracts it was stated an average indebtedness exists of about \$30 per acre represented by drainage and levee bonds—bonds generally to be enhanced in value.

This land is located in ancient flood ways used by the river when overflowed prior to settlement. Other improved lands required for flood-protection purposes were estimated at far greater value.

Many large land and timber owners have interests that may properly be subject to contribution where benefited by complete flood protection as evidenced by the testimony of ex-Senator Lorimer, as follows:

"Mr. SEARS. Do I understand that you have some lands down there that will probably be overflowed lands?"

"Mr. LORIMER. Yes, sir."

"Mr. SEARS. * * * What is the future of these lands in case it is dedicated to overflow purposes?"

"Mr. LORIMER. If there was no break in the levees, no backwater * * * they would have the same value as the same sort of lands in the Delta."

This bill will give complete flood protection so as to stabilize the levee and drainage bond market and furnish through the Government a cash customer for several times present values of land. Flood-way rights subject to overflow at intervals of from 2 to 14 years, depending on location, may thus cost the Federal Government upward of \$150,000,000, according to the liberality of local condemnation tribunals.

Other questions of equal or greater importance require definite authoritative information of which Congress should have knowledge before determining matters of contribution hereinafter referred to.

For example, a claim for damages against the Federal Government that may properly have equal equities with the timber company cut-over lands was offered by the testimony of several railway engineers.

RAILWAY DAMAGE CLAIMS

Mr. A. F. Blaess, chief engineer of the Illinois Central Railway Co., furnished the committee with an itemized estimate of damages that he contended will affect 11 railways in the valley due to a proposed readjustment of the several roads to new grades and other expenditures occasioned by the Jadwin flood-control plan.

The engineers all contended with surprising unanimity that the Mississippi flood-control problem is not only national in its scope but that all future damages occasioned by the flood-control plans to railways or other private property should be paid for by the Federal Government. (Pp. 3777 to 3778, and many other pages of the hearings.)

The future railway damages that the Government is expected to pay were estimated at \$71,835,000. The testimony further disclosed that the Illinois Central Co.'s damage during the 1927 flood reached \$6,318,000 (p. 3779). To secure complete flood protection for this railway, in addition to all other flood-control expenditures, the Government will thus pay to the Illinois Central Co. for railway changes \$16,400,000, although the road's gross earnings for 1927 were stated to be \$190,000,000.

GOVERNMENT EXPENSE WITHOUT LOCAL CONTRIBUTION

No effort is here made to estimate the exact cost of lower Mississippi River flood protection either by the committee plan or the Jadwin plan or the Mississippi River Commission plan, if without contribution. With limited contribution the commission offered a partial-relief plan for \$407,000,000 and for complete control an estimate of \$775,000,000. The Jadwin plan of \$296,400,000 if constructed entirely at Government expense may reach over a half billion dollars, while the House committee plan at gauge heights fixed in the bill will cost around \$1,500,000,000 as shown by the engineer's estimate.

To overestimate the cost is to be subjected to merited criticism, but to underestimate the proposed expense or seek to deceive ourselves by omitting or ignoring necessary items that must be paid is fully without parallel.

If with this lower Mississippi financial problem to be faced Congress is prepared to have the Federal Government assume full payment, together with an estimated annual maintenance charge of \$6,000,000, then the next step will be to determine on what basis contribution will be required for flood-control works on possibly a thousand other streams, large and small, when carried in an omnibus bill. The public building waste and omnibus method of legislation became a public scandal that has been recently abandoned, due in part to the public condemnation of such unbusinesslike methods.

Brief consideration of the flood-control field will disclose possibilities for unlimited expenditures through the omnibus system of legislation. The immediate importance of this fact relates to the plan of local contribution if any to be here adopted, in view of existing law.

FLOOD CONTROL BILLS

River and harbor projects, some of which now require local contribution are first recommended to Congress by Army engineers. These engineers under existing committee rules must approve all projects for purposes of navigation before they are reported by the committee. Over 80 per cent of the proposed navigation projects introduced and supported by Representatives in Congress have been rejected in the past by these engineers because unworthy of improvement. That rule protects the Government against improper expenditures however strongly urged by localities.

A difference exists with flood control where no report by the Army engineers binds the committee or Congress. Based upon bills now before the Flood Control Committee, streams of insignificant size not capable of improvement for navigation or with any Federal interest involved may be embodied if so determined by the committee in an omnibus bill.

The field is all-comprehensive. Army engineers are not required to pass upon the commercial values of any flood-control improvement, although the statute requires an examination before adoption. Ord-

inarily witnesses for flood control before congressional committees are directly or indirectly interested in securing Federal construction of their project.

Among the 300 witnesses heard on the lower Mississippi River flood-control project, apart from the Army engineers representing the Government, practically all advocated that the entire flood-control work constructed on that river and other rivers should be at Federal expense—a natural frame of mind with interested parties.

Eventually the cost of flood-control work, power, irrigation, and associated water uses, if once initiated at Federal expense, may reach beyond the wildest estimates, for if included in regular omnibus bills with a possible project in every State, the force will then be irresistible. If no Treasury surplus is available, such expenditures will be covered by bond issues as proposed by bills now pending before the committee.

FLOOD-WAY SERVITUDE

For untold centuries the lower Mississippi has carried off the waters of many States. During a full century the people living in the great Mississippi River Valley settled on these alluvial lands subject to overflow and floods. They drained the swamps and built levees entirely at their own expense, without Government help. Under the swamp land act they were enabled to buy these lands at nominal cost. In 1917 Congress by law agreed to contribute two-thirds of all moneys expended for levee construction.

The flood servitude has ever existed and the flood ways recommended by Army engineers are through these ancient natural diversion channels. The Federal Government has thus far expended about \$190,000,000 for navigation and flood control on the lower Mississippi River and a further sum of \$100,000,000 for river-bank revetment is to be expended under the direction of Army engineers irrespective of any separate bill for flood control, although it will be part of the flood-control system.

AN UNPRECEDENTED PARADOX

It must be remembered that a large part of the land in the Mississippi Valley, by local interests now asked to be protected by the Federal Government entirely at Federal Government expense, once belonged to the Federal Government. Thereafter a strange cycle of exploitation followed. In order to drain swamp areas in the valley, the Federal Government gave swamp lands to the several States to be sold at \$1.25 an acre. Such lands were frequently highly valuable because of heavy natural timber growth, and curiously some of that land lies in districts where diversion channels are now planned through old natural flood ways to aid in the control of present-day occasional floods. Under the provisions of the committee bill the lands so given away by the Federal Government and so sold by the States at \$1.25 an acre, now that the valuable timber has been removed, are to be sold back to the Federal Government at a cost of \$75 an acre for cut-over lands—without contribution. So says the committee bill.

1. In recommending Mississippi flood-control work, President Coolidge in his message to Congress said:

"Under the present law the land adjacent to the dikes has paid one-third of the cost of their construction. This has been a most extraordinary concession from the plan adopted in relation to irrigation, where the general rule has been that the land benefited should bear the entire expense. It is true, of course, that the troublesome waters do not originate on the land to be reclaimed, but it is also true that such waters have a right of way through that section of the country and the land there is charged with that easement. It is the land of this region that is to be benefited. To say that it is unable to bear any expense of reclamation is the same thing as saying that it is not worth reclaiming."

2. Later the President, transmitting to Congress letter from Secretary of War Davis and report of Chief Engineer Jadwin, said:

"It is axiomatic that States and other local authorities should supply all lands and assume all pecuniary responsibility for damages that may result from the execution of the project. It would be revolutionary for the Federal Government to establish the precedent of buying part of the land upon which to build protective works to increase the value of the remainder. Similarly it would be very unwise for the United States in generously helping a section of the country to render itself liable for consequential damages."

"The Government may even bear 80 per cent of such cost, but substantial local cooperation is essential to avoid waste."

"It would seem that the States should share with the Federal Government the burden of assisting the levee districts and individual property owners, especially in view of the fact that the States benefit directly by the increased taxes from land made more valuable by reason of its protection."

General Jadwin, Chief of Engineers, has recommended modification of local contribution of from one-third to one-fifth or 20 per cent of the cost of the Mississippi River flood control in addition to a donation of needed rights of way and flood ways before the Government proceed with the general construction of flood control.

The Secretary of War also proposed that where localities for any reason may be unable to contribute because of existing debt burdens, that the Government might loan to such districts or communities for a

period of 20 years at low rates of interest the amount of their local contribution so required, and that such loan be used in advancing to completion the flood-control area.

An additional safeguard against serious delay or failure in construction of any essential part of the project was provided by authorizing the commission or constructing agency, when failure might otherwise result, to exempt from such contribution any interests, particularly where no substantial benefits would accrue to them.

It is submitted that before any such action can be taken, definite facts should be placed before Congress, and the officials authorized to act in relation to the matter of contribution.

Witnesses heard by the committee, in some cases representing large landowners and other interests alleged not to be unselfish, repeatedly portrayed flood conditions and the distress of small property owners. It has also been alleged that lobbyists representing large business interests owning property in the valley, aided by influential press agencies and other propaganda, have sought to impress upon Congress cases of distress that properly excite sympathy.

Congress should relieve such cases with or without contribution, as may seem necessary, and without hesitation or delay, but Congress should act intelligently and not permit private interests alleged to be cloaked behind this distress to raid the Federal Treasury.

The existing law, approved March 1, 1917, provides for controlling the floods of the Mississippi River from the Head of Passes to the mouth of the Ohio River, and contains a carefully considered provision by Congress enacted at the time, as follows:

"(b) That no money appropriated under authority of this section shall be expended in the construction or repair of any levee unless and until assurances have been given, satisfactory to the commission, that local interests protected thereby will contribute for such construction and repair a sum which the commission shall determine to be just and equitable, but which shall not be less than one-half of such sum as may have been allotted by the commission for such work: *Provided*, That such contributions shall be expended under the direction of the commission, or in such manner as it may require or approve, but no contribution made by any State or levee district shall be expended in any other State or levee district except with the approval of the authorities of the State or district so contributing."

In order to insure cooperation by the State to be benefited by such flood protection undertaken by the Federal Government, paragraph (d) further provides:

"(d) No money appropriated under authority of this act shall be expended in payment for any right of way for any levee which may be constructed in cooperation with any State or levee district under authority of this act, but all such rights of way shall be provided free of cost to the United States: *Provided*, That no money paid or expense incurred by any State or levee district in securing such rights of way, or in any temporary works of emergency during an impending flood, or for the maintenance of any levee line, shall be computed as a part of the contribution of such State or levee district toward the construction or repair of any levee within the meaning of paragraph (b) of this section."

To provide unbiased and authentic information on which Congress could base legislation, the flood control act further provided a prerequisite to any particular flood-control legislation, as follows:

"Sec. 3. * * * In consideration of all works and projects relating to flood control which may be submitted to the Board of Engineers for Rivers and Harbors for consideration and recommendation, said board shall, in addition to any other matters upon which it may be required to report, state its opinions as to (a) what Federal interest, if any, is involved in the proposed improvement; (b) what share of the expense, if any, should be borne by the United States; and (c) the advisability of adopting the project."

Inversely stated, Congress has determined upon the advisability of adopting some project for the control of the Mississippi River. The 1927 flood and past congressional action has saved any necessity for examination as to the "advisability" other than the particular project which is yet to be adopted. The law requiring contribution is proposed to be changed by the bill without any effort to have a financial survey of the lands or of landowners and other interests to be protected or to determine "what share of the expense, if any, should be borne by the United States."

Practically all witnesses called before the committee were interested in having complete flood-control works furnished by the Federal Government, and with equal unanimity all agreed that all expenses for any and every flood-control purpose should be paid by the Federal Government without contribution from local interests to be benefited.

We submit that any proposed expenditure involving hundreds of millions of dollars of Federal funds, primarily for private protection, necessarily will enormously increase property values of lands and bonds held as security against said property, and that Congress should have reliable data, as provided by law, in order to determine "what share of the expense, if any, should be borne by the United States" and those benefited.

FACTS BEFORE CONGRESS

Responsibility for such determination in all cases is an obligation placed on Congress before any decision can be reached intelligently to determine what share of the expense should be borne by the Federal Government and what share by the States and private interests to be benefited.

To determine such question for property on both sides of 1,000 miles of the Mississippi River without any definite information on which to act and prior to the adoption of any specific plan is to place public interests secondary to a sentiment in part created by a systematic powerful propaganda. The possibilities of propaganda apart from personal contact, news editorials, and other forms familiar to members is evidenced by the testimony of Mr. Brylawski, pages 4107 and 4108 of hearings. After submitting resolutions adopted at Columbus, he said: "I represent the Picture Owners of America; I am chairman of its board of directors."

"Gentlemen, that is the form of the language of the resolution. What it really means is this, that the Theater Owners of America, controlling some 17,000 screens for the purpose of disseminating any propaganda that you might deem desirable to the people of the United States at such times as you may think it desirable, our idea being that when this measure comes up on the floor of Congress, should this committee think it would be a proper thing to do, we are prepared to run in the theaters special films showing the work of control, possibly conveying some idea of what you propose to do, and to carry that message to the American public so that it may, if possible, swing the sentiment and votes to you in your efforts * * *."

"Mr. MAJOR. What do you mean by propaganda?"

"Mr. BRYLAWSKI. Bringing it out before the public. We think the public is prone to forget, and our idea in using the word 'propaganda'—the word is my own—would be possibly carrying a message if necessary to write their Congressmen and express their sentiment on this work."

Necessity for flood relief, and relief without delay, is certain, but it should not be made a vehicle for huge profits by financial interests to be benefited in land sales, improved land values, and otherwise by such control works without any contribution by localities benefited.

A proposed amendment for a financial survey of the Mississippi Valley flood district was heretofore rejected by the committee. Again it is urged for reason briefly stated as follows:

THE NEED OF A PRELIMINARY ECONOMIC SURVEY

H. R. 8219 fails to provide for an economic survey of the lower Mississippi area, to determine in advance what local contributions, if any, should be required. Local contributions have hitherto been the rule. In view of the vastness of the 1927 flood, and the great disaster which resulted therefrom, the feeling of Congress and of the country has been generous in the extreme with respect to the suffering and loss of the inhabitants of the alluvial Delta from Cairo to the Gulf. There is no disposition anywhere to drive a hard bargain or to insist upon a burdensome local contribution. There is a disposition, however, on the part of many, which will grow as the American people come to understand the soundness of it, to maintain in a reasonable manner the principle of local self-help, to prevent countless flood and tributary and reservoir enterprises which will hereafter arise from taking an unfair advantage of this present mighty burst of national feeling about the Mississippi catastrophe. It may reasonably be argued that there is a special benefit which will accrue to the lower Mississippi area from the perfected project under the proposed act. It would seem likely that the income from the cotton fields, for example, would be more continuous and the acreage more widely extended if there is adequate protection from even a superflood. It would appear that the realty values in the towns and villages and cities in that fertile Delta will rise in the next quarter of a century, as the result of perfect security, to heights which would not have been reached otherwise. There appears to be a special benefit as well as a general benefit. If this is true, then the principles of the special assessment should be applied to the financing of this project.

But under all the circumstances of this particular problem this theory is questioned by many. It is held that the project has reached the stage of becoming entirely national, and that the construction and administration, the maintenance and the obligation are, and of a right ought to be, wholly with the Federal Government. It is maintained that the alluvial Delta has paid to the limit until it can pay no more. It is held that the equities of burden as between the States are so uncertain, and under the project become so unreasonable, that the only solution is the Federal payment of the whole bill.

FACTS, NOT EMOTION, NEEDED FOR INTELLIGENT ACTION

The truth about these opposed contentions can not be determined by emotion or sympathy or desire but by facts determined on the spot. Nobody now has the facts. The Federal Government has a right to know about these things. Congress has no right to appropriate these vast sums until it knows about these things. On the economic side the report of the Army engineers is only an approximation. It does not

pretend to be anything more. For example, the Army engineers estimate the flowage damages on the Birds Point and New Madrid flood way at three and one-half millions. The estimate of Mr. Berthe, the engineer of the levee district near Cairo, is eighteen millions. They are miles apart. Who is right? The country, the Delta, the Congress have a right to know. There is some testimony before the committee that land in the Yazoo Valley is worth only \$40 an acre. Other witnesses testified it is worth at least \$100 an acre. Who is right? It makes a difference in the amount of contribution or burden which the land might conceivably and reasonably still carry.

And the proposed great flood ways down the Boeuf and the Atchafalaya.

Why should the territory of Arkansas and Louisiana be utilized to provide vast flood ways of safety and pay the entire local share of the burden, when the State of Mississippi gets a large share of the benefit? What, if anything, should Mississippi pay, provided Arkansas and Louisiana pay?

INCREASED VALUES THROUGH PROTECTION

It ought to be known, too, what the real value of the property is that is to be protected if you are going to tax against it; railways, cities, towns, agriculture land, cleared, cut over, swamp, timber land. The land should be classified to determine how far the values are sufficient to warrant the cost of full protection; and in the case of lands that are not, how far they will be injured or benefited by partial protection. What compensation is just to any areas which will be given less protection than at the present time? The assessed values of different classes of land and their relation to actual values; what is it going to cost to protect these values? Should not the land be classified, and the worthless which can bear nothing, separated from the productive which can bear something? Will not the railways in the protected areas be better off? In the course of the years will not the real property values in the towns and villages and cities rise higher than the normal increment would carry them, because of the security afforded them by a perfected flood-control project? If the real as well as the personal, the tangible as well as the intangible values are sure ultimately to rise hopefully upon the completion of the project, what should be the method of distribution of local contribution?

Should there be a moratorium period? If those who are to be benefited can not pay anything now, can they pay something later, when the increment of value accrues to them? In what proportion should expenditures of each kind—damage, flowage, rights of way, construction costs—be borne? Should the United States defer the local payments, guarantee local bonds, itself take the bonds? Who owns the land? Who owns the bonds of the levee districts? What is the financial status of the levee districts? What do intensive studies at typical points reveal as to the real income, the real profit, the real productiveness, the real taxable capacity of the land? What is the relation between the amount of money the people in the Mississippi Delta have already spent upon levees to the benefits which they have all the time received in return? Is it more or less? And approximately how much? In the long range of the years, when the levee line could be relatively low, was there really a very great burden upon the land and production? In the more recent years, when the height of the levee line and the necessary breadth and strength of the levee have for a variety of reasons become much greater, greater than the localities could reasonably construct or maintain or pay largely toward constructing and maintaining, should not some credit be given for this onerous increment of burden? And how much? Are the tentative financial recommendations of the various bills to be regarded as a precedent for flood-control works in the Mississippi Valley or in the United States generally?

And finally, is it nature or the Nation which is responsible for the great Mississippi floods? And if both, how much of each? How much is due to original topography and how much to modern drainage?

How can questions like these, which are vital to the fair and just solution of the Mississippi flood-control problem on its financial side, be answered except by an economic survey by competent persons? How can Congress settle questions of equitable burden like these by guessed-at percentages or slapstick financial sections inserted in a bill? Congress and the Government of the United States have a right to know these things. The people of the Delta are as loyal citizens as can be found in the country. They are not afraid of the facts. They have no wish to embarrass the Government for the future.

PROPOSALS FOR ECONOMIC SURVEY

Any Mississippi flood control bill should authorize an immediate economic survey and should have in it provisions similar to the following:

"The commission shall report to the President on or before November 15, 1928, its recommendations as to the share which should in equity be borne by the United States, by the several States affected, and by other agencies, of the costs of the engineering work entering into the adopted project, and of any costs or damages necessary to or arising out of the execution of the project; and as to the manner and mode by which such States or other agencies should meet the costs or contributions, if any, which would thus devolve on them. In making

its recommendation the commission shall give consideration to the actual and relative benefits accruing from the project to the Nation and to the several States and localities affected; to the value of the territory in said alluvial valley; to the probable effect of the adoption of its recommendations, as a precedent in the future consideration of flood-control problems elsewhere in the country; and to other pertinent aspects of the economic problems involved. The aforesaid report shall be transmitted by the President to the Congress at its next session."

And nothing above contained should be construed as delaying the vigorous prosecution, under direction of the flood commission or of the Secretary of War and Chief of Engineers, of essential works of flood control. The survey need not delay the prosecution of the project a single day.

CONCLUSION

We believe full authority should be given the agency selected to provide plans and execute them. For that reason no maximum gauge heights as contained in the bill should be fixed by Congress.

An economic survey by Government agencies should be made at once to determine local benefits contribution where warranted and a provision for loans by the Government when advisable or exemptions from payment where necessary to the execution of a comprehensive plan of flood control.

Repairs to levees and raising to the established grade with protected river revetment, all part of every proposed flood-control plan, should be continued without delay.

W. F. KOFF.
JAMES A. FREAR,
GALE H. STALKER,
F. M. DAVENPORT,
C. G. SELVIG,
T. C. COCHRAN.

A Trojan warrior who has stood firm in his protection of the Government Treasury is the distinguished chairman of the great Appropriations Committee, MARTIN MADDEN. He is not in physical condition to take active part in this discussion that is about to involve the Federal Government in a billion-dollar expenditure for one project, but with a clear vision of what it means and what is to follow Mr. MADDEN made a statement for publication that can not be overlooked, coming from such a distinguished authority.

I quote his opinion of the former bill which is practically the same in many particulars as the Jones bill passed by the Senate and now before the House:

[From the Chicago Sunday Tribune, February 19, 1928]

MADDEN VISIONS FIVE-BILLION COST IN FLOOD CONTROL—SAYS STATES SHOULD PAY SHARE

WASHINGTON, D. C., February 18 (Special).—Five billion dollars may be the ultimate cost to the United States of flood-control projects throughout the country if Congress approves the Reid bill, Representative MARTIN B. MADDEN (Representative, Illinois), chairman of the House Committee on Appropriations said to-day.

Representative MADDEN indicated his intention to fight to the finish for the administration flood-control plan under which local communities would share the cost and against the establishment of the principle of the Reid bill placing complete responsibility upon the Federal Government.

WOULD COST BILLIONS

While the Reid bill as approved by the House Flood Control Committee authorizes the appropriation of \$473,000,000 and applies specifically only to the lower Mississippi, Mr. MADDEN asserted that the declaration for full Federal responsibility would pave the way for other projects costing the Government billions.

Mr. MADDEN estimated that the land required for rights of way, which under the administration plan would be furnished by local communities but which under the Reid bill would be paid for by the Federal Government, would cost in excess of \$100,000,000, and that the payment of flood damages which the Reid bill similarly shifts from local governments to the national would mean hundreds of millions in addition.

"There are six States—New York, Pennsylvania, Massachusetts, Ohio, New Jersey, and Illinois—which ordinarily pay about 80 per cent of all the cost of the Federal Government," Mr. MADDEN said. "None of these States is asking for any money for flood control within their own borders. Yet under the proposal in the Reid bill these States would be required to pay 80 per cent of the cost of flood control on the lower Mississippi."

WHAT ILLINOIS WOULD PAY

"Illinois ordinarily pays about one-tenth of the cost of running the Government, which means that if flood-control projects ultimately cost \$5,000,000,000, Illinois's share will be half a million. New York State would have to pay 25 per cent, or a billion and a quarter."

"Is there any reason why a few States which may never want Federal assistance to guard against floods, each of which has sufficient resources to meet their own needs, should assume a perpetual obliga-

tion to meet the obligations of other States while the other States are not even asked to contribute to their own welfare? The question answers itself.

"It is true that the people of the South have suffered and are entitled to assistance to the extent that assistance can properly be given. I am in favor of the Federal Government's making a contribution of part of the cost of flood control on the lower Mississippi as proposed in the Jadwin plan. But I want it to be understood as a voluntary contribution by the Government and not as establishing the principle that the Federal Government assumes complete responsibility."

An official of the Government whose oath of office to support the Constitution is interpreted to include a guardianship of the Nation's strong box has also expressed his opinion of the Jones bill. That obligation rests equally on every Member of Congress, but sometimes when personal or political interests conflict with plain duty we follow the crowd. Lest we forget:

[From the Evening Star, Washington, D. C., April 3, 1928]

PRESIDENT SCORES JONES FLOOD BILL—FEELS MEASURE DOES NOT SPECIFICALLY SET FORTH EXPENDITURES

President Coolidge feels that the Jones flood control bill, approved by the Senate and now before the House, is open to criticism because the expenditures it would authorize for protecting the Mississippi River from further disasters are not specifically set forth.

The bill makes it impossible, in the President's judgment, to say how much flood control will cost.

Senator JONES himself, Mr. Coolidge remembers, in reporting his bill to the Senate, admitted that the final expense in completing the flood-control work would be far above \$700,000,000. This shows a great discrepancy with the \$325,000,000 estimate which Maj. Gen. Edgar Jadwin thought adequate for completing satisfactory flood-relief plans.

In addition to Senator JONES, Senator SIMMONS, of North Carolina, also estimated that the final task of flood-relief measures as outlined in the Jones measure would vastly exceed the \$325,000,000 which the bill carries now. One other Senator estimated that it would cost at least \$1,000,000,000.

Nothing has occurred in the flood-control situation to change the views of President Coolidge which he expressed in his annual message to Congress and subsequently in the press. Pending final action of the House on the Jones bill, President Coolidge is having this measure carefully investigated to determine its good and bad points with a view to securing to it such amendments as may appear necessary in his estimation.

This opinion by the Nation's Chief Executive was not expressed alone several months ago, but apparently within 24 hours was repeated in last night's Star.

Objections to the bill could be pointed out to the President that merit its defeat, but I have directed all criticisms in these remarks to the one outstanding injustice and unholy league between prospective tributaries that permit a \$1,000,000,000 drain on the Federal Treasury without any contribution from those enormously benefited by flood protection.

With the foregoing facts hurriedly prepared, but valuable for reference purposes, I add that Mr. MADDEN's prediction of eventual cost is based on solid ground. Any action excusing local contribution will be urged in all future projects as a precedent.

It was repeatedly urged before the committee by witnesses who hold no responsible relations to the Government. It was urged as a general policy by Members of Congress and others who under an omnibus bill collecting in projects from all over the country will make the fattest pork barrel in past history look slyphlike in proportions when confronted with possibilities invited by the real article.

Two paragraphs from Senate bill S. 819 show the attitude of distinguished Senators who would go the limit, according to the provisions of their bills. The Senator gave his testimony before the House committee. I quote from his bill that appropriates \$1,000,000,000:

SPECIAL POWERS OF COMMISSION

(1) To take over and assume control of all levees and other flood-control works, and works of improvement upon and along the Mississippi River, its tributaries, inlets, and outlets now being maintained by any agency of the Federal Government.

(2) To take over and assume control of all levees and other flood-control works and works of improvement under the jurisdiction of any State, county, levee district, or other local agency, if such State, county, levee district, or other local agency so requests the commission, and the commission deems it advisable so to do; and to reimburse any such State, county, levee district, or other local agency for any moneys advanced or funds expended in the construction of any such works, to assume the outstanding indebtedness incurred in

the construction thereof, or to make such other arrangement with respect thereto as may be agreed upon by the commission with such State, county, levee district, or other local agency.

I am only stating the proposal without argument to indicate the tendency of flood-control legislation to "reimburse" all local payments in addition to striking down anything that bars the way to an unprecedented onslaught on the Federal Treasury.

THE JONES BILL PASSED BY THE SENATE

The bill just quoted is not followed to the same extreme by the Jones bill, now reported for House action. When before the Senate the RECORD of Senate proceedings indicates the character of the discussion. Generous bouquets were handed out in that old historic legislative Chamber, in which delicate "forget-me-nots" were profusely scattered. Only by reading the RECORD can a full understanding of the situation be had in the hour given to a discussion of the bill appropriating a thousand million dollars.

These proceedings are found in the House report on the Jones bill and are illuminating. Any deliberative or thorough analysis of different provisions of the bill there lacking evidence the exact amount of time and care given by this great legislative body to an unprecedented measure reaching upward of a billion dollars as stated, which, under all rules of procedure, past practice, and the Constitution, should properly originate in the House.

Thoughtful consideration is shown when a distinguished speaker, in response to an inquiry, answered that the project might cost anywhere from \$700,000,000 to far more than that amount, which was the reason we may infer why only \$325,000,000 was inserted in the bill. This painstaking effort not to get within gunshot of the actual cost reminds one of the historical incident when Tell placed an apple on his boy's head with the memorable remark, "All for one and one for all." Only this difference exists that apple sauce besprinkled with granulated tributary sugar stood for the last mark to be shot at. Read the report.

When the Senate bill came before our committee I modestly offered to double the Senate appropriation either to seven or eight hundred million dollars, so that it might in some slight degree approximate a correct understanding of the Government expenditure involved.

This was opposed on the theory that stigmatism, cataract, or complete blindness is more fully covered by colored glasses than by exposing such sad misfortunes to the vulgar gaze. In like manner the vision of no Congressman need be disturbed by the amount involved in the Senate bill as it passed the Senate or was reported by the House committee. Righteous indignation might cause some taxpayer to demand to know why in both Senate and House a misleading amount has been inserted without expert advice unusual with those charged with legislative duties. I make no comment beyond a statement of facts that invite close scrutiny of a bill in many other particulars than are here indicated.

CONGRESSIONAL RESPONSIBILITY FOR RESULTS

White House visitors have repeatedly reflected their personal views when alleging that President Coolidge has changed his position on contributions as first announced in his message to Congress.

In contradiction appear occasional reports that the Government's Chief Executive has not changed. Nothing has since been presented to warrant his support of a bill that gives away large slices of wealth to private interests at Treasury expense.

I have not heard directly nor indirectly, nor do I believe it is any concern of Congress what action President Coolidge may take on this bill if it reaches him in its present form. No man can disguise the effect on the country's finances, invited by no contribution. Every project hereafter will have behind its supporters enough cupidity to demand and often secure the same consideration. Few measures in time of peace have ever been before Congress that involved the approval of such an unwarranted and suicidal financial policy.

Congress has evaded responsibility in another legislative body and it is possible we may do the same here, thus permitting grasping interests to make enormous profits on land of little value and vastly enhancing the value of other property that will be raised to fabulous figures if the Government buys in order to protect the lives of local people. Adjoining land similarly situated will be a mine of wealth to the owners after the bill's passage with the Treasury vaults for that gold mine.

Whatever the attitude of the Executive may be—and he is no more responsible for Treasury protection than every individual Senator and Representative—I believe when the facts are known, as they could be made known by a vigorous Execu-

tive message demanding contribution from those able to pay, that the country would support such action and it might help to stiffen the backbone of those who are moved by different considerations to go with the crowd and thus scuttle the Treasury.

I hope a Mississippi River flood control measure will pass and give early relief to those in real distress or possible future danger; but if this bill passes the House without any effort to compel local contribution by those able to contribute, I hope the bill will get what it invites and richly deserves—a veto.

Predictions are not dangerous as to what would follow, for if a flood control bill was likely to fail unless an honest attempt was made to protect the Government from influences now hiding behind the skirts of national sympathy, then the interests most concerned would hold responsible for failure those who for selfish interests are holding out against reasonable contribution.

All have their individual responsibilities, and I have endeavored to present for your consideration manifold reasons why the Jones bill as at present written should be defeated.

An estimate received from the engineers' office at my request has computed the Federal Government's expenditure under the bill at costs of acquiring land at \$25, \$50, and \$75 an acre. The latter figure was declared to be a fair figure for cut-over land by one witness, so was submitted as a probable cost fixed by partial juries.

THE VARIOUS ESTIMATES ARE PRESENTED
Costs that may develop from the Jones bill

	Land in large flood ways at \$75 per acre	Land in large flood ways at \$50 per acre	Land in large flood ways at \$25 per acre
Army engineer project.....	\$296,400,000	\$296,400,000	\$296,400,000
All rights of way and drainage, plus flowage and damages, Bonnet Carre and Bayou Des Glaizes loop.....	11,500,000	11,500,000	11,500,000
Land, damages, etc., Birds Point-New Madrid flood way as estimated by local people (Mr. Reid).....	18,500,000	18,500,000	18,500,000
Boeuf and Atchafalaya flood ways (3,713,696 acres at \$75, \$50, and \$25 per acre).....	278,600,000	185,700,000	92,900,000
Railroad claims estimated by railroad chief engineers' committee (see p. 146, report of Chairman Frank R. Reid, flood control in the Mississippi Valley, March, 1928).....	71,800,000	71,800,000	71,800,000
Highway claims if allowed.....	11,500,000	11,500,000	11,500,000
Masonry spillways if substituted by board.....	54,000,000	54,000,000	54,000,000
Additional freeboard of 4 feet if substituted by board.....	167,000,000	167,000,000	167,000,000
Atchafalaya revetments (Mississippi River Commission).....	4,500,000	4,500,000	4,500,000
Total.....	913,800,000	820,900,000	728,100,000
From the surveys of tributaries authorized there may develop tributary and upper river work far exceeding \$86,000,000 (estimate for parts affected by backwater). The total will be dependent upon local contributions and rights-of-way payments adopted.....	86,000,000	86,000,000	86,000,000
Grand total.....	999,800,000	906,900,000	814,100,000

From the survey authorized from Baton Rouge to Cape Girardeau there may develop a reservoir project which would substitute \$1,500,000,000 for the above. The estimated assessed value of the lands in the large flood ways is \$25 per acre, or about \$92,900,000.

COVE CREEK

Mr. FISHER. Mr. Speaker, I ask unanimous consent to have inserted in the RECORD a statement about the value of Cove Creek in the development of the Tennessee River.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD by inserting a statement as indicated by him. Is there objection? There was no objection.

Mr. FISHER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following statement about the value of Cove Creek in the development of the Tennessee River:

THE WHY OF COVE CREEK

Downstream, near where the Tennessee River rushes from the last bench land and there turns itself from a stream of fast fall and rapid flow into a slow-moving lowland river, is Muscle Shoals.

Once they take the final leap from the bench land, the waters of the Tennessee River have no power potentialities. The water is just water, and in flood time is more of curse than blessing.

Near Paducah, Ky., the Tennessee River empties into the Ohio River. It would be better to say that the Ohio empties into the Tennessee.

For the annual flow of the Tennessee is greater than that of the Ohio.

The flow of the Tennessee is irregular, erratic. At times it is a raging torrent, emptying into the Ohio a flood that later comes down the Mississippi to threaten the peace of those who live behind the levees. At times the Tennessee is so reluctant in flow that the stream bed mostly is sand bar.

For effective operation, a hydroelectric plant is no bigger than the smallest flow of water through the generating turbines. At Muscle Shoals the range in this flow is tremendous.

In flood season the flow is such that Muscle Shoals could generate a million horsepower of electric current, had it the equipment. In low season there is speculation if Muscle Shoals can generate 100,000 horsepower. Some estimate it as low as 75,000 horsepower.

What is true of Muscle Shoals is true of all other actual and potential power sites along the Tennessee River. There is at all plants a staggering difference between high and low flow.

This is where Cove Creek comes in.

Up toward the head source of the watershed is Cove Creek. At a cost of perhaps \$38,000,000, it is proposed to build there a dam. The primary purpose of this dam would not be the development of power at Cove Creek. The primary purpose would be to regulate the flow of water down the river.

Experts representing the National Power & Light Co. have stated that, if Cove Creek Dam is built, Muscle Shoals will be assured an even flow of water to guarantee continuous generation of 600,000 horsepower instead of the present minimum of 100,000 or less.

These figures seem wide but all agree that the building of a dam at Cove Creek would at least double the constant power generated at Muscle Shoals.

It would do more. It would increase by two-fold or more the power possibilities of all the privately owned hydroelectric projects between Cove Creek and Muscle Shoals.

Cove Creek Dam would stabilize water flow in the Tennessee River. This would serve to lessen flood damage along the Tennessee, Ohio, and Mississippi Rivers. It would, too, generate its own power during the seasons of the year when water would be let out of Cove Creek to feed the downstream power units.

Uncle Sam proposes to develop Muscle Shoals and at the same time to take from the Power Trust the development of Cove Creek. And he proposes that since the building of Cove Creek Dam will so greatly increase the production possibilities of power companies below Cove Creek that the companies benefited shall pay a small fee for the benefit. At which the private company to-day rises to howl.

Do you think they have a just howl?

STONE MOUNTAIN

Mr. SNELL. Mr. Speaker, I send to the Clerk's desk Senate Concurrent Resolution 13 and ask for its immediate consideration.

The SPEAKER pro tempore. The gentleman from New York offers Senate Concurrent Resolution 13 and asks for its immediate consideration. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

Concurrent Resolution 13

Resolved by the Senate (the House of Representatives concurring), That all necessary expenses incurred by the committee of Congress consisting of 5 Senators and 10 Members of the House appointed by the Vice President and the Speaker to represent the Congress of the United States at the exercises at Atlanta, Ga., on April 9, 1928, incident to the unveiling of a portion of Stone Mountain by the Stone Mountain Confederate Monumental Association, be, and they are hereby, authorized to be paid one half out of the contingent fund of the House of Representatives and the remaining half out of the contingent fund of the Senate.

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

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

CONFERENCE REPORT—THE JUDICIAL CODE

Mr. DYER. Mr. Speaker, I ask unanimous consent to take up the conference report on H. R. 8725, an act to amend section 224 of the Judicial Code, and agree to the same. This will not take any great length of time.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent to call up the conference report on the bill H. R. 8725, which the Clerk will report.

The Clerk read the title of the bill.

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

Mr. GARNER of Texas. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Missouri whether he has spoken to the gentleman from Texas [Mr. SUMNERS] with reference to this conference report?

Mr. DYER. The gentleman from Texas [Mr. SUMNERS] is one of the conferees and signed the report.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DYER. Mr. Speaker, I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8725) entitled "An act to amend section 224 of the Judicial Code" having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the amount proposed to be inserted by the said amendment, insert "\$5,500"; and the Senate agree to the same.

JOHN J. BLAINE,
CHARLES W. WATERMAN,
H. D. STEPHENS

Managers on the part of the Senate.

GEO. S. GRAHAM,
L. C. DYER,
HATTON W. SUMNERS,

Managers on the part of the House.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 8725, submit the following written statement explaining the effect of the action agreed on by the conference committee and submit it in the accompanying conference report.

The only material changes made by the Senate are:

1. To change the salary of the marshal from \$6,000, as provided in the House bill, to \$5,000 per annum. The conferees recommend herein \$5,500; and

2. To strike out the provision that limits the salaries fixed for the marshal's assistants and messengers to the Supreme Court to "the compensation allowed to officers of the House of Representatives of similar grade."

GEO. S. GRAHAM,
L. C. DYER,
HATTON W. SUMNERS,

Managers on the part of the House.

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

The conference report was agreed to.

CONFERENCE REPORT—BRIDGE ACROSS THE CHESAPEAKE BAY

Mr. DENISON. Mr. Speaker, I ask unanimous consent to call up the conference report on Senate bill 1498, an act to extend the time for the construction of a bridge across the Chesapeake Bay, and to fix the location of said bridge. This conference report has been pending for some time, and I have been trying to get it up, but various things have interfered.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to call up conference report on S. 1498. Is there objection?

Mr. SNELL. Will this take any great length of time?

Mr. DENISON. It will take no time at all. It is a short matter and will not take much time. If it would, I would not call it up.

The SPEAKER pro tempore. The Clerk will report the bill by title.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the conference report?

There was no objection.

Mr. DENISON. Mr. Speaker, I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1498) entitled "An act to extend the time for the construction of a bridge across the Chesapeake Bay, and to fix the location of said bridge," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 1 and 2, and to the amendment to the title.

JAMES S. PARKER,
E. E. DENISON,
TILMAN PARKS,

Managers on the Part of the House.

W. L. JONES,
CHAS. L. McNARY,
DUNCAN U. FLETCHER,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1498) to extend the time for the construction of a bridge across the Chesapeake Bay, and to fix the location of said bridge, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and embodied in the accompanying conference report, namely:

The Senate bill is an act extending the time for the construction of a bridge across the Chesapeake Bay, as authorized by an act of Congress passed during the Sixty-ninth Congress. The original act, by general language, fixed the location of the bridge. The Senate bill, in addition to extending the time for commencing and completing the construction of the bridge, also fixed a definite location for the bridge. Ordinarily bridge bills do not definitely fix the location of bridges. They ordinarily provide that the bridge may be constructed "at or near" a certain location, leaving it to the Chief of Engineers, who approves the plans, to fix the exact location of the bridge in the interests of navigation.

For that reason the House amended the Senate bill by striking out the section of the Senate bill providing for a definite location of the bridge.

At the conference it was ascertained that the location authorized in the original act was not quite broad enough to permit the bridge to be built at the particular place where the Chief of Engineers was willing to grant approval for its construction. Therefore it was thought advisable, in extending the time for beginning and completing the construction of the bridge, to also fix definitely the location of the bridge as agreed upon with the Chief of Engineers.

In view of that condition the managers on the part of the House receded from its amendments to the Senate bill and agreed to the same.

JAMES S. PARKER,
E. E. DENISON,
TILMAN PARKS,

Managers on the part of the House.

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

The conference report was agreed to.

CONFERENCE REPORT—BRIDGE BILLS

Mr. DENISON. Mr. Speaker, I ask unanimous consent to call up the conference reports on the following bills:

H. R. 9137, a bill granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the Lebanon-Hartsville road in Wilson and Trousdale Counties, Tenn.; H. R. 9147, a bill granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a toll bridge across the Tennessee River on the Jasper-Chattanooga road in Marion County, Tenn.; H. R. 9197, 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 Knoxville-Maryville road in Knox County, Tenn.; 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.; and H. R. 9199, a bill granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the Dover-Clarksville road in Stewart County, Tenn.

Mr. Speaker, if I may add just a word here, I think it will save reading the statements. These are bridge bills giving the consent of Congress to build bridges in the State of Tennessee. They all involve the same question. The bills had to go to conference on account of a peculiar law which was passed by the Legislature of Tennessee. It was thought wise to amend our form of bill to conform to the State law and permit them to build these bridges. This matter was settled in conference in a manner that was satisfactory to the authors of the bill and to the committees of the House and the Senate.

Mr. GARNER of Texas. It is a unanimous report?

Mr. DENISON. It is a unanimous report of the conferees, and I ask unanimous consent that the statements may be considered as having been read and the conference reports agreed to.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the reading of the reports or the statements in lieu thereof be dispensed with and that the conference reports be agreed to. The Clerk will report the bills by title.

The Clerk read the titles of the bills.

CONFERENCE REPORT—LEBANON BRIDGE ROAD

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9137) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the Lebanon-Hartsville road in Wilson and Trousdale Counties, Tenn., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2 and agree to the following amendment in lieu thereof: Page 2, line 9, strike out the last two words, "sufficient to", and strike out all of line 10 and line 11 down to and including the word "cost" and insert in lieu thereof the following: "which, together with the sinking fund created from the tolls from other bridges authorized by the law of the State of Tennessee which provides for the construction of the bridge to be built under this act, shall be sufficient to amortize the bonds issued under such act"; and the House agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 1, and agree to the same.

JAMES S. PARKER,
E. E. DENISON,
TILMAN PARKS,

Managers on the part of the House.

W. L. JONES,
PORTER H. DALE,
MORRIS SHEPPARD,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9137) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the Lebanon-Hartsville road in Wilson and Trousdale Counties, Tenn., submit the following statement in explanation of the effect of the action agreed upon by the conference committee and embodied in the accompanying conference report as to said amendment, namely:

As the bill passed the House it was in the usual form for granting authority to States to construct a bridge and authorized the State of Tennessee to collect tolls and apply the proceeds of the tolls to the maintenance, operation, and repair of the bridge and to create a sinking fund sufficient to amortize the cost of the bridge, and that thereafter the bridge should be made free.

The Senate amended the bill so as to make the toll provisions conform to an act of the Tennessee Legislature which authorized the State highway commission to construct the bridge. The act of the Tennessee Legislature authorizing the construction of the bridge in question grouped certain bridges and authorized the State highway commission to issue bonds and construct two or more bridges and collect tolls thereon until all of the bonds

issued for the construction of all the bridges were paid for and thereafter make them free. This provision was not in harmony with the policy heretofore followed by the House and the Senate in granting franchises for the construction of toll bridges. It has been the policy of Congress heretofore to provide that when sufficient tolls have been collected from a bridge to pay for its cost of construction it should thereafter be made free. The act of the Tennessee Legislature provides that tolls may be collected on each of the bridges until all of them are paid for.

The managers on the part of the House agreed to recede from its disagreement to the amendment of the Senate and agree to the same with an amendment. The amendment agreed upon by the managers on the part of the House and the Senate provides that the State of Tennessee may charge tolls for the use of the bridges authorized by the acts of the Tennessee State Legislature and that the tolls may be applied to the payment of the cost of maintaining, operating, and repairing the bridges, and create a sinking fund sufficient to amortize the bonds issued for the construction of all the bridges, and they shall thereafter be made free. The effect of the amendment agreed to is that these bridges may be constructed and amortized in accordance with the acts of the Legislature of the State of Tennessee which provide for their construction. While this is a departure from the policy heretofore followed by Congress in granting franchises for the construction of such bridges, it was thought advisable to consent to this departure in these cases in order not to prevent the construction of the bridges. The agreement was reached, however, upon the understanding that the action in these cases is not to be taken as a precedent and that similar action will not be agreed to in other cases.

JAMES S. PARKER,
E. E. DENISON,
TILMAN PARKS,

Managers on the part of the House.

CONFERENCE REPORT—JASPER ROAD BRIDGE

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9147) granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a toll bridge across the Tennessee River, on the Jasper-Chattanooga road in Marion County, Tenn., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses, as follows:

That the Senate recede from its amendment No. 1 and agree to the following amendment in lieu thereof: Page 2, line 9, strike out the last word and strike out all of line 10 and line 11 down to and including the word "cost" and insert in lieu thereof the following: "which, together with the sinking fund created from the tolls from other bridges authorized by the law of the State of Tennessee which provides for the construction of the bridge to be built under this act, shall be sufficient to amortize the bonds issued under such act"; and the House agree to the same.

JAMES S. PARKER,
E. E. DENISON,
TILMAN PARKS,

Managers on the part of the House.

W. L. JONES,
PORTER H. DALE,
MORRIS SHEPPARD,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9147) "An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a toll bridge across the Tennessee River, on the Jasper-Chattanooga road in Marion County, Tenn.," submit the following statement in explanation of the effect of the action agreed upon by the conference committee and embodied in the accompanying conference report as to said amendment, namely:

As the bill passed the House it was in the usual form for granting authority to States to construct a bridge, and authorized the State of Tennessee to collect tolls and apply the proceeds of the tolls to the maintenance, operation, and repair of the bridge, and to create a sinking fund sufficient to amortize the cost of the bridge, and that thereafter the bridge should be made free.

The Senate amended the bill so as to make the toll provisions conform to an act of the Tennessee Legislature which authorized the State highway commission to construct the

bridge. The act of the Tennessee Legislature authorizing the construction of the bridge in question grouped certain bridges and authorized the State highway commission to issue bonds and construct two or more bridges and collect tolls thereon until all of the bonds issued for the construction of all the bridges were paid for and thereafter make them free. This provision was not in harmony with the policy heretofore followed by the House and the Senate in granting franchises for the construction of toll bridges. It has been the policy of Congress heretofore to provide that when sufficient tolls have been collected from a bridge to pay for its cost of construction it should thereafter be made free. The act of the Tennessee Legislature provides that tolls may be collected on each of the bridges until all of them are paid for.

The managers on the part of the House agreed to recede from its disagreement to the amendment of the Senate and agree to the same with an amendment. The amendment agreed upon by the managers on the part of the House and the Senate provides that the State of Tennessee may charge tolls for the use of the bridges authorized by the acts of the Tennessee State Legislature and that the tolls may be applied to the payment of the cost of maintaining, operating, and repairing the bridges, and create a sinking fund sufficient to amortize the bonds issued for the construction of all the bridges, and they shall thereafter be made free. The effect of the amendment agreed to is that these bridges may be constructed and amortized in accordance with the acts of the Legislature of the State of Tennessee which provide for their construction. While this is a departure from the policy heretofore followed by Congress in granting franchises for the construction of such bridges, it was thought advisable to consent to this departure in these cases in order not to prevent the construction of the bridges. The agreement was reached, however, upon the understanding that the action in these cases is not to be taken as a precedent and that similar action will not be agreed to in other cases.

JAMES S. PARKER,
E. E. DENISON,
TILMAN PARKS,

Managers on the part of the House.

CONFERENCE REPORT—KNOXVILLE ROAD BRIDGE

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9197) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Knoxville-Maryville road in Knox County, Tenn., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1, and agree to the following amendment in lieu thereof: Page 2, line 9, strike out the last two words "sufficient to" and strike out all of line 10 and line 11 down to and including the word "cost" and insert in lieu thereof the following: "which, together with the sinking fund created from the tolls from other bridges authorized by the law of the State of Tennessee which provides for the construction of the bridge to be built under this act, shall be sufficient to amortize the bonds issued under such act,"; and the House agree to the same.

JAMES S. PARKER,
E. E. DENISON,
TILMAN PARKS,

Managers on the part of the House.

W. L. JONES,
PORTER H. DALE,
MORRIS SHEPPARD,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9197) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Knoxville-Maryville road in Knox County, Tenn., submit the following statement in explanation of the effect of the action agreed upon by the conference committee and embodied in the accompanying conference report as to said amendment, namely:

As the bill passed the House it was in the usual form for granting authority to States to construct a bridge and authorized the State of Tennessee to collect tolls and apply the proceeds of the tolls to the maintenance, operation, and repair of the bridge and to create a sinking fund sufficient to amortize

the cost of the bridge, and that thereafter the bridge should be made free.

The Senate amended the bill so as to make the toll provisions conform to an act of the Tennessee Legislature which authorized the State highway commission to construct the bridge. The act of the Tennessee Legislature authorizing the construction of the bridge in question grouped certain bridges and authorized the State highway commission to issue bonds and construct two or more bridges and collect tolls thereon until all of the bonds issued for the construction of all the bridges were paid for and thereafter make them free. This provision was not in harmony with the policy heretofore followed by the House and the Senate in granting franchises for the construction of toll bridges. It has been the policy of Congress heretofore to provide that when sufficient tolls have been collected from a bridge to pay for its cost of construction it should thereafter be made free. The act of the Tennessee Legislature provides that tolls may be collected on each of the bridges until all of them are paid for.

The managers on the part of the House agreed to recede from its disagreement to the amendment of the Senate and agree to the same with an amendment. The amendment agreed upon by the managers on the part of the House and the Senate provides that the State of Tennessee may charge tolls for the use of the bridges authorized by the acts of the Tennessee State Legislature and that the tolls may be applied to the payment of the cost of maintaining, operating, and repairing the bridges, and create a sinking fund sufficient to amortize the bonds issued for the construction of all the bridges, and they shall thereafter be made free. The effect of the amendment agreed to is that these bridges may be constructed and amortized in accordance with the acts of the Legislature of the State of Tennessee which provide for their construction. While this is a departure from the policy heretofore followed by Congress in granting franchises for the construction of such bridges, it was thought advisable to consent to this departure in these cases in order not to prevent the construction of the bridges. The agreement was reached, however, upon the understanding that the action in these cases is not to be taken as a precedent and that similar action will not be agreed to in other cases.

JAMES S. PARKER,
E. E. DENISON,
TILMAN PARKS,

Managers on the part of the House.

CONFERENCE REPORT—PARIS-DOVER ROAD BRIDGE

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9198) 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., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1 and agree to the following amendment in lieu thereof: Page 2, line 9, strike out the last two words "sufficient to" and strike out all of line 10 and line 11 down to and including the word "cost" and insert in lieu thereof the following: "which, together with the sinking fund created from the tolls from other bridges authorized by the law of the State of Tennessee which provides for the construction of the bridge to be built under this act, shall be sufficient to amortize the bonds issued under such act,"; and the House agrees to the same.

JAMES S. PARKER,
E. E. DENISON,
TILMAN PARKS,

Managers on the part of the House.

W. L. JONES,
PORTER H. DALE,
MORRIS SHEPPARD,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9198) "An act 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.," submit the following statement in explanation of the effect of the action agreed upon by the conference committee and embodied in the accompanying conference report as to said amendment, namely:

As the bill passed the House it was in the usual form for granting authority to States to construct a bridge, and authorized the State of Tennessee to collect tolls and apply the proceeds of the tolls to the maintenance, operation, and repair of the bridge and to create a sinking fund sufficient to amortize the cost of the bridge, and that thereafter the bridge should be made free.

The Senate amended the bill so as to make the toll provisions conform to an act of the Tennessee Legislature, which authorized the State highway commission to construct the bridge. The act of the Tennessee Legislature authorizing the construction of the bridge in question, grouped certain bridges, and authorized the State highway commission to issue bonds and construct two or more bridges and collect tolls thereon until all of the bonds issued for the construction of all the bridges were paid for and thereafter make them free. This provision was not in harmony with the policy heretofore followed by the House and the Senate in granting franchises for the construction of toll bridges. It has been the policy of Congress heretofore to provide that when sufficient tolls have been collected from a bridge to pay for its cost of construction it should thereafter be made free. The act of the Tennessee Legislature provides that tolls may be collected on each of the bridges until all of them are paid for.

The managers on the part of the House agreed to recede from its disagreement to the amendment of the Senate and agree to the same with an amendment. The amendment agreed upon by the managers on the part of the House and the Senate provides that the State of Tennessee may charge tolls for the use of the bridges authorized by the acts of the Tennessee State Legislature and that the tolls may be applied to the payment of the cost of maintaining, operating, and repairing the bridges, and create a sinking fund sufficient to amortize the bonds issued for the construction of all the bridges, and they shall thereafter be made free. The effect of the amendment agreed to is that these bridges may be constructed and amortized in accordance with the acts of the Legislature of the State of Tennessee, which provide for their construction. While this is a departure from the policy heretofore followed by Congress in granting franchises for the construction of such bridges, it was thought advisable to consent to this departure in these cases in order not to prevent the construction of the bridges. The agreement was reached, however, upon the understanding that the action in these cases is not to be taken as a precedent and that similar action will not be agreed to in other cases.

JAMES S. PARKER,
E. E. DENISON,
TILMAN PARKS,

Managers on the part of the House.

CONFERENCE REPORT—DOVER-CLARKSVILLE ROAD BRIDGE

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9199) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the Dover-Clarksville road in Stewart County, Tenn., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1 and agree to the following amendment in lieu thereof: Page 2, line 9, strike out the last two words "sufficient to" and strike out all of line 10 and line 11 down to and including the word "cost" and insert in lieu thereof the following: "which, together with the sinking fund created from the tolls from other bridges authorized by the law of the State of Tennessee, which provides for the construction of the bridge to be built under this act, shall be sufficient to amortize the bonds issued under such act"; and the House agree to the same.

JAMES S. PARKER,
E. E. DENISON,
TILMAN PARKS,

Managers on the part of the House.

W. L. JONES,
PORTER H. DALE,
MORRIS SHEPPARD,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9199) "An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the

Dover-Clarksville road in Stewart County, Tenn.," submit the following statement in explanation of the effect of the action agreed upon by the conference committee and embodied in the accompanying conference report as to said amendment, namely:

As the bill passed the House it was in the usual form for granting authority to States to construct a bridge, and authorized the State of Tennessee to collect tolls and apply the proceeds of the tolls to the maintenance, operation, and repair of the bridge and to create a sinking fund sufficient to amortize the cost of the bridge, and that thereafter the bridge should be made free.

The Senate amended the bill so as to make the toll provisions conform to an act of the Tennessee Legislature which authorized the State highway commission to construct the bridge. The act of the Tennessee Legislature authorizing the construction of the bridge in question, grouped certain bridges and authorized the State highway commission to issue bonds and construct two or more bridges and collect tolls thereon until all of the bonds issued for the construction of all the bridges were paid for and thereafter make them free. This provision was not in harmony with the policy heretofore followed by the House and the Senate in granting franchises for the construction of toll bridges. It has been the policy of Congress heretofore to provide that when sufficient tolls have been collected from a bridge to pay for its cost of construction it should thereafter be made free. The act of the Tennessee Legislature provides that tolls may be collected on each of the bridges until all of them are paid for.

The managers on the part of the House agreed to recede from its disagreement to the amendment of the Senate and agree to the same with an amendment. The amendment agreed upon by the managers on the part of the House and the Senate provides that the State of Tennessee may charge tolls for the use of the bridges authorized by the acts of the Tennessee State Legislature and that the tolls may be applied to the payment of the cost of maintaining, operating, and repairing the bridges, and create a sinking fund sufficient to amortize the bonds issued for the construction of all the bridges, and they shall thereafter be made free. The effect of the amendment agreed to is that these bridges may be constructed and amortized in accordance with the acts of the Legislature of the State of Tennessee which provide for their construction. While this is a departure from the policy heretofore followed by Congress in granting franchises for the construction of such bridges, it was thought advisable to consent to this departure in these cases in order not to prevent the construction of the bridges. The agreement was reached, however, upon the understanding that the action in these cases is not to be taken as a precedent and that similar action will not be agreed to in other cases.

JAMES S. PARKER,
E. E. DENISON,
TILMAN PARKS,

Managers on the part of the House.

The SPEAKER pro tempore. Without objection, the conference reports will be agreed to.

There was no objection.

COMMITTEE ON PATENTS

Mr. VESTAL. Mr. Speaker, I ask unanimous consent that the Committee on Patents be permitted to sit this afternoon during the session of the House.

The SPEAKER pro tempore. The gentleman from Indiana, chairman of the Committee on Patents, asks unanimous consent that his committee may sit during the session of the House this afternoon. Is there objection?

There was no objection.

COMMITTEE TO ATTEND THE FUNERAL OF THE LATE REPRESENTATIVE JAMES A. GALLIVAN

The SPEAKER pro tempore. Without objection, the Chair will designate the Members of the House to attend the funeral of the late JAMES A. GALLIVAN.

There was no objection.

The Chair appointed the following committee: Mr. TREADWAY, Mr. TINKHAM, Mr. DALLINGER, Mr. LUCE, Mr. ANDREW, Mr. FROTHINGHAM, Mr. GIFFORD, Mr. UNDERHILL, Mr. BOWLES, Mr. FOSS, Mr. MARTIN, Mrs. ROGERS, Mr. STOBBS, Mr. CONNERY, Mr. DOUGLASS of Massachusetts, Mr. CRAMTON, Mr. WASON, Mr. BYRNS, Mr. CARSS, Mr. EDWARDS, Mr. BOYLAN, and Mr. REED of Arkansas.

CALENDAR WEDNESDAY

The SPEAKER pro tempore. This is Calendar Wednesday. The Clerk will call the committees.

The Clerk called the Committee on Foreign Affairs.

Mr. CRAMTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CRAMTON. I am wondering how we are to know just what committee is on call. The Committees on Rivers and Harbors, the Merchant Marine and Fisheries, and Agriculture precede the Committee on Foreign Affairs. By unanimous consent last week the Foreign Affairs Committee was given a day. Was consent given that they should have two days?

The SPEAKER pro tempore. It was the understanding that the Foreign Affairs Committee would simply be moved forward to go ahead of the Committee on Rivers and Harbors. The other committees were not disturbed at all by the agreement.

Mr. CRAMTON. So that after to-day when the Committee on Foreign Affairs has occupied the day, the call will then revert back to the Committee on Rivers and Harbors and then proceed in order?

The SPEAKER pro tempore. That is correct and that was the order made by unanimous consent some days ago.

Mr. CRAMTON. I want to make a suggestion now, if I may, Mr. Speaker. I believe the Members of the House are entitled to know when these committees are going to be reached. I was unfortunately affected a week ago when I was absent on official business and a bill was called up by this committee to which I was known to be opposed. The committee was taken up out of order. I believe hereafter I shall object to any transfer of position on this calendar. If committees have not any business when they are called, let them be passed over and give other committees an opportunity.

PAYMENT TO THE GERMAN GOVERNMENT

Mr. PORTER. Mr. Speaker, I call up the bill (S. 2549) providing for payment to the German Government of \$461.59 in behalf of the heirs or representatives of German nationals, John Adolf, Hermann Pegel, Franz Lipfert, Albert Wittenburg, Karl Behr, and Hans Dechantsreiter, and I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent that this bill S. 2549 may be considered in the House as in Committee of the Whole. Is there objection?

Mr. CRAMTON. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard. The House automatically resolves into Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (S. 2549) providing for payment to the German Government of \$461.59 in behalf of the heirs or representatives of the German nationals, John Adolf, Hermann Pegel, Franz Lipfert, Albert Wittenburg, Karl Behr, and Hans Dechantsreiter, with Mr. CRAMTON in the chair.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be paid to the German Government, out of any money in the Treasury not otherwise appropriated, the sum of \$461.59 for the heirs or representatives of the German nationals, John Adolf, Hermann Pegel, Franz Lipfert, Albert Wittenburg, Karl Behr, and Hans Dechantsreiter, who lost their lives while in the status of seamen in the American merchant marine; the above sum of \$461.59 having been covered into the general fund of the Treasury Department as required by the statutes relating to the disposition of effects and unpaid wages of deceased seamen on the American vessels.

Mr. PORTER. Mr. Chairman, this bill authorizes the payment of \$461.59 to the personal representatives of citizens of Germany. These men were in our service prior to the war as seamen on American ships. The sum of \$461.59 represents their wages which were due them at the time of death. The money has been passed into the United States Treasury and this bill authorizes the payment of it to their respective heirs.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. PORTER. I will.

Mr. CHINDBLOM. I presume the real opposition to the bill will not be apparent under the present organization of the committee. Does the gentleman know of any opposition to the bill?

Mr. PORTER. I do not. I move that the committee do now rise.

The CHAIRMAN. The motion that the committee rise is not in order. If general debate has been concluded the Clerk will report the bill for amendment.

The Clerk read the bill for amendment.

Mr. PORTER. Mr. Chairman, I move that the committee do now rise and report the bill to the House with a favorable recommendation.

The motion was agreed to.

Accordingly the committee rose; and Mr. TILSON having resumed the chair as Speaker pro tempore, Mr. CRAMTON, Chair-

man of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 2549 and had directed him to report the same back with a recommendation that the bill do pass.

The SPEAKER pro tempore. The question is on the third reading of the bill.

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

A motion by Mr. PORTER to reconsider the vote whereby the bill was passed was laid on the table.

Mr. PORTER was granted leave to extend his remarks in the RECORD by printing the message of the President and letter of the Secretary of State, which read as follows:

To the Congress of the United States:

I transmit herewith a report concerning the claims against the United States presented by the German Government on behalf of the heirs or representatives of the German nationals, John Adolf, Hermann Pegel, Franz Lipfert, Albert Wittenburg, Karl Behr, and Hans Dechantsreiter, for various amounts aggregating \$461.59, which have been covered into the general fund of the Treasury Department as required by the statutes relating to the disposition of effects and unpaid wages of deceased seamen on American vessels, it appearing that each of the German nationals referred to lost his life while in the status of seaman in the American merchant marine. The report requests that the Congress be asked to authorize the appropriation of the sum necessary to pay these claims.

I recommend that, in order to effect a settlement of these claims in accordance with the recommendation of the Secretary of State, the Congress authorize an appropriation of the sum of \$461.59.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 9, 1926.

THE PRESIDENT:

I have the honor to submit, with a view to its transmission to the Congress, the following report and recommendation respecting the claims presented by the German Government on behalf of the heirs or representatives of the German nationals hereinafter named for the various amounts, aggregating \$461.59, which have been covered into the general fund of the Treasury Department as required by the statutes relating to the disposition of effects and unpaid wages of deceased seamen on American vessels.

The essential facts concerning these claims are substantially as follows:

During the years from 1914 to 1917 the German nationals referred to died intestate within the jurisdiction of the United States, leaving their estates to German nationals abroad. The following is a list of such estates which were claimed by the heirs after the reestablishment of peace between the United States and Germany:

"1. John Adolf, a seaman on the American ship *Henry Wilson*, was drowned on July 3, 1914, in the Kichak River, Alaska, leaving an estate in the amount of \$218.22. This sum was turned over to the Treasury Department of the United States by the United States district court in San Francisco on February 6, 1922.

"2. Hermann Pegel, a ship's steward, died in the Ancon Hospital, Ancon, Canal Zone, on December 25, 1915, leaving an estate in the amount of \$68.36.

"3. Franz Lipfert, a seaman, died on the American steamer *Northern Pacific* on June 30, 1916, leaving an estate in the amount of \$25.94.

"4. Albert Wittenburg, a sailor, died at Naknek, Alaska, on June 26, 1916, leaving an estate in the amount of \$106.82.

"The sums referred to under Nos. 2, 3, and 4, were likewise turned over to the United States Treasury Department on March 13, 1922.

"5. Karl Behr, a seaman on the schooner *Hugh de Payens*, was drowned in San Juan Harbor in February, 1917, leaving an estate in the amount of \$25.75, which was turned over to the United States Treasury Department by the United States district court in San Juan.

"6. Hans Dechantsreiter, a sailor on the steamship *Illinois*, was killed by an accident on board that boat, May 29, 1916, leaving a net estate in the amount of \$16.50, which was turned over to the United States Treasury Department by the United States District Court for the Southern District of New York."

The essential requirements of the statutes with respect to the disposition of the effects and unpaid wages of a deceased seaman on an American vessel are that they be delivered by the master or owner of the vessel to a United States shipping commissioner to be turned over to the United States court for the judicial district in which the home port or terminal port of the vessel is located and that the court shall hold such funds for a period of six years, subject to legal claims that may be presented and established against the same, and that the balance of such funds not required to pay claims substantiated before the court shall be deposited by the court and covered into the general fund of the Treasury of the United States. (Secs. 4538, 4539, 4541, 4542, 4543, 4544, and 4545, Revised Statutes, the act of Mar. 3, 1897, 29 Stat. 689, and secs. 289 to 291 of the Judicial Code, 36 Stat. 1167. Also 1 Comp. Gen. 557.)

The authorized procedure appears to have been followed with respect to the wages and proceeds of effects of the seaman above named and the claims under consideration were not presented to the court within the period of six years after the moneys had been received by the said court. Accordingly, the said moneys became Government moneys and were deposited and covered into the general fund as above stated as miscellaneous receipts and can be withdrawn therefrom only in consequence of an appropriation made by the Congress.

As a summary of the essential facts regarding these claims is embodied in this communication, it is deemed unnecessary to accompany it with copies of the correspondence in the case. All or any part of the correspondence will, of course, be furnished should the Congress so desire.

In view of the difficulties of communicating with Germany prior to the entrance of the United States into the war and immediately after the cessation of hostilities, and in view of the intervening period of hostilities, it would appear equitable to allow the claimants in these cases to recover the funds turned over to the Treasury Department.

It will be noted from the inclosed copy of a communication from the Director of the Bureau of the Budget, to whom the matter was referred, that the proposed action is not inconsistent with the financial program of the Government.

I have the honor to recommend that the Congress be requested to authorize the appropriation of the sum of \$461.59 in payment of these claims.

Respectfully submitted.

FRANK B. KELLOGG.

DEPARTMENT OF STATE,

Washington, October 8, 1926.

REGINALD ETHELBERT MYRIE

Mr. PORTER. Mr. Speaker, I call up the bill (H. R. 9569) authorizing the payment of an indemnity to the British Government on account of the death of Reginald Ethelbert Myrie, alleged to have been killed in the Panama Canal Zone on February 5, 1921, by a United States Army motor truck. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the British Government, as an act of grace and without reference to the question of liability therefor, the sum of \$1,000 as full indemnity for the death of Reginald Ethelbert Myrie, a British subject, alleged to have been killed in the Panama Canal Zone on February 5, 1921, by a United States Army truck driven by a private in the Motor Transport Corps, as set forth in the message of the President of January 4, 1928, printed as Senate Document No. 32, Seventieth Congress, first session; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this act.

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

A motion by Mr. PORTER to reconsider the vote whereby the bill was passed was laid on the table.

Mr. PORTER was granted leave to extend his remarks in the RECORD by printing the message of the President and letter of the Secretary of State, which read as follows:

To the Congress of the United States:

I transmit herewith a report from the Secretary of State regarding the claim presented by the Government of Great Britain on behalf of Mr. David S. Myrie for compensation on account of the death of his son, Reginald Ethelbert Myrie, in the Panama Canal Zone on February 5, 1921. I recommend that the Congress as an act of grace, and without reference to the legal liability of the United States in the premises, authorize the appropriation of a sufficient amount to effect a settlement of this claim in accordance with the recommendation of the Secretary of State.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 4, 1928.

The PRESIDENT:

I have the honor to submit, with a view to its transmission to the Congress, the following report and recommendation respecting the claim presented by the Government of Great Britain on behalf of Mr. David S. Myrie for compensation on account of the death of his son, Reginald Ethelbert Myrie, in the Panama Canal Zone.

The essential facts concerning this claim are admitted and are substantially as follows:

On February 5, 1921, at about 7.20 o'clock p. m., Simeon Bayliss and Reginald Ethelbert Myrie were riding in a coach on the Mount Hope Road, Panama Canal Zone. The coach was proceeding gradually on the right side of the road. Suddenly the occupants of the coach heard the

sound of a horn which seemed to be at a distance from them of not more than 8 or 9 feet. Simeon Bayliss threw himself on the bank, which was to the right side of the road. Reginald Myrie, however, being on the left side of the coach, did not have an opportunity to leave it. Almost immediately the coach was struck by an automobile truck belonging to the United States Army. The truck was driven by Pvt. Roscoe Gower, motor transport company. Witnesses testified that the truck was driven at a high speed. As a result of the collision the coach was pushed along the road for a distance of approximately 75 feet and Mr. Myrie was thrown therefrom and under the truck, which severed his left leg and mashed other parts of his body. Mr. Myrie was assisted immediately by the people who gathered around the scene of the accident and as soon as possible he was taken to the Colon Hospital, where he received medical attention. Mr. Myrie died, however, at about 10 o'clock p. m. the same day as a result of the injuries received by him in the collision.

A board of officers appointed to determine the responsibility for the accident reached the following finding of facts and made the following recommendations:

"That the accident was avoidable; that the chauffeur, Pvt. Roscoe Gower, motor transport company, was under the influence of liquor; that the careless driving and intoxicated condition of Private Gower were entirely responsible for the accident.

"In connection with claim for compensation for the death of Reginald Ethelbert Myrie this board is not empowered either under the one hundred and fifth article of war or General Orders, No. 37, War Department, 1920, to recommend any compensation for death of personal injuries. The board, however, finds that the death of Reginald Ethelbert Myrie was caused directly by the careless driving of Pvt. Roscoe Gower, Quartermaster Corps. It is believed the only redress is a civil suit against Private Gower, who is now serving a sentence of 18 months in the Gamboa Penitentiary for the killing of Reginald Ethelbert Myrie. At the present time Private Gower has no accrued pay due him.

"It is believed if any compensation were to be granted for the death of Reginald Ethelbert Myrie, that \$1,000 United States currency would be just and sufficient amount.

"At the time of the accident Private Gower was an agent of the United States Government, as the truck he drove was owned by the United States Government and operated for the military service of the United States."

By a note dated November 2, 1921, the ambassador of Great Britain at this Capital brought the claim to the attention of the Department of State. The ambassador stated that the claim was referred by the minister of Great Britain at Panama to the Governor of the Canal Zone and that in due course it was referred to the War Department, which replied that they had no appropriation from which the claim could be paid and that the only procedure to obtain payment therefor would be through a special act of Congress. The matter has since been the subject of several exchanges of communications between this department, the War Department, and the British Embassy, as a result of which the following conclusions have been reached:

(1) That the death of Mr. Reginald Ethelbert Myrie was caused by the careless driving and intoxicated condition of Private Gower, operating the truck for the military service of the United States.

(2) That under the circumstances which have been related, it would be proper, as an act of grace and without reference to the question of the legal liability of the United States, to pay to the father of the deceased an indemnity in the sum of \$1,000. It appears from evidence furnished by the British Embassy that the deceased, who was unmarried, had been contributing to his father's support for a number of years at the rate of approximately \$10 per month.

Accordingly, I have the honor to recommend, with the concurrence of the Secretary of War, that the Congress be requested to authorize the necessary appropriation.

As a summary of the essential facts regarding the accident and claim is embodied in this communication, it is deemed unnecessary to accompany it with copies of the correspondence in the case. All or any part of the correspondence will, of course, be furnished should the Congress so desire.

This claim was submitted to the Sixty-ninth Congress, first session, in your message dated April 5, 1926. A copy of Senate Document No. 91, containing this message, is inclosed.

It will be noted from the inclosed copy of a communication from the Director of the Bureau of the Budget, to whom the matter was referred, that the proposed action is not inconsistent with the financial program of the President.

Respectfully submitted.

FRANK B. KELLOGG.

DEPARTMENT OF STATE,

Washington, December 17, 1927.

REIMBURSEMENT TO GREAT BRITAIN FOR CERTAIN SUMS EXPENDED BY THE REV. F. NORTH

Mr. PORTER. Mr. Speaker, I call up the bill (H. R. 12179) to provide for the reimbursement of the Government of Great

Britain on account of certain sums expended by the British chaplain in Moscow, the Rev. F. North, for the relief of American nationals in Russia in 1920, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

Mr. DYER. Reserving the right to object, I wish to ask the gentleman from Pennsylvania whether or not any of the bills he has here to reimburse citizens of other countries have to do with the citizens of the Republic of China?

Mr. PORTER. There are two or three bills of that character. I may say in reply that all of these claim bills approve the settlements which the proper officers of the Government have made with the citizens of foreign countries.

Mr. O'CONNELL. And it has the approval of the Budget?

Mr. PORTER. Yes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the Government of Great Britain, as a matter of grace and without reference to the question of legal liability therefor, the sum of \$19,407.60, being the equivalent of the sum of £3,988, at par exchange, as reimbursement on account of certain sums expended by the British chaplain in Moscow, the Rev. F. North, for the relief of American nationals in Russia in 1920, as set forth in the message of the President of February 27, 1928, printed as Senate Document No. 66, Seventieth Congress, first session; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum sufficient to carry out the purpose of this act.

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

A motion by Mr. PORTER to reconsider the vote whereby the bill was passed was laid on the table.

Mr. PORTER was granted leave to extend his remarks in the RECORD by printing the message of the President and letter of the Secretary of State, which read as follows:

To the Congress of the United States:

I transmit herewith a report from the Secretary of State in relation to a claim presented by His Britannic Majesty's Government for the payment of a sum of money turned over to American citizens in Russia by the British subject, the Rev. Mr. North, upon his departure from Moscow, and I recommend that an appropriation be authorized to effect a settlement of this claim in accordance with the recommendation of the Secretary of State.

CALVIN COOLIDGE.

THE WHITE HOUSE.

FEBRUARY 25, 1928.

The PRESIDENT:

I have the honor to bring to your attention the request made by His Britannic Majesty's Government for reimbursement on account of certain sums expended by the British chaplain in Moscow, the Rev. F. North, for the relief of American nationals in Russia in 1920.

The facts of the case may be briefly stated as follows: In March or April, 1920, the Rev. F. North borrowed from such sources as he found it possible to obtain them sums of money for the purpose of providing relief to destitute members of the British colony in Moscow. It is stated by the British foreign office that the receipts given by the Rev. F. North stipulated that the sums were to be repaid in pounds sterling at the British foreign office, London, "at the best possible rate of exchange to guarantee them against loss." It further appears that the Rev. F. North assisted not only British nationals, but also French, Swedish, Dutch, and Danish nationals, as well as expending about a million rubles for the relief of Americans in Russia. After having expended these rubles for American relief, and at the time of his departure from Russia, he turned over a sum of 5,000,000 rubles to the American association in Moscow for the use of Americans then in Russia.

It appears that the money furnished to destitute British subjects in Russia, as well as the sums expended for French, Swedish, Dutch, and Danish nationals, and the sums used for the relief of Americans, have been repaid by His Britannic Majesty's Government and that the French, Swedish, Dutch, and Danish Governments have repaid their proportionate share to His Britannic Majesty's Government. The sum expended for the relief of American nationals has not as yet been paid, and therefore His Britannic Majesty's Government is requesting this Government to pay to it the proportionate share of money which was used for the benefit of Americans in Russia.

It has been impossible to ascertain the exact exchange value of the rubles expended or turned over to Americans by Mr. North for American relief in Russia. The estimates of the exchange value have varied within a very extensive margin. In repaying these funds His Britannic Majesty's Government found themselves confronted with the same

difficulty and had to fix upon an arbitrary rate of exchange which in their opinion was equitable and just.

His Britannic Majesty's Government has recently suggested to this Government that an equitable and just value of the sum expended for the relief of American nationals would be £3,988. This amount is obtained by applying the average rate of exchange from May, 1919, to May, 1920, for the first million rubles expended by the Reverend North himself; that is, at the rate of 760 rubles to the pound sterling and for the 5,000,000 rubles turned over by Reverend North upon his departure from Russia, at the rate of exchange for rubles in March, 1920; that is, 1,870 rubles to the pound sterling, giving a total value of £3,988. It is the view of this department that the Government, recognizing the assistance rendered by the subject of a friendly foreign government in a time of emergency, should promptly pay the amount requested, and I have the honor to recommend that the Congress be requested to authorize the appropriation of \$19,407.60, being the equivalent of the sum £3,988, at par of exchange, in payment of the claim of His Britannic Majesty's Government as an act of grace and without reference to the question of the legal liability of the United States.

The summary of the essential facts in the case being embodied in this communication, it is deemed unnecessary to accompany it with copies of the correspondence in the case. All or any part of that correspondence will be furnished should you or the Congress so desire.

It will be observed from the inclosed communication from the Director of the Bureau of the Budget, to whom the matter was referred, that the proposed action is not in conflict with the financial program of the President.

Respectfully submitted.

FRANK B. KELLOGG.

CLAIMS OF THE GOVERNMENT OF CHINA

Mr. PORTER. Mr. Speaker, I call up House Joint Resolution 145 to provide for the payment of an indemnity to the Chinese Government for the death of Chang Lin and Tong Huan Yah, alleged to have been killed by members of the armed forces of the United States, and I ask unanimous consent to consider the joint resolution in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the Chinese Government, as a matter of grace and without reference to the question of liability therefor, the sum of \$1,000 as full indemnity for the death of Chang Lin, alleged to have been killed by a member of the United States Infantry at Leichuan, China, on May 4, 1923, the sum to be for the benefit of the family of said Chang Lin, and the sum of \$100 as full indemnity for the death of Tong Huan Yah, alleged to have been killed by members of the crew of the U. S. S. *Elcano* while engaged in target practice at Hankow, China, on March 26, 1923, the sum to be for the benefit of the father of said Tong Huan Yah, as set forth in the message of the President of January 4, 1928, printed as Senate Document No. 34, Seventieth Congress, first session; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this act.

The House joint resolution was ordered to be engrossed and read the third time, was read the third time, and passed.

A motion by Mr. PORTER to reconsider was laid on the table.

Mr. PORTER was granted leave to extend his remarks in the RECORD by printing the message of the President and letter of the Secretary of State, which read as follows:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State requesting the submission anew to the present Congress of two claims presented by the Government of China against the Government of the United States arising out of the negligent or unlawful acts in China of persons connected with the military and naval forces of the United States, and I recommend that as an act of grace and without reference to the question of the legal liability of the United States an appropriation in the amount of \$1,100 be made to effect settlement of these two claims, in accordance with the recommendation of the Secretary of State.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 4, 1928.

The PRESIDENT:

On April 22, 1924, the Secretary of State reported at length to you concerning two claims presented by the Government of China against the United States arising out of the negligent and unlawful acts in China of persons connected with the military and naval forces of the United States, and recommended to the Congress that an appropriation in the amount of \$1,100 be made to effect settlement of these claims

(being \$1,000 for the benefit of the family of Chang Lin, who was killed by a member of the Fifteenth United States Infantry at Leichuan, China, on May 4, 1923, and \$100 to the father of Tong Huan Yah, alleged to have been killed by members of the crew of the U. S. S. *Elcano* while engaged in target practice at Hankow, China, on March 26, 1923). This report was transmitted by you to the Congress on April 23, 1924, with the recommendation that in order to effect a settlement of these claims in accordance with the recommendation of the Secretary of State the Congress, as an act of grace, and without reference to the legal liability of the United States in the premises, authorize an appropriation in the sum of \$1,100. Your recommendation and the report of the Secretary of State mentioned comprise Senate Document No. 96, Sixty-eighth Congress, first session.

The claim was submitted anew to the Sixty-ninth Congress and is set out in Senate Document No. 204, second session of that Congress, copies of which are inclosed for your full information.

It appearing that final action was not taken on this matter by the Sixty-ninth Congress, I beg to suggest the submission of the matter anew to the consideration of the present Congress.

It will be observed from the inclosed communication from the Director of the Bureau of the Budget, to whom the matter was referred, that the proposed action is not inconsistent with the financial program of the Government.

Respectfully submitted.

FRANK B. KELLOGG.

DEPARTMENT OF STATE,
Washington, December 22, 1927.

JUAN SORIANO

Mr. PORTER. Mr. Speaker, I call up House Joint Resolution 146, to provide for the payment of an indemnity to the Dominican Republic for the death of Juan Soriano, who was killed by the landing of an airplane belonging to the United States Marine Corps, and I ask unanimous consent to consider it in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the Dominican Republic, as a matter of grace and without reference to the question of liability therefor, the sum of \$2,000, as full indemnity for the death of Juan Soriano, a Dominican subject, who was killed by the landing of an airplane belonging to the United States Marine Corps on October 2, 1923, at Guerra, Dominican Republic, as set forth in the message of the President of December 12, 1927, printed as Senate Document No. 13, Seventieth Congress, first session; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this act.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion by Mr. PORTER to reconsider was laid on the table.

Mr. PORTER was granted leave to extend his remarks in the RECORD by printing the message of the President and letter of the Secretary of State, which read as follows:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State requesting the submission anew to the present Congress of the matter of a claim against the United States for the death on October 2, 1923, at Guerra, Dominican Republic, of Juan Soriano, a Dominican subject, who was killed by the landing of an airplane belonging to the United States Marine Corps, which formed the subject of a report made by the Secretary of State to me in March, 1926, and my message to the Congress dated March 22, 1926, which comprise Senate Document No. 84, Sixty-ninth Congress, first session, copies of which are furnished for the convenient information of the Congress.

I renew my recommendation originally made, that in order to effect a settlement of this claim, the Congress, as an act of grace, and without reference to the legal liability of the United States in the premises, authorize an appropriation in the sum of \$2,000, and I bring the matter anew to the attention of the present Congress in the hope that the action recommended may receive favorable consideration.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 12, 1927.

THE PRESIDENT:

On April 30, 1924, the Secretary of State reported at length to you concerning a claim against the United States for the death on October 2, 1923, at Guerra, Dominican Republic, of Juan Soriano, a Dominican subject, who was killed by the landing of an airplane belonging to the United States Marine Corps, and requested that the recommendation of the Acting Secretary of the Navy, as indicated in the report, be adopted, and that the Congress authorize the appropriation of the sum

necessary to pay the indemnity as suggested by the Acting Secretary of the Navy.

This report was transmitted by you to the Congress on May 1, 1924, with the recommendation that in order to effect a settlement of the claim in accordance with the recommendation of the Secretary of State, the Congress, as an act of grace, and without reference to the legal liability of the United States in the premises, authorize an appropriation in the sum of \$2,000. Your recommendation and the report of the Secretary of State mentioned, with its accompanying papers, comprise Senate Document No. 102, Sixty-eighth Congress, first session.

The claim was submitted anew to the Sixty-ninth Congress and is set out in Senate Document No. 84, first session of that Congress, copies of which are inclosed for your full information.

It appearing that final action was not taken on this matter by the Sixty-ninth Congress, I beg to suggest the submission of the matter anew to the consideration of the present Congress.

It will be observed from the inclosed communication from the Director of the Bureau of the Budget, to whom the matter was referred, that the proposed action is not inconsistent with the financial program of the Government.

Respectfully submitted.

FRANK B. KELLOGG.

DEPARTMENT OF STATE,
Washington, December 9, 1927.

EDWIN TUCKER

Mr. PORTER. Mr. Speaker, I call up House Joint Resolution 148, to provide for the payment of an indemnity to the British Government to compensate the dependents of Edwin Tucker, a British subject, alleged to have been killed by a United States Army ambulance in Colon, Panama, and ask unanimous consent that the resolution be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Pennsylvania calls up House Joint Resolution 148, which is on the Union Calendar, and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the British Government, as a matter of grace and without reference to the question of liability therefor, the sum of \$2,500 as full indemnity for the death of Edwin Tucker, a British subject alleged to have been killed by a United States Army ambulance in Colon, Panama, on or about December 6, 1924, as set forth in the message of the President of December 17, 1927, and printed as Senate Document No. 20, Seventieth Congress, first session; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this act.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. PORTER was granted leave to extend his remarks in the RECORD by printing the message of the President and letter of the Secretary of State, which read as follows:

To the Congress of the United States:

I transmit herewith a report from the Secretary of State, concerning a claim against the United States, presented by the Government of Great Britain for compensation to the relatives of Edwin Tucker, a British subject who was killed by a United States Army ambulance in Colon, Panama, on or about December 6, 1924. The report requests that the recommendation as indicated therein be adopted and that the Congress authorize the appropriation of the sum necessary to compensate the claimants in this case.

I recommend that in order to effect a settlement of the claim in accordance with the recommendation of the Secretary of State, the Congress, as an act of grace and without reference to the legal liability of the United States in the premises, authorize an appropriation of \$2,500.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 17, 1927.

THE PRESIDENT:

I have the honor to submit, with a view to its transmission to the Congress, the following report and recommendation respecting the claim presented by the Government of Great Britain for compensation to the relatives of Edwin Tucker, a British subject who was killed by a United States Army ambulance in Colon, Panama, on or about December 6, 1924.

The essential facts concerning the death of Edwin Tucker are admitted and are substantially as follows:

The chargé d'affaires ad interim of Great Britain at this capital, in a note No. 1108, dated December 31, 1925, informed this department that on December 6, 1924, an Army ambulance from France Field, Canal Zone, operated by Pvt. Wilbert L. Schwartzfeger, was engaged in conveying an injured man from the military barracks at France Field to the Canal Zone Hospital in Colon city, ran into the Lee Chong Building at Bolivar and Ninth Streets, Colon, striking and killing Edwin Tucker, who, at the time the accident occurred, was standing outside the drug store which is in that building. A copy of a medical certificate issued by the physicians of Colon Hospital testifying to the cause of Edwin Tucker's death was inclosed. This report indicates that the death resulted from the injury received when Mr. Tucker was struck by the ambulance.

It was added that at the time of his death Edwin Tucker assisted in maintaining and supporting his mother, Mrs. Eliza Tucker, and his son, George Tucker, 11 years old, both of whom resided in St. James Parish, in the island of Jamaica. A brother of the deceased, acting on behalf of himself and the dependent relatives above mentioned, endeavored without success to obtain compensation from the military authorities of the Canal Zone. Accordingly the chargé d'affaires expressed the hope that the competent authorities of this Government would see their way in the interests of justice to accord suitable compensation to the mother and son of the deceased, who have been deprived, through no fault of their own, of their principal means of support.

The matter was brought to the attention of the Secretary of War, and after some correspondence the Acting Secretary of War informed me on July 17, 1926, that the facts in the case as set forth in the note dated December 31, 1925, from the chargé d'affaires ad interim of Great Britain, were substantially correct. He added, however, that G. C. M. ambulance No. 73192, which was property of the United States, was carrying an emergency patient injured at France Field, Canal Zone, from the post hospital at that station to the hospital at Colon. The ambulance was proceeding along Bolivar Street at a speed of about 25 miles an hour; it was on the left side of the street, and that when at a point near Ninth Street, in maneuvering to avoid a collision, it skidded to the curb on the right side of the street, overturned and killed Edwin Tucker, a colored civilian, who was at that time on the sidewalk.

A board of officers, convened at France Field for the purpose of investigating the accident, reported in part as follows:

"That Edwin Tucker (colored), a resident of Colon, Republic of Panama, was accidentally killed by United States ambulance No. 73192.

"That the death of Mr. Edwin Tucker was due to no fault or negligence of his own.

"That the driver of the United States ambulance No. 73192 (Private Schwartzfeger) was exceeding the speed limit when this accident occurred.

"That an extenuating circumstance did exist when Private Schwartzfeger was speeding, namely, he was carrying a seriously injured patient to the Colon Hospital. That this accident was due to a vehicle turning in front of the ambulance without warning being given.

"That United States ambulance was damaged to the extent of approximately \$600."

The Acting Secretary of War further stated that it is a well-established principle that the Government can not be held liable for its agents' torts, and that any compensation to persons for injury, except in Air Service accidents, must be provided for by a special act of the Congress. He added that the War Department had heretofore refrained from expressing an opinion as to the merits of proposed legislation in similar cases, and in keeping with that policy withheld a recommendation for or against this claim.

The matter was given further consideration by this department, and on August 25, 1926, I informed the Secretary of War that, while this department is aware that the Government of the United States can not be sued on account of death resulting from the wrongful acts of its agents, it believes that the Government is morally liable in such cases, and that an effort should be made to provide suitable relief therein. I further stated that I was considering recommending that the sum of \$2,500 be appropriated as an act of grace and without reference to the legal liability of this Government to compensate the dependents of Mr. Tucker on account of his death, and requested to be informed whether the Secretary of War considered this amount to be a reasonable award, and also whether he would interpose an objection to the passage of legislation providing for compensation in this case.

The Secretary of War replied on October 1, 1926, and stated that this sum is considered a reasonable award, and that his department would interpose no objection to the passage of legislation providing for such compensation.

As the report which was made by the board of officers convened at France Field for the purpose of investigating the accident indicates that the death of Edwin Tucker resulted from no fault or negligence of his own, I have the honor to recommend that the Congress be requested to appropriate, as an act of grace and without reference to the legal

liability of the United States, the sum \$2,500 to compensate the dependent relatives of Edwin Tucker.

As a summary of the essential facts regarding the accident and the claim is embodied in this communication, it is deemed unnecessary to accompany it with copies of the correspondence in this case. All or any part of the correspondence will of course be furnished should the Congress so desire.

It will be noted from the inclosed copy of a communication from the Director of the Bureau of the Budget, to whom the matter was referred, that the proposed action is not inconsistent with the financial program of the Government.

House Joint Resolution No. 355, Sixty-ninth Congress, authorizing an appropriation of \$2,500 in payment of this claim, was passed by the House of Representatives on February 28, 1927, and was pending in the Senate when it adjourned on March 4, 1927.

Respectfully submitted.

FRANK B. KELLOGG.

DEPARTMENT OF STATE,

Washington, December 13, 1927.

WILLIAM WISEMAN

Mr. PORTER. Mr. Speaker, I call up House Joint Resolution 149, to authorize an appropriation for the compensation of William Wiseman, and I ask unanimous consent that the joint resolution be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Pennsylvania calls up House Joint Resolution 149, which is on the Union Calendar, and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

Mr. DYER. Mr. Speaker, reserving the right to object, it seems that it is quite easy for foreigners or their estates to be paid compensation for injuries done them by the United States Government, but when it comes to our own citizens, who are killed by airplanes and other things, it is practically impossible to secure any compensation for them or their dependents. While this is not a matter upon which I would want to base an objection to bills that are called up in this way, I take this opportunity of calling the attention of the House and the Congress to the injustice done to our own citizens in giving preference to nationals of other countries in claims of this nature.

Mr. MOORE of Virginia. Mr. Speaker, will the gentleman yield?

Mr. DYER. Yes.

Mr. MOORE of Virginia. A Member of the House a few weeks ago had passed what was called the Underhill bill, in order to facilitate the payment of claims of our own citizens against the Government. Has the gentleman any information as to what prospect there is of the passage of that bill in the other body?

Mr. DYER. I am sure that the gentleman knows that I have no knowledge, and I do not think anyone here has any knowledge in respect to that. It is legislation, certainly, that ought to be enacted into law, in order to give to our own citizens an opportunity to recover or for their estates to recover because of injuries done by Government agencies. At the present time there is practically no way of obtaining compensation, although we are continually paying foreigners similar claims.

Mr. O'CONNELL. Some of these are of long standing, and they are all being paid upon the advice of the Secretary of State and the Director of the Budget. Does the gentleman not think that we ought to pay them and get rid of them?

Mr. DYER. I am not objecting to them, but I am making this statement merely for the purpose of calling attention to conditions that exist in respect to our own citizens. I know of a case of a boy in my own State who was killed by an airplane more than 10 years ago. The widowed mother of this boy has never been able to recover one penny.

Mr. O'CONNELL. Why not?

Mr. KING. What is the reason for that?

Mr. DYER. There is no law authorizing the Government to pay, and the State Department, of course, does not take cognizance of it. The only way that we can get it through is by a claim through the Committee on Claims of the House, and that committee has thousands of claims and it is very difficult to get consideration. Then, again, it is almost impossible to get a favorable report in such a case from the War Department or from whatever department the agency doing the damage was connected with. They are slow, and they practically refuse to admit liability in any of those cases. When it comes to foreigners, especially if they are the nationals of some great foreign power, the State Department, quickly and without making, in my opinion, any very careful investigation, reports the cases to the House for the purpose of getting them through, in order

that we may continue to have amicable relations and no trouble with these countries over such matters.

Mr. O'CONNELL. Mr. Speaker, if the gentleman will yield, the Committee on Foreign Affairs thoroughly investigates these claims, and they are not recommended for payment until that committee passes on them.

Mr. DYER. I am very glad to know that, and I have very great confidence in the Committee on Foreign Affairs.

Mr. KING. How would it be to change these things around and let the Foreign Affairs Committee consider some of these other claims now before the Committee on Claims?

Mr. DYER. I have no criticism to make of the Committee on Claims.

Mr. KING. They have not functioned for a couple of years.

Mr. DYER. They are endeavoring to function through the legislation that was referred to by the gentleman from Virginia [Mr. MOORE].

Mr. EATON. Is the gentleman not familiar with the fact that American citizens are always wrong in the Washington point of view?

Mr. DYER. I do not want to say that. I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania that the resolution be considered in the House as in Committee of the Whole?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to Great Britain, as an act of grace and without reference to the question of legal liability, the sum of \$9,200 in recognition of the services of William Wiseman as British vice consul at Salina Cruz, Mexico, in behalf of American interests from April 12, 1914, to December 13, 1917, as set forth in the message of the President of December 17, 1927, printed as Senate Document No. 22, Seventieth Congress, first session; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this act.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. PORTER was granted leave to extend his remarks in the RECORD by printing the message of the President and letter of the Secretary of State, which read as follows:

To the Congress of the United States:

I transmit herewith a report from the Secretary of State in regard to the services in behalf of the United States of William Wiseman, British vice consul at Salina Cruz, Mexico, during the period from April 12, 1914, to December 13, 1917, when, with the permission of the British Government and at the request of this Government, he had charge of the American consulate at Salina Cruz and of American interests in the district surrounding that place. The conclusion reached by the Secretary of State has my approval, and I recommend that the Congress authorize an appropriation of \$9,200 to be paid to Mr. Wiseman in recognition of the services which he so generously rendered.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 17, 1927.

DEPARTMENT OF STATE,
Washington, December 16, 1927.

The PRESIDENT,

The White House:

On April 12, 1914, the American vice consul at Salina Cruz left his post on leave of absence for a visit to the United States, leaving the consulate and American interests in that district in charge of William Wiseman, British vice consul. A few days after the vice consul's departure political relations between the United States and Mexico and conditions in Mexico became so acute that he did not return, and an American consular officer was not sent to Salina Cruz until December 13, 1917. From April 12, 1914, to December 13, 1917, Mr. Wiseman, with the permission of the British Government, continued in charge of American interests for the district surrounding Salina Cruz. The disturbed political condition of Mexico made the care of American interests an exceedingly delicate and exacting task. In a report of the work done by Mr. Wiseman as American consul, who was assigned to Salina Cruz subsequent to the relinquishment of the care of American interests by Mr. Wiseman, said of him:

"During a considerable portion of this period the work was undoubtedly very heavy and exacting, requiring his entire time and energy for perhaps 18 hours a day for weeks at a time. There were many American refugees to be cared for and gotten out of the country and afforded suitable protection. * * * Many American vessels called at this port, either in distress or in ignorance of the acute political conditions, and it was Mr. Wiseman's duty, which he accomplished very

successfully, to get them out of port again. * * * I have often heard the officers of American merchant vessels and other American citizens speak very highly of the manner in which Mr. Wiseman cared for American interests, and I have never heard any adverse criticism."

The only allowance which this Government made to Mr. Wiseman appears to have been for the expenses incurred by him in connection with his care of American interests. The fees collected by him for consular services on behalf of the United States were transmitted to this Government and duly deposited in the Treasury of the United States. It appears that he was informed that the question of compensation of his services would be reserved for future consideration.

It has been customary for the Government of the United States, upon the request of a friendly Government to authorize its diplomatic and consular officers to take charge temporarily of the interests of that Government, and in such cases to decline to permit those officers to accept remuneration for their services. Foreign governments frequently lend the aid of their diplomatic and consular officers to the United States under like conditions. The case of Mr. Wiseman, however, appears to be exceptional. He was British vice consul at Salina Cruz, but the department is informed that he received no salary from the British Government. He was in business and was local manager for the Central & South American Telegraph Co., an American company, and his principal income was derived from his salary as manager. It is understood that the care of American interests over a period of some 44 months interfered materially with his private affairs, and doubtless resulted in personal loss. The circumstances appear to be so unusual and the period of his service for the United States so extended that it would seem that this Government could not properly do less in recognition of the value of his services than to present him, as an act of grace, with an amount which would appropriately compensate him. It is understood that the British Government would not object to this course.

Assuming, as I feel safe in doing, that the Congress will view with favor a proposal appropriately to compensate Mr. Wiseman, the amount which, in all probability, would have been paid to an American consul at Salina Cruz during the period herein mentioned would appear to be a fair measure of the pecuniary recognition of the services of Mr. Wiseman. The American consul who relieved Mr. Wiseman received \$2,500 a year, and at that rate the total amount which should be paid to Mr. Wiseman in recognition of his services for the entire 44 months would be approximately \$9,200.

It is the view of this department that in matters of this kind this Government should pursue a generous course in recognizing the assistance rendered it in the interest of this country by representatives of other governments, and I therefore recommend that Congress be asked to appropriate for payment to Mr. William Wiseman, formerly British vice consul at Salina Cruz, the sum of \$9,200 in recognition of his services in behalf of American interests in that place.

It will be noted from the inclosed communication from the Director of the Bureau of the Budget, to whom the matter was referred, that the proposed action is not in conflict with your financial program.

A report on this subject was transmitted to Congress by you on April 23, 1926. A copy of this report is inclosed.

Respectfully submitted.

FRANK B. KELLOGG.

AREND KAMP AND FRANCIS GORT

Mr. PORTER. Mr. Speaker, I call up House Joint Resolution 150, to provide for the payment of an indemnity to the Government of the Netherlands for compensation for personal injuries sustained by two Netherlands subjects, Arend Kamp and Francis Gort, while the U. S. S. *Canibas* was loading on May 1, 1919, at Rotterdam, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Pennsylvania calls up House Joint Resolution 150, which is on the Union Calendar, and asks unanimous consent that it be considered in the House as in Committee of the Whole.

Is there objection?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the Government of the Netherlands, as a matter of grace and without reference to the question of liability therefor, the sum of \$500 as full compensation for personal injuries sustained by Arend Kamp, a Netherlands subject, and the sum of \$500 as full compensation for personal injuries sustained by Francis Gort, a Netherlands subject, while the U. S. S. *Canibas* was loading on May 1, 1919, at Rotterdam, as set forth in the message of the President of December 19, 1927, printed as Senate Document No. 30, Seventieth Congress, first session; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this act.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. PORTER was granted leave to extend his remarks in the Record by printing the message of the President and the letter of the Secretary of State, which read as follows:

To the Congress of the United States:

I transmit herewith a report regarding two claims presented by the Government of the Netherlands against the Government of the United States for compensation for personal injuries sustained by two Netherlands subjects, Arend Kamp and Francis Gort, while the U. S. S. *Canibas* was loading on May 1, 1919, at Rotterdam.

I recommend that, in order to effect a settlement of these claims in accordance with the recommendation of the Secretary of State, the Congress, as an act of grace and without reference to the question of the legal liability of the United States in the premises, authorize an appropriation in the sum of \$1,000, \$500 of which is to be paid to Mr. Arend Kamp and \$500 to be paid to Mr. Francis Gort.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 19, 1927.

DECEMBER 17, 1927.

THE PRESIDENT:

I have the honor to submit, with a view to its transmission to Congress, the following report and recommendation regarding two claims presented by the Government of the Netherlands against the Government of the United States for compensation for personal injuries sustained by two Netherlands subjects, Arend Kamp and Francis Gort, while the U. S. S. *Canibas* was loading on May 1, 1919, at Rotterdam.

The U. S. S. *Canibas* on May 1, 1919, was owned by the Government of the United States, controlled by the United States Shipping Board, manned by a Navy crew, and prior to the accident in question was operated for the account of the War Department. At the time of the accident, however, naval stores were being transferred to the U. S. S. *Canibas* by means of a cargo net from the barge *Johanna*, which was a Dutch vessel chartered by the United States Naval Port Office at Rotterdam. As one of the loads was being hoisted out of the hold of the *Johanna* by a windlass on the *Canibas*, the Netherlands subjects, Kamp and Gort, who were on board the *Johanna*, endeavored to prevent the load from interfering with a stovepipe on the *Johanna*. The load was cleared from the stovepipe, when the rope parted and the load fell on the two men, injuring both severely.

The board of naval officers which convened on May 1, 1919, for the purpose of investigating the accident, rendered the following findings:

"(1) Accident due to fall of loaded cargo net on Arend Kamp and Francis Gort through parting of fall.

"(2) Parting of fall due to weakness in the fall, which might have been inherent or could have developed during morning's operation.

"(3) Responsibility can not be placed on any particular person, inasmuch as the fall was apparently in good condition, from outside inspection, before this work started."

Under date of May 6, 1920, the Solicitor of the Navy Department, in a communication to the Secretary of the Navy, made the following statement:

"While it is doubtful that either of the two men have a legal claim against the United States, nevertheless it is believed that the doubts should be resolved in favor of the claimants, and it is recommended that the record be referred to the War Department with the request that the claimants each be paid the sum of \$500 in full of all claims on account of the injuries sustained, including hospital charges and medical attendance, under the provisions of an act to give indemnity for damages caused by American forces abroad (Public, No. 133), approved April 18, 1918."

In a letter dated May 21, 1920, addressed to Mr. Kamp, by the United States naval staff representatives' office at London, Mr. Kamp was informed that advice had been received from the Navy Department at Washington that he would be paid the sum of \$500 on account of the injuries sustained by him on May 1, 1919, which sum was to include hospital expenses and medical attention.

Pursuant to the recommendation of the Solicitor for the Navy Department, the Acting Secretary of the Navy addressed a memorandum to the Secretary of War requesting that Kamp and Gort each be paid the sum of \$500 in full of all claims arising out of their injuries under the provisions of the act approved April 18, 1918.

However, the War Department, following a ruling of the Comptroller of the Treasury Department, rendered December 14, 1920, declined to pay the claims in question on the grounds that the injuries suffered by the claimants were the consequence of their own negligence and were not caused by the negligence of persons composing the military and naval forces of the United States, and that the injuries could not, therefore, be deemed to give rise to "damages caused by the American military forces" within any possible meaning of section 1 of the act approved April 18, 1918.

The Netherlands Government brought the claims to the attention of the department in a note dated May 27, 1920, and has persistently pressed the matter since that date. The department referred the matter to both the War and Navy Departments and inquired whether

those departments were still of the opinion that without reference to the question of legal liability a compassionate allowance should be made to the injured persons and whether they would be willing to support any recommendation which might be made by this department to Congress regarding the matter.

The War Department replied in a letter dated July 30, 1923, with the suggestion that in the event the State Department desired that a recommendation be made to the Congress, the Navy Department take the action to support such recommendation, provided the Navy Department believes that a payment should be made in the case.

The Navy Department replied in a letter dated May 15, 1923, that should the Department of State recommend to the Congress that an appropriation be made to pay to each of the claimants the sum of \$500 as a compassionate allowance and the bill should be referred to the Navy Department for a report, favorable action thereon would be recommended.

I have the honor to suggest, therefore, that you recommend to the Congress that as an act of grace and without reference to the question of the legal liability of the United States, an appropriation in the sum of \$1,000 be authorized to effect a settlement of these claims, \$500 of which is to be paid to Mr. Arend Kamp and \$500 to be paid to Mr. Francis Gort.

It may be stated that the claim was brought to the attention of the Sixty-ninth Congress in a message from the President dated December 21, 1925, which is printed in Senate Document No. 26, Sixty-ninth Congress, first session.

It will be noted from the inclosed communication from the Director of the Budget, to whom the matter was referred, that the proposed action is not in conflict with the financial program of this Government.

Respectfully submitted.

FRANK B. KELLOGG.

SUN JUI-CHIN

Mr. PORTER. Mr. Speaker, I call up House Joint Resolution 151, which provides for payment of the claim of the Government of China for compensation of Sun Jui-chin for injuries resulting from an assault on him by a private in the United States Marine Corps. I ask unanimous consent for its consideration in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent that the resolution be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the joint resolution for amendment.

The Clerk read as follows:

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the Government of China, as a matter of grace and without reference to the question of liability therefor, a sum equivalent to \$500 Mexican as full indemnity for injuries to Sun Jui-chin resulting from an assault upon him in China by a private in the United States Marine Corps on June 11, 1923, as recommended in the message of the President of December 17, 1927, printed as Senate Document No. 23, Seventieth Congress, first session; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum sufficient to carry out the purpose of this act.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. PORTER was granted leave to extend his remarks in the Record by printing the message of the President and letter of the Secretary of State, which read as follows:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State, respecting a claim against the United States, presented by the Chinese Government for compensation arising out of an assault in China on Mr. Sun Jui-chin on June 11, 1923, by a private in the Marine Corps, a member of the legation guard, with a request that the recommendations of the Secretary of State, as indicated therein, be adopted, and that the Congress authorize the appropriation of the sum necessary to pay the indemnity.

I recommend that, in order to effect a settlement of this claim in accordance with the recommendation of the Secretary of State, the Congress, as an act of grace, and without reference to the legal liability of the United States in the premises, authorize an appropriation in a sum equivalent to \$500 Mexican.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 17, 1927.

THE PRESIDENT.

On February 7, 1927, I reported at length to you concerning a claim presented by the Government of China against the United States arising out of an assault in China on Mr. Sun Jui-chin on June 11, 1923, by a private in the Marine Corps, a member of the legation guard, and requested that you recommend to the Congress that an appropriation in the amount of \$500 Mexican be made to effect settlement of this claim. This report was transmitted by you to the Congress on February 8,

1927, with the recommendation that in order to effect a settlement of the claim in accordance with my recommendation, the Congress, as an act of grace and without reference to the legal liability of the United States in the premises, authorize an appropriation in the sum of \$500 Mexican. Your recommendation and my report mentioned comprise House Report No. 2052, Sixty-ninth Congress, second session, a copy of which is inclosed for your full information.

It appearing that final action was not taken on this recommendation by the Sixty-ninth Congress, I beg to suggest the submission of the matter anew to the consideration of the present Congress.

It will be observed from the inclosed communication from the Director of the Bureau of the Budget, to whom the matter was referred, that the proposed action is not inconsistent with the financial program of the Government.

Respectfully submitted.

FRANK B. KELLOGG.

DEPARTMENT OF STATE,
Washington, December 15, 1927.

INTERNATIONAL SOCIETY FOR THE EXPLORATION OF THE ARCTIC
REGIONS BY MEANS OF THE AIRSHIP

Mr. PORTER. Mr. Speaker, I call up House Joint Resolution 153, providing for the contribution of the United States to the plans for the organization of the International Society for the Exploration of the Arctic Regions by Means of the Airship. I ask unanimous consent for its consideration in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent for the consideration of this resolution in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. GARNER of Texas. Mr. Speaker, will the gentleman yield?

Mr. PORTER. Yes.

Mr. GARNER of Texas. Is this a unanimous report from the gentleman's committee?

Mr. PORTER. Yes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the joint resolution for amendment.

The Clerk read as follows:

Resolved, etc., That, in compliance with the recommendation of the President contained in his message of January 4, 1928, printed as House Document No. 133, Seventieth Congress, first session, an annual appropriation for five years of \$300 is hereby authorized as the contribution of the United States in the plans of the organization of the International Society for the Exploration of the Arctic Regions by Means of the Airship for the establishment of geophysical observations in the inner Arctic regions.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. PORTER was granted leave to extend his remarks in the RECORD by printing the message of the President and letter of the Secretary of State, which read as follows:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State concerning the plans of the International Society for the Exploration of the Arctic Regions by Means of the Airship, for the establishment of geophysical observations of the inner Arctic regions, toward the accomplishment of which the 19 governments whose countries are represented in the society have been requested to make an annual contribution for five years, for required preparatory work, in accordance with a schedule furnished by the society and accompanying the report of the Secretary of State. The annual contribution requested of the United States is \$300.

The attention of Congress is especially invited to the strong indorsements of this project given by the Secretary of the Navy, the Acting Secretary of Agriculture, the Acting Secretary of the Smithsonian Institution, the National Research Council, and the Carnegie Institution of Washington, as recited in the report of the Secretary of State.

In view of these favorable comments, and in conformity with the recommendation of the Secretary of State, I lay the matter before Congress for its determination whether it will authorize an annual appropriation of \$300 for five years, as the contribution of the United States, on the condition that the other governments approached will also contribute the quotas assigned to them.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 4, 1928.

The President:

In May last the Norwegian Legation at Washington, by order of the Norwegian Government, transmitted to the Department of State a letter addressed to the Government of the United States and dated

April 21, 1927, of which a copy is herewith inclosed, from the International Society for the Exploration of the Arctic Regions by Means of the Airship, signed by its president, Mr. Fridtjof Nansen, concerning the plans of that organization for the establishment of geophysical observations in the inner Arctic regions, toward the accomplishment of which the 19 governments whose countries are represented in the society have been requested to make an annual contribution for five years for required preparatory work, in accordance with a schedule which the society furnishes, and a copy of which is also inclosed. It will be observed that the annual contribution requested of the United States is \$300.

The Secretary of State, being of the opinion that this project deserves serious consideration as a scientific enterprise of great potential practical value in several important fields, communicated copies of Mr. Nansen's letter to the Secretary of Agriculture, the Secretary of the Navy, the Smithsonian Institution, the National Research Council, and the Carnegie Institution, for an expression of their views. Favorable responses have been received from all.

The Acting Secretary of Agriculture has replied that—

"The securing of more or less permanent and continuous meteorological and other observations from stations in the inner Arctic regions is regarded by this department as very desirable."

The Secretary of the Navy has replied as follows:

"It appears that the object of the project is to bring about an improved knowledge of the natural processes of the earth as an aid to weather forecasting in the future and also in the world's commerce and traffic. This department is glad to express its approval of an undertaking which, at the comparatively small cost set forth in the letter from the president of the society, may lead to an improved knowledge of the natural processes of the earth."

The Acting Secretary of the Smithsonian Institution has replied as follows:

"The Institution enthusiastically indorses the value of the proposition. Hardly any conceivable research seems likely to add more of value to the world's knowledge of the controlling elements of meteorology than this."

The National Research Council has replied as follows:

"The executive board of the National Research Council, at its meeting this morning, adopted a resolution recommending, in response to your inquiry, that the United States Government accede to the request of Doctor Nansen, president of the International Society for the Exploration of the Arctic Regions by Means of the Airship, entailing an annual contribution from this Government during five years to help meet the expense of the preparatory work for the establishment by Doctor Nansen's society of observatories in the inner Arctic regions. This action of the National Research Council is based upon the careful consideration and recommendation of the project by the American Geophysical Union, which is a technical committee of the council and is especially competent to express an opinion in the matter."

By way of reply the Carnegie Institution of Washington has furnished a report by the director of the institution's department of research in terrestrial magnetism, as follows:

"1. The proposed scientific exploration, according to modern requirements, of the Arctic regions is to be undertaken under the auspices of the International Society for the Exploration of the Arctic Regions by Means of the Airship and under the guidance of those competent to give the best advice in the various lines of investigation.

"2. Only by international cooperation and thorough preparation may the desired objects be attained effectively. The society is therefore soliciting aid from the countries which in any manner may be interested in the advancement and application of scientific knowledge to be gained from studies of conditions in the Arctic.

"3. The contribution which the United States Government has been asked to make, namely, \$300 a year for five years, is intended to assist in defraying the expenses for the necessary preparatory studies as to methods and equipment and for publication of results before the actual project may be undertaken with reasonable promise of success.

"4. Even if future events should make impossible the realization of the society's own project, the funds now solicited, on an international basis, would assure the initiation of investigations of definite value to any other Arctic expedition. There would, therefore, seem sufficient warrant for making the desired small contribution."

In view of the foregoing strong indorsements of the project, the undersigned, the Secretary of State, has the honor to recommend that the matter be submitted to Congress with a view to that body's determination whether it will authorize an annual appropriation for five years of \$300 as the contribution of the United States, provided that the other Governments approached will also appropriate the quota assigned to each.

The undersigned is advised by the Director of the Bureau of the Budget that this would not be in conflict with the President's financial program.

Respectfully submitted.

FRANK B. KELLOGG.

DEPARTMENT OF STATE,
Washington, December 23, 1927.

CLAIM OF THE NORWEGIAN GOVERNMENT

Mr. PORTER. Mr. Speaker, I call up House Joint Resolution 154, authorizing payment of the claim of the Norwegian Government for interest upon money advanced by it in connection with the protection of American interests in Russia. I ask unanimous consent for consideration in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent that this resolution be considered in the House as in Committee of the Whole. Is there objection? There was no objection.

The SPEAKER pro tempore. The Clerk will report the joint resolution for amendment.

The Clerk read as follows:

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the Government of Norway, as an act of grace and without reference to the question of legal liability, an amount equal to 6 per cent interest upon the sum advanced by the Government of Norway in connection with the care by its representatives of American interests in Moscow, Russia, during the years 1918 and 1919, but not to exceed a total of \$4,000, as set forth in the message of the President of January 5, 1928, printed as Senate Document No. 37, Seventieth Congress, first session; and the appropriation for relief, protection, and transportation of American citizens in Europe made by the act approved April 17, 1917, is hereby made available for the payment of the claim aforesaid.

With committee amendments as follows:

Page 1, line 7, after the word "Norway," insert "together with 6 per cent interest on the unpaid interest to date of payment" and on page 2, line 2, strike out the sign and figures "\$4,000" and insert in lieu thereof the sign and figures "\$5,000."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The resolution as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. PORTER was granted leave to extend his remarks in the Record by printing the message of the President and letter of the Secretary of State, which read as follows:

To the Congress of the United States:

I transmit herewith a report from the Secretary of State in relation to a claim presented by the Government of Norway for the payment of interest on certain sums advanced by it for this Government in connection with its representation of American interests in Moscow, and I recommend that an appropriation be authorized to effect a settlement of this claim in accordance with the recommendation of the Secretary of State.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 5, 1928.

The PRESIDENT:

I have the honor to bring to your attention the request made by the Norwegian Government for the payment of interests on certain sums advanced by it for this Government in connection with its representation of American interests in Moscow.

The facts of the case may be briefly stated as follows:

In September, 1918, the Government of the United States requested the Norwegian Government to take charge of the protection of American interests in Moscow, stating that it would reimburse the Norwegian Government for the expenses incurred in carrying out this request.

The Norwegian Government accordingly authorized its vice consul at Moscow to assume protection of American interests at that place. Various expenses were incurred by the vice consul in connection with his protection of American interests, and the Norwegian Government, by December 8, 1920, had paid him the sum of Kr. 65,162.97, representing the amount of the expenses incurred by him with interest to the date of payment. The Norwegian Government thereupon requested reimbursement by this Government of the sum of Kr. 65,162.97 with interest to the date of such reimbursement.

Due, in part, to the difficulty experienced by this Government in obtaining proper documentary evidence of the expenditures incurred by the vice consul, reimbursement was not made until July 13, 1925, when the Comptroller General of the United States allowed the Norwegian Government the sum of Kr. 65,162.97, the amount paid by it to the vice consul, but disallowed the claim for interest.

The Norwegian Government, in acknowledging the receipt of the sum allowed by the Comptroller General, requested that interest also be paid.

Because of the fact that reimbursement was not made until nearly five years after the funds had been advanced by the Norwegian Government it is the view of this department that this Government should pursue a generous course in recognizing the assistance rendered it by a friendly foreign government in a time of emergency.

The interest claimed amounts to approximately \$4,000, and I have the honor to recommend that the Congress be requested to authorize the appropriation of this sum in payment of the Norwegian Government's claim, as an act of grace, and without reference to the question of the legal liability of the United States.

A summary of the essential facts regarding the case being embodied in this communication it is deemed unnecessary to accompany it with copies of the correspondence in the case. All, or any part, of that correspondence will, of course, be furnished should you or the Congress so desire.

It should be added that this claim was brought to the attention of the Sixty-ninth Congress in a message from the President dated April 23, 1926, printed in House Document No. 343, Sixty-ninth Congress, first session, and that House Joint Resolution No. 246, Sixty-ninth Congress, for the payment of this claim, was introduced on May 25, 1926, and was referred to the Committee on Foreign Affairs. No action was taken by the committee on this resolution.

It will be observed from the inclosed communication from the Director of the Bureau of the Budget, to whom the matter was referred, that the proposed action is not inconsistent with the financial program of this Government.

Respectfully submitted.

FRANK B. KELLOGG.

DEPARTMENT OF STATE,

Washington, January 4, 1928.

MINISTER RESIDENT AND CONSUL GENERAL TO LIBERIA

Mr. PORTER. Mr. Speaker, I call up the bill H. R. 12173 to repeal Revised Statute 1683 and part of Title XXII, section 32, of the United States Code. I ask unanimous consent for its consideration in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent for the consideration of the bill in the House as in Committee of the Whole. Is there objection? There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 1683 of the Revised Statutes and such portion of title 22, section 32, of the United States Code as fixes the compensation of the minister resident and consul general to Liberia, are hereby repealed.

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

Mr. PORTER was granted leave to extend his remarks in the Record by printing the message of the President and letter of the Secretary of State, which reads as follows:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State recommending legislation authorizing an increase in the salary of the minister resident and consul general to Liberia from \$5,000 to \$10,000 per annum.

I am in full accord with the reasons advanced by the Secretary of State why the increase should be allowed, and I strongly urge upon the Congress the enactment of legislation authorizing it.

CALVIN COOLIDGE.

THE WHITE HOUSE, March 7, 1928.

DEPARTMENT OF STATE,

Washington, March 7, 1928.

The PRESIDENT: The undersigned, the Secretary of State, has the honor to bring to the President's attention the matter of the salary of the minister resident and consul general to Liberia and to recommend that Congress be requested to enact legislation which will authorize an increase thereof to \$10,000 per annum. In support of this recommendation, the following facts are submitted:

The salary of \$5,000 now appropriated for this office is inadequate and is disproportionate to the salaries paid to the classified Foreign Service officers of the United States. The incumbent of this office is required to perform both diplomatic and consular functions, and for this dual service he receives a salary of only \$5,000 per annum, which is \$5,000 less than is paid to any other minister of the United States, \$4,000 less than is paid to Foreign Service officers of class 1, \$3,000 less than is paid to Foreign Service officers of class 2, \$2,000 less than is paid to Foreign Service officers of class 3, \$1,000 less than is paid to Foreign Service officers of class 4, and is equal only to the salaries paid to Foreign Service officers of class 5, which comprises no consul general and no diplomatic officer of higher grade than that of second secretary. That a minister accredited to a foreign government should receive a salary no larger than that received by a second secretary of legation is an anomaly in the Foreign Service of the United States, which, in the view of the undersigned, should, in fairness to the minister and for the sake of uniformity in the Foreign Service be corrected.

Moreover, the compensation of the minister resident and consul general to Liberia is less than that received by any other foreign representative in Monrovia, none of whom has a higher grade than

chargé d'affaires, as those who do not have salaries equal to that of the American representative have the benefit of allotments and perquisites. Thus, in 1925-26, the British consul general and the German consul at Monrovia each received a salary of \$7,500 per annum and, in addition, entertainment and household allowances; in 1926-27 the British consul general received \$9,272 salary, \$2,196 local allowance, amounting to \$11,468; more than double the entire compensation of the American minister and consul general, and, in addition thereto, a house is provided for him. The British vice consul, a subordinate official, receives, if married, only about \$400 per annum less than the American consul general.

The British Legation, owned and furnished by the British Government, is an elaborate two-story concrete building with 14 rooms and appurtenances. Germany, France, and Spain also provide quarters for their representatives.

The United States has a number of definite interests in Liberia, all of which the American minister must maintain and advance. Liberia began under American auspices, having been colonized by slaves freed in this country. Liberia has always regarded the United States as her next friend and on numerous occasions the United States has employed her good offices to assist Liberia politically, financially, and economically. There are also extensive American missionary interests involving about 100 American missionaries, both white and colored, with an estimated investment of \$500,000 and a yearly budget of \$300,000. American capital is also entering Liberia on a large scale in the development of rubber plantations. An American concession permits the planting of 1,000,000 acres which is now being developed at the rate of about 20,000 acres per year and at an approximate cost of \$1,000,000 annually. There is a \$5,000,000 loan to Liberia placed in America and secured by American receivership of customs under the direction of an American bank and assisted by an American financial adviser.

The duties of the American minister resident and consul general are in all respects similar to those performed by other American ministers and may be fairly compared to those performed by such ministers at posts in the smaller Latin-American countries. These ministers all receive \$10,000 annually.

Furthermore, with the cost of living at Monrovia for a foreigner being even higher than it is in the United States, it is impossible for the American minister, unless he be a man of large means, to meet the requirements of diplomatic life and his family necessities on the small salary now granted to the post.

A copy of a letter from the Director of the Bureau of the Budget, stating that the proposed request is not in conflict with the financial program of the President, is inclosed.

Respectfully submitted.

FRANK B. KELLOGG.

CONFERENCE OF CONCILIATION AND ARBITRATION

Mr. PORTER. Mr. Speaker, I call up House Joint Resolution 262, requesting the President to extend to the Republics of America an invitation to attend a conference of conciliation and arbitration to be held at Washington during 1928 or 1929. I ask unanimous consent for its consideration in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent for the consideration of the resolution in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That the President be, and he is hereby, requested to extend to the Republics of America an invitation to attend a conference of conciliation and arbitration to be held at Washington during 1928 or 1929, for the purpose of drawing up a convention for the realization of the principle of arbitration for the pacific solution of their international differences of a juridical nature which was adopted in the resolution passed at the Sixth International Conference of American States.

SEC. 2. That the sum of \$60,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for the expenses of such conference, including salaries in the District of Columbia or elsewhere, rent, printing and binding, printing of official visiting cards, travel and subsistence or per diem in lieu of subsistence (notwithstanding the provisions of any other act), stenographic and other services by contract if deemed necessary, and such other expenses as may be deemed necessary by the Secretary of State by reason of such invitation.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. PORTER, a motion to reconsider the last vote was laid on the table.

Mr. PORTER was granted leave to extend his remarks in the Record by printing the message of the President and letter of the Secretary of State, which read as follows:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the inclosed report from the Secretary of State, to the end that legislation may be enacted requesting (1) the President to extend to the Republics of America an invitation to attend a conference of conciliation and arbitration, to be held at Washington during 1928 or 1929, for the purpose of drawing up a convention for the realization of the principle of arbitration for the pacific solution of their international differences of a juridical nature which was adopted in the resolution passed at the Sixth International Conference of American States; (2) the authorization of an appropriation of \$60,000 for the expenses of such a conference.

CALVIN COOLIDGE.

THE WHITE HOUSE, April 3, 1928.

STATE DEPARTMENT,
Washington, April 2, 1928.

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President a copy of a resolution passed at the Sixth International Conference of American States recently held at Habana, Cuba. This resolution, which was passed by acclamation in plenary session, condemned war as an instrument of national policy and provided that the Republics of America adopt obligatory arbitration as the means which they will employ for the pacific solution of their international differences of a juridical nature.

The resolution further provided that the Republics of America will meet in Washington within a period of one year for a conference of conciliation and arbitration to draw up a convention for the realization of this principle, with the minimum exceptions which they consider indispensable to safeguard the independence and the sovereignty of the States as well as domestic questions, and also excluding matters relating to the interest or referring to the action of a State not a party to the convention. By this resolution the interested Governments agree to send to the conference mentioned representatives with instructions regarding the maximum and minimum which they will accept with regard to obligatory arbitral jurisdiction. It is further provided that the conventions of conciliation and arbitration which it is hoped will be concluded at the conference will leave open a protocol of progressive arbitration which will permit the development of this beneficial institution to the greatest possible extent.

For the reasons stated in the inclosed resolution it is desired that the Congress of the United States be asked to request the President to extend to the Republics of America an invitation to attend a conference of conciliation and arbitration, to be held at Washington during 1928, for the purpose of drawing up a convention for the realization of the principle of arbitration for the pacific solution of their international differences of a juridical nature, and to authorize an appropriation of \$60,000 for the expenses of such a conference.

Respectfully submitted.

FRANK B. KELLOGG.

INTERNATIONAL CONGRESS OF ENTOMOLOGY

Mr. PORTER. Mr. Speaker, I call up House Joint Resolution 152, authorizing and requesting the President to extend invitations to foreign governments to be represented by delegates at the International Congress of Entomology to be held in the United States in 1928.

The SPEAKER pro tempore. This resolution is on the House Calendar. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That the President be, and he is hereby, authorized and requested to extend invitations to foreign governments to be represented by delegates at the International Congress of Entomology to be held in the United States in 1928.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. PORTER was granted leave to extend his remarks in the Record by printing the message of the President and the letter of the Secretary of State, which read as follows:

To the Congress of the United States:

I transmit herewith a report from the Secretary of State, inclosing a recommendation from the Secretary of Agriculture that the Congress be requested to adopt a resolution authorizing and requesting the President to invite foreign governments to be represented by delegates at the International Congress of Entomology, to be held in the United States in 1928.

It will be noticed that because of the close relationship between entomology and agriculture, the Department of Agriculture is especially interested in the international aspects of this science, which it considers of very great importance to this country. As it would seem, therefore,

that the participation of foreign governments in the congress mentioned would be in the public interest, I recommend to Congress the passage of the joint resolution. No appropriation is requested.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 19, 1927.

THE PRESIDENT:

With a view to the submission of the request to Congress, if the President approve thereof, the undersigned, the Secretary of State, has the honor to lay before the President a copy of a letter from the Secretary of Agriculture recommending the adoption by the Congress of a joint resolution, a draft of which he incloses, authorizing and requesting the President to extend invitations to foreign governments to be represented by delegates at the International Congress of Entomology to be held in the United States in 1928. No appropriation is requested.

In explanation of Secretary Jardine's letter, it may be stated that at his request the American diplomatic officers were authorized in June last to deliver on behalf of the American organization committee of the International Congress of Entomology, which will be held at Cornell University, Ithaca, N. Y., in 1928, an invitation addressed by that committee to foreign governments, but to make it clear to those governments that the Government of the United States had no connection with the congress.

This action was taken on the strength of the following statement by Secretary Jardine:

"Because of the close relationship between entomology and agriculture, this department [the Department of Agriculture] is especially interested in the international aspects of this science. It considers them of very great importance to this country."

Respectfully submitted.

FRANK B. KELLOGG.

DEPARTMENT OF STATE,

Washington, December 19, 1927.

INTER-AMERICAN HIGHWAY ON THE WESTERN HEMISPHERE

Mr. PORTER. Mr. Speaker, I call up House Joint Resolution 259, authorizing assistance in the construction of an inter-American highway on the Western Hemisphere.

The SPEAKER pro tempore. This resolution is on the House Calendar, and the Clerk will report the resolution.

The Clerk read the resolution, as follows:

Whereas the Sixth International Conference of American States, at Habana, Cuba, resolved as follows:

"To recommend to the Pan American Congress of Highways, which will meet at Rio de Janeiro in July of the present year, the consideration and adoption of agreements that will be conducive to the construction of a longitudinal communication highway to traverse the continent, taking into consideration and deciding all questions relative to studies, route, branch connections, technical and economical cooperation of the different countries, and other matters included in the determination of this problem.

"The Pan American Union is intrusted with the compilation of information and the preparation of projects which will serve to give effect to this resolution, submitting this material in due time to the Pan American Congress of Highways."

Resolved, etc., That the Government of the United States should manifest the utmost interest in the purposes of the aforesaid resolution, and that in order to promote the speedy realization of these purposes and objects the President is requested to direct the several agencies of the Government, and they are hereby authorized to lend such cooperation and assistance as may be feasible and appropriate, with a view to having the matter thoroughly considered by the approaching conference; and he is further requested to advise Congress of any conclusions reached and any action which may be suggested by the conference.

Mr. PORTER. Mr. Speaker, I offer an amendment. On page 2, in line 8, strike out the word "assistant" and insert the word "assistance."

The SPEAKER pro tempore. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PORTER: On page 2, in line 8, strike out the word "assistant" and insert in lieu thereof the word "assistance."

The amendment was agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. COLE of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks on House Joint Resolution 259 just passed.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD on the resolution just passed. Is there objection?

There was no objection.

Mr. COLE of Iowa. Mr. Speaker, this short joint resolution, if enacted, will be the beginning, on the part of our Government, of the fulfillment of an international dream of 50 years; that is, the construction of an inter-American highway connecting the nations of North America, Central and South America.

James G. Blaine dreamed of it when he was Secretary of State in 1881. The Pan American Congress which he then planned was realized in 1889 by an act of Congress passed in 1888. Speaking before that Congress, which met in Washington, among other things he said:

We believe that we should be drawn together more closely by the highways of the seas, and that at no distant date the railway systems of the North and South will meet upon an isthmus and connect by land routes the political and commercial capitals of all America.

In transmitting the report of the first Pan American conference on such railway communication, President Harrison said:

It should not be forgotten that it is possible to travel by land from Washington to the southernmost capital of South America, and that the opening of railroad communication with these friendly States will give to them and to us facilities for intercourse and the exchange of trade that are of special value. The work contemplated is vast, but entirely practicable. * * * I do not hesitate to recommend that Congress make the very moderate appropriation for surveys suggested by the conference and authorize the appointment of commissioners and the detail of engineer officers to direct and conduct the necessary preliminary surveys.

The dreams of those days were never realized. But more recently they have been revived and they are now presented in the form of a highway for automobiles, an inter-American highway stretching from the snows of Canada to the snowfields of southernmost South America, broadly speaking, from the Arctic regions of the North to the Antarctic regions of the south. What was not possible to realize in the form of a railroad we believe is now possible of realization in the form of highways for automobiles and motor trucks.

This short and simple joint resolution, as I have already said, if passed will be the beginning of what may be a great fulfillment. In this resolution we create no new boards or commissions, of which we have already too many, nor do we authorize any new expenditures of which also we have already too many. It is provided in this joint resolution that the President of the United States shall employ the existing agencies of the Government, such as the State Department and the National Highway Commission under the Department of Agriculture, to gather such data as may be useful in our participation in the pending international conferences.

The resolution was drawn up in response to resolutions passed at the recent Sixth International Conference of American States held at Habana, Cuba. The resolutions there passed are as follows:

To recommend to the Pan American Congress of Highways, which will meet at Rio de Janeiro in July of the present year, the consideration and adoption of agreements that will be conducive to the construction of a longitudinal communication highway to traverse the continent, taking into consideration and deciding all questions relative to studies, routes, branch connections, technical and economic cooperation of the different countries, and other matters included in the determination of this problem.

The Pan American Union is intrusted with the compilation of information and the preparation of projects which will serve to give effect to this resolution, submitting this material in due time to the Pan American Congress of Highways.

The congress of highways which is referred to as to meet in Rio de Janeiro in July of this year has been postponed until July of next year, which will, in view of this new matter, be a more convenient date for all concerned. It will afford time for the Pan American Union, which is "intrusted with the compilation of information and the preparation of projects which will give effect to this resolution," to assemble material pertinent to the ensuing discussions. In accordance with these resolutions the agenda of the congress at Rio de Janeiro will be extended, and it is hoped that this particular subject will be one of the most important considered in that meeting.

The joint resolution which we are asking Congress to pass will make it possible for our Government to supply our delegates to that congress with data and information which will enable them to participate in the proceedings more effectively.

It is also an expression of what is called our "utmost interest" in the whole international project, and also an assurance not only of our willingness but of our eagerness to help in so worthy an undertaking. It seems to me there is nothing wiser

or finer that we can do at this time to further a project that is of increasing interest among the people of all the States of the two American continents.

Much might be said bearing upon the influence of such an inter-American highway upon the commerce among the American States, north and south, and much more on the effect of such a highway in the promotion of amity and good will among the nations affected. Nations that are now separated will be brought closer together. People that now sometimes misunderstand each other will be brought into better mutual understandings.

Along this highway there will be a constant and increasing interchange of ideas as well as an interchange of commerce. As an evidence of good will and a promoter of amity among the nations that this highway will touch, the project under consideration will be worth all it costs and much more. The possibilities, in whatever way we may look at the matter, are so vast and so significant that we are warranted in taking the preliminary action which is outlined in the resolution which we are submitting for the action of the House.

In closing, I want to call attention to the influence that this proposed highway may have, and no doubt will have, upon aviation. The highway will be of such ample construction, if the tentative plans are carried out, that it will afford safe landing places for airplanes that may be forced to land. It will make aviation comparatively safe, for it will afford not only such landing places, but it will serve as a marker for those who use the air.

Recently Col. Charles A. Lindbergh traversed portions of the proposed route over trackless wastes. What he did was an evidence of his genius in the air. It will not be possible for all who will fly to bring to their task the skill of a Lindbergh. This highway will go far to supply such deficiencies.

In the years to come we may visualize whole argosies of airplanes passing from the North to the South, and coming up from the South to the North. Aviation is still in its infancy. I believe it will be a realization beyond all our dreams in the years to come. In constructing the proposed highway we will be making a substantial contribution to that future.

The joint resolution which we are submitting is fraught with such vast possibilities that its passage may mark the beginning not only of a new era but of a new dispensation. However much some may still be thinking that this is only a dream, it will be a realization.

Mr. O'CONNELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on this joint resolution just passed.

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

There was no objection.

Mr. O'CONNELL. Mr. Speaker, the House Joint Resolution 259, which has just passed, is one of the most important and constructive enactments that has come before the Congress at the present session. It constitutes, as my distinguished colleague, the gentleman from Iowa [Mr. COLE], declared during consideration of the bill, the fulfillment of an international dream of 50 years. This measure contemplates the construction of an inter-American highway connecting the nations of North America and Central and South America.

As far back as 1881 James G. Blaine, then Secretary of State, urged the building of such a highway between the United States and the countries to which I have referred, and as a member of the Cabinet he vigorously advocated the project before the Pan American Congress, when he said:

We believe that we should be drawn together more closely by the highways of the seas, and that at no distant day the railway systems of the North and South will meet upon an isthmus and connect by land routes the political and commercial capitals of all America.

The statesmen of those days realized and recognized the commercial and the material advantage that must necessarily accrue to all the contiguous territory, but nothing came of their then pioneer efforts. But the seed was sown in fertile soil, although it has taken many years to reach fruition. The evidence indicated to-day by the unanimous passage of this bill shows that there is a very substantial appreciation of what the highway will mean to present and future generations. This great inter-American highway will reach from Canada in the north of us to the extreme and southern section of South America. It will furnish for the south countries what the railroads have done for us and will throw open a magnificent avenue of trade that will inure to the commercial advantages of all concerned.

It was my honor to be appointed by our distinguished chairman of the Foreign Affairs Committee, the gentleman from Pennsylvania [Mr. PORTER], a member of the subcommittee to

hold hearings on the bill. Together with my colleagues the gentleman from Iowa [Mr. COLE] and the gentleman from Pennsylvania [Mr. TEMPLE]. This subcommittee held a number of conferences with representatives of the State Department, since the matter referred to affects our relations with other countries, and representatives of the National Highway Commission, as also with many others who are naturally interested and affected. After these repeated meetings our subcommittee made a report to the full Committee on Foreign Affairs in favor of the bill herewith presented. It will be observed that in our resolution no new or expensive bureau machinery is created. Instead it authorizes the President to use the existing departments of the Government for the purpose of collecting data bearing upon the suggested enterprise. This important work can be expeditiously and capably handled by the State Department, and the good roads division operating very effectively in the Department of Agriculture. I quote the following from our report:

The project under consideration involves so many foreign governments that in the opinion of the committee reporting out this resolution, the procedure should be by the cooperation of all the governments concerned, rather than by the action of any one of them. Fortunately, the action of the Sixth International Conference of American States, already referred to, forms a basis for such cooperation as well as for the action contemplated in this resolution. The resolutions passed at Habana on this subject are as follows:

"To recommend to the Pan American Congress of Highways, which will meet at Rio de Janeiro in July of the present year, the consideration and adoption of agreements that will be conducive to the construction of a longitudinal communication highway to traverse the continent, taking into consideration and deciding all questions relative to studies, route, branch connections, technical and economic cooperation of the different countries, and other matters included in the determination of this problem.

"The Pan American Union is entrusted with the compilation of information and the preparation of projects which will serve to give effect to this resolution, submitting this material in due time to the Pan American Congress of Highways."

My distinguished colleague on the subcommittee, the gentleman from Iowa [Mr. COLE], very wisely summed up the exact situation in his speech the other day when he offered the following observations:

Along this highway there will be a constant and increasing interchange of ideas as well as an interchange of commerce. As an evidence of good will and a promoter of amity among the nations that this highway will touch, the project under consideration will be worth all it costs and much more. The possibilities, in whatever way we may look at the matter, are so vast and so significant that we are warranted in taking the preliminary action which is outlined in the resolution which we are submitting for the action of the House.

I shall always look back with pride and gratification to the small but important part it was my privilege to play in helping to initiate this great highway movement among our neighbors to the south and the United States.

Mr. PORTER. Mr. Speaker, I move to reconsider the vote by which the several bills and resolutions were passed to-day and lay that motion on the table.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ENGLAND. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes.

The SPEAKER pro tempore. The gentleman from West Virginia asks unanimous consent to address the House for 30 minutes. Is there objection?

Mr. DYER. Mr. Speaker, reserving the right to object, I doubt the wisdom of granting such a request on Calendar Wednesday. If Calendar Wednesday business has been finished, I wish to call the attention of the House to the fact that there is a bill to come up under a special rule.

Mr. ENGLAND. Mr. Speaker, I will say that if there is any objection I will change my request and make it for to-morrow.

The SPEAKER pro tempore. The gentleman's request can be granted only by unanimous consent. Is there objection?

ORDER OF BUSINESS

Mr. SNELL. Mr. Speaker, perhaps it would be well to dispense with Calendar Wednesday business for the rest of to-day and find out what we are going to do for the balance of the day. I ask unanimous consent that further business under the Calendar Wednesday rule be dispensed with for to-day.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that further Calendar Wednesday business be dispensed with for to-day. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, we were informed a few moments ago that in all likelihood the Newton bill amending the Webb-Pomerene export law might be called up.

Mr. SNELL. I am doing this for the purpose of getting your bill before the House.

Mr. LAGUARDIA. We do not want it brought up to-day.

Mr. SNELL. That is all right, but some determination should be made as to business for the rest of to-day.

Mr. LAGUARDIA. I have conferred with the gentleman from Alabama.

Mr. SNELL. It can only come up by unanimous consent?

Mr. LAGUARDIA. Exactly, and that is why I do not want to interfere with Calendar Wednesday business. If Calendar Wednesday business has been finished we would have an opportunity to-day to permit speeches to be made and then take up our bill to-morrow.

Mr. SNELL. I am not going to object to the gentleman from West Virginia having 30 minutes, but I thought we should dispense with further Calendar Wednesday business before that permission was granted.

Mr. LAGUARDIA. I understand the gentleman from Alabama would object to the consideration of the Newton bill to-day, and I would join in the objection.

Mr. DYER. The gentleman from New York is speaking for himself and evidently for the gentleman from Alabama. But so far as I am concerned personally, and so far as the author of this bill is personally concerned, we are ready to go ahead this afternoon; but, of course, I do not want to inconvenience any of the members of the committee who are not ready to go ahead.

Mr. SNELL. Of course, the gentleman knows that if he objects to my request we would either have to go ahead with the call of the committees or adjourn.

Mr. LAGUARDIA. We have several speeches scheduled for to-morrow; why not have them now?

Mr. SNELL. We could not take those matters up unless we dispensed with business under Calendar Wednesday. We would either have to adjourn or call the committees.

Mr. LAGUARDIA. I shall not object to dispensing with Calendar Wednesday, and then we can take the next step as we come to it.

Mr. BOWLING. Mr. Speaker, I understood the gentleman from New York [Mr. SNELL] on yesterday to ask unanimous consent that the special orders for yesterday, consideration of the Newton rubber bill being one of them, should go over until to-morrow. This was granted by unanimous consent and those of us who desire to present some views in opposition to this bill were preparing to go ahead to-morrow, and we are not ready to-day. That would be the reason for any objection.

Mr. SNELL. I do not want to be unfair about the proposition. That was the request granted yesterday. We expected at that time that the Committee on Foreign Affairs would take up all the afternoon. Of course, we do not want to "spring" anything on the House, but we thought we had better not waste the balance of the day, if possible.

Mr. BLACK of New York. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. BLACK of New York. I would like to point out to the gentleman—I came in the Chamber in the middle of this discussion—the British Government is to-day trying to decide whether or not they shall continue the restriction scheme. We will know to-morrow the attitude of the British Government on the Stevenson restriction plan, and it would be far wiser in view of that fact that we proceed to-morrow, because the whole situation may be changed at that time.

Mr. DYER. Mr. Speaker, I do not think the American Congress is going to defer consideration of legislation simply at the behest of some unauthorized association or committee representing some function in connection with the British Government. We are legislating here for the American people.

Mr. BLACK of New York. The gentleman misunderstands me. The whole basis of this bill is the Stevenson restriction plan, and the British Government is trying to pass on whether or not that scheme shall be continued. The entire argument back of this bill is based on what another government is doing or has done.

Mr. DYER. The gentleman is entirely in error. This legislation would be perfectly proper and perfectly feasible and perfectly in order and would be needed if there were no such plan as the Stevenson plan in existence. We are taking in other things besides rubber. We are taking in sisal from which twine is made and which is very important in connection with this bill. There are several other things, Mr. Speaker, and I submit that the request ought to be acted upon.

Mr. COLE of Iowa. I would like to ask the gentleman from New York whether he represents the British Government.

Mr. BLACK of New York. I do not, and I do not represent a lot of "rubber patriots."

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that further Calendar Wednesday business be dispensed with. Is there objection?

Mr. MOORE of Virginia. Reserving the right to object, Mr. Speaker, I would like to propound a question to my friend, the gentleman from New York [Mr. SNELL]. The bulletin board does not indicate what business will be up for consideration to-morrow, Friday, and Saturday. Can the gentleman give us any idea of the matters to be taken up on those days?

Mr. SNELL. It was explained yesterday in the House that we expected to-morrow to take up the Newton rubber bill.

Mr. MOORE of Virginia. And now the gentleman expects to take that up at this time.

Mr. SNELL. We thought we could take that bill up now if we could get unanimous consent and consider it this afternoon and finish its consideration to-morrow.

Mr. MOORE of Virginia. Can the gentleman give us any information as to the business coming up during the remainder of the week?

Mr. SNELL. Friday we would expect to take up the Private Calendar, and there has been nothing definitely arranged for Saturday.

Mr. POU. Would the gentleman from New York consent to resuming consideration of the Private Calendar to-day?

Mr. SNELL. I do not think the gentlemen who are looking after the Private Calendar are ready to go ahead to-day.

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

Mr. BLACK of New York. I object, Mr. Speaker.

Mr. LAGUARDIA. Mr. Speaker, I am constrained to object.

The SPEAKER pro tempore. The gentleman from West Virginia asks unanimous consent to address the House for 30 minutes. Is there objection to the request of the gentleman from West Virginia?

Mr. DYER. Mr. Speaker, reserving the right to object, I ask for the regular order, which is the calling of the committees.

Mr. SNELL. Mr. Speaker, there is nothing in order at this time except to call the committee or move to adjourn.

Mr. GARNER of Texas. Yes; there is. One Member of Congress can ask unanimous consent of the House as well as another, and the gentleman from West Virginia has submitted a unanimous-consent request, and unless some one objects, the gentleman is entitled to have his request put.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia? After a pause. The Chair hears none and recognizes the gentleman from West Virginia for 30 minutes.

Mr. ENGLAND was recognized.

Mr. LAGUARDIA. Will the gentleman yield for me to make an inquiry?

Mr. ENGLAND. I will.

Mr. LAGUARDIA. Mr. Speaker, may it be understood so that we may not wait for developments that the Newton bill will not be called up to-day, but will follow the order of the House.

The SPEAKER pro tempore. It can only be called up by unanimous consent or by dispensing with Calendar Wednesday business under the rules.

Mr. SNELL. And we can not bring in a rule at the present time.

Mr. DYER. We can adjourn.

Mr. SNELL. Either adjourn or call the committees.

Mr. DYER. The Judiciary Committee is ready to proceed on the call of the Calendar of Committees.

The SPEAKER pro tempore. Unless Calendar Wednesday business be dispensed with there are only two things to do; one is to call the roll of committees under the Calendar Wednesday rule and the other to adjourn.

RIVER IMPROVEMENTS

Mr. ENGLAND. Mr. Speaker and Members of the House, recently our Government launched upon an extensive program of river and harbor improvements, but this governmental activity should be increased many fold.

No money is being spent that means so much to our commercial life, our national prosperity, and better and higher civilization. The railroads should aid rather than oppose the improvements of our inland waterway system for better transportation facilities. My information is that where rivers have been improved paralleling railroads that, without exception,

there has been no reduction in the freight returns of such railroads.

The development of river transportation increases new business—creates large volumes of new traffic and while the railroads may and will lose freight transportation, yet they will gain more than they lose by this large increase in business activities actuated by this internal improvement.

Enlarged transportation facilities universally produce increased business activities and by reason thereof adds largely to the product to be shipped to market.

Permit me to refer to the Monongahela River. The head-water navigation of this river is at Fairmont, W. Va., 126 miles from Pittsburgh. The improvement of this river was completed in 1898. There are 15 locks and dams constructed on that river, at a cost, I am told, of approximately \$8,000,000. Nearly all the freight carried on this river is coal. The freight transportation on said river is 24,000,000 tons annually.

The savings on water shipment would not be less than 50 cents a ton. The annual savings on the freight shipments on this river would be \$12,000,000, or approximately \$4,000,000 more than the total cost of the improvement.

In the light of these statistics it could not be successfully contended that from the viewpoint of the public river improvements do not pay.

River improvements cause a revival of business in all endeavors and furnishes a cheaper commodity to the consuming public. In my humble judgment river improvement will do more to solve the perplexing problem of the high cost of living and farm relief than anything that could be done.

This country is suffering sorely from high transportation costs, and the proper utilization of our waterways as freight carriers will largely decrease this enormous cost.

The coal industry is almost prostrate. The agricultural sections are demanding farm relief and from the information received there is much merit in this demand.

The coal producers and their thousands of miners are crying out for relief and anyone familiar with the coal industry will agree that coal relief is needed as well as farm relief.

This inland waterway system as it progresses will afford a great measure of relief to every section which has coal deposits in merchantable quantities.

One of the greatest difficulties of the coal industry is overproduction. The improvement of our inland-waterway system will broaden the coal markets and cheapen its transportation cost, thereby affording this industry a very distinct relief.

The President, several years ago, appointed a commission to ascertain the benefits of the improvement of our inland waterways. This commission after taking volumes of testimony and otherwise gathering information, reported that the water routes properly located not only afforded the advantages and best methods of transportation, but that they are likewise the natural competitors and effective regulators of railway transportation.

Another commission was later appointed and reported that the network of canals through the countries of Holland, Germany, and France play a great part in the economic life of the people unlike any other form of transportation. The limit of the appropriation made by Congress for this purpose should be the largest amount which could be economically expended.

Time is required for the completion of the improvement of this great inland waterway system, and for that reason activities along this line should be aggressive.

I understand the policy of the engineers and Congress is to improve first the rivers which afford the greatest opportunities for tonnage to be transported over same. This undoubtedly is a sound policy. I wish to call your attention to the much-needed improvement of the Great Kanawha River in West Virginia.

On the 10th day of February, 1928, I introduced a bill providing for the authorization of the improvement of the Great Kanawha River, which bill is now pending before the Rivers and Harbors Committee. The committee has taken favorable action on the authorization of this project. On February 25, 1928, the Secretary of War, by virtue of the rivers and harbors act, approved September 22, 1922, transmitted to the Speaker of the House, the report and recommendation of the Chief of Engineers of the War Department, relating to a survey and improvement of the Great Kanawha River. This report recommends that the present obsolete Dams Nos. 2, 3, 4, and 5 be replaced with two locks and dams suitable for adequate transportation purposes. This report among other things said:

After due consideration of the above-mentioned report, I concur in the views of the Board of Engineers for rivers and harbors. Some of the coal tributary to the Kanawha River is of the highest grade obtainable for steam production. At Charleston there is already a considerable industrial development and a number of new plants are being built. In addition to the through movement of coal to Ohio River

points, the total of which now amounts to some 35 per cent of the coal moved on the Ohio River, it is probable that the industries at Charleston will call for a large tonnage with a material saving over the cost of transportation by rail. Further diversions of traffic from the river to the railroads may result if the present unsatisfactory navigation facilities in the upper river are not corrected. Since the most valuable coal mines are adjacent to the upper river, it appears that the continued economic success of the improvement below Charleston must be considered dependent in a considerable measure on the navigation facilities of the upper river.

The possibilities of power development at the proposed new dams are sufficient to interest certain power companies who have shown a desire to enter into an agreement with the United States for the use of the water for that purpose. The development of power is not feasible at the existing dams. Many tons of coal would be saved for other purposes by using for power the water now being wasted. The saving in transportation costs on a movement of a million and a half tons, added to the estimated savings in cost of operation and maintenance and the income from water rental, shows a direct saving in excess of the annual carrying charges.

The increased water shipments of coal to Cincinnati or other Ohio River points would result in a still further saving to the lower Kanawha and to the Ohio Rivers. * * * It is not impossible that eventually the Kanawha River may show an increase in tonnage somewhat on the basis attained on the Monongahela River. I therefore report that modification of the existing project for the Kanawha River, W. Va., is deemed advisable so as to provide for the replacement of locks and dams Nos. 2, 3, 4, and 5 with two locks and dams at an estimated cost of \$3,500,000, with \$18,000 annually for operation and maintenance, which is \$30,000 less than under the existing project. The location and design of the locks and dams should be left to the discretion of the Chief of Engineers.

Mr. MANSFIELD. Will the gentleman yield?

Mr. ENGLAND. Yes.

Mr. MANSFIELD. Is it not a fact that the proposed improvements to the Kanawha River enter the coal fields far greater than that of the Monongahela?

Mr. ENGLAND. Much greater, and I will come to that later.

The report further says:

Recent economic studies of the Kanawha River improvement show that it has been a profitable investment of public funds. An increase in future commerce seems assured.

During 1925, 35 per cent of the coal moved on the Ohio River had its origin on the Kanawha River. It seems probable that in addition to the through movement of coal to the Ohio River points, the existing industries at Charleston, together with new chemical plants attracted to coal areas of this nature, will call for the movement of a large tonnage, with a material saving over the cost of transportation by rail.

West Virginia produces annually from 125,000,000 to 145,000,000 tons of coal. We are told by competent geologists that at the present rate of production it would take more than 1,200 years to mine all the coal in West Virginia.

West Virginia prospers as the coal industry prospers. Depression in the coal business produces depression in all other businesses. The Great Kanawha River runs through the counties of Fayette, Kanawha, Putnam, and Mason and empties into the Ohio River at Point Pleasant, about halfway between Cincinnati and Pittsburgh. Of the 92 miles of the river which is navigable, 52 is underlaid with coal of merchantable thickness. This valley furnishes barely sufficient room for the New York Central Railroad on the north bank and the Chesapeake & Ohio Railway on the south bank, while below Charleston the valley broadens into a beautiful, rolling agricultural country.

The river is now equipped with 10 locks and dams, 4 of which are above Charleston and 6 below. The dams above Charleston were built between 1880 and 1887, and the ones below between 1887 and 1898. The lock chambers of these dams above Charleston will only accommodate two barges and those below four. The channel depth is hardly 6 feet at pool stage. The dams above Charleston have become obsolete and should be replaced with two large stationary dams equipped with the largest lock chambers feasible and practicable to the Great Kanawha River, with a 9-foot channel depth, thus enabling the coal and other industrial concerns to equip themselves with modern facilities and begin river shipments on a large scale, which can not now be done under the present existing conditions.

A resolution adopted by the Kanawha Coal Operators Association October 21, 1926, among other things, said:

Many years ago, and at the time when only a 6-foot stage was contemplated on the Ohio River, a series of 10 movable dams, equipped with small lock chambers and only providing a 6-foot stage of water, was installed on our own Great Kanawha River, and which facilities form our only present access to the Ohio River. The cost of operating under the present system and with the present facilities is about six

times as great as the cost of operating on the Ohio River. In other words, the Great Kanawha River as equipped is a narrow-gauge connection in a standard-gauge main line.

A resolution adopted by the Winding Gulf Coal Operators Association recently, among other things, said:

The Ohio Valley Improvement Association, which has been the inspiration and promoting force in the canalization of the Ohio River from Pittsburgh to Cairo for the last 32 years, in its 1926 annual convention at Paducah, Ky., being advised of these facts as to the Great Kanawha River, unqualifiedly recommended and indorsed the immediate standardization of the Great Kanawha River with the Ohio River.

The Charleston Chamber of Commerce of the city of Charleston in a resolution recently adopted by it, among other things, said:

That the board of directors of the Charleston Chamber of Commerce strongly and vigorously indorse the improvement of the Great Kanawha River from the head of navigation to its mouth so as to provide a 9-foot stage of water and the largest capacity lock chambers permitted by flow of water and width of river; that this chamber pledges its continued indorsement of and support to the United States engineer in charge of Great Kanawha River district and instructs its committee to cooperate fully with him.

Practically all the chambers of commerce and the different civic organizations in this valley have adopted strong resolutions setting forth cogent reasons why this river should be improved for better navigation.

This river is now being utilized in a small way in the shipment of coal and other products to market, but to great disadvantage. The Ohio River is now equipped with a 9-foot stage and lock chambers 110 feet by 630, which will accommodate 16 Kanawha River barges and the steamboat. The Mississippi and Ohio Rivers need the tonnage for shipment in order to justify the improvement of these rivers.

The Kanawha River can furnish this tonnage in greater quantities, perhaps, in proportion to its length, than any other river in the Mississippi Basin. According to the West Virginia geological survey there is approximately 18,000,000,000 tons of workable coal within the watershed of the Kanawha River, which is sufficient, it is claimed by geologists and engineers, to lay down a layer of coal as thick as Washington Monument is high over the entire District of Columbia. It is said by the same eminent authority that the coal in this valley is sufficient to maintain the output of the entire State of West Virginia for 125 years.

Perhaps we may be able to grasp in our minds better as to the quantity of coal produced in this valley, when I inform you that according to the preliminary figures of the Federal Bureau of Mines, West Virginia exceeded Pennsylvania in the production of bituminous coal for 1927 more than 21,000,000 tons.

More than 35,000,000 tons of coal was shipped out of this valley by rail in 1926. The tonnage of coal shipped over the Chesapeake & Ohio Railway in 1920 was 28,000,000 tons, and in 1926, 50,000,000 tons. A substantial part of this increase came from this valley. The quality of this coal as shown by chemical analysis is the finest in the world. We find there the smokeless, by-product, gas, splint, and black coals which are now being marketed around the world and are the only known coals which successfully compete with the Cardiff coal of Wales, upon which England has built her great export trade.

Neither England nor Germany have such coals as the domestic and splint coals found in this valley to offer their very substantial overseas trade.

The coal in this valley has proven to be indispensable to a diversified industry, being of a unique character and quality not found elsewhere in this country, and especially is this true of the smokeless or New River coal. The New River Coal Operators' Association, in a resolution adopted by it, among other things, said:

With cheap river transportation available, not only will the Panama Canal be more economically served by the way of the rivers, New Orleans, and the Gulf of Mexico, but New Orleans can be made the base for a great coal port for American coal in the world market.

Because of cheap water transportation in England and Germany, American coal now reaches the seaboard handicapped by a heavy land freight not incurred by foreign coals, and the American producer has been unable to develop a large export business in coal, although England alone exports some 75,000,000 tons per annum, and such an export business would tend to stabilize and adjust many of the problems confronting the American coal industry.

Water transportation is peculiarly adapted to the economical transportation of coal, and with this great system of inland waterways completed it is fair to assume that the rivers and

their cheaper transportation rates will transport a very large portion of the new coal business developed in this valley.

During the year 1926, out of 142,775 carloads of freight shipped into this valley, 79,774 came from the West and the residue from the East. A very large portion of these products were susceptible to river transportation. As soon as our inland-waterways system is completed and its system of transportation completely organized and developed, these incoming shipments will increase in volume, perhaps to 750,000 tons annually. When adequate water transportation is afforded, within a few years thereafter the shipments of coal out of the Great Kanawha Valley will exceed 10,000,000 tons annually. The freight on river shipments will be at least 50 cents per ton cheaper than railway, thus saving the consumer \$5,000,000 annually upon coal transported. The two stationary dams, Nos. 2 and 3, do not furnish a sufficient amount of water in the vicinity of Mount Carbon, a logical outlet from the great smokeless-coal fields; also the present height of the lock walls at these two dams do not permit the operation of the locks when the stage at Kanawha Falls above said dams is 12 or more feet. The stage at Kanawha Falls is frequently more than 12 feet.

This valley has also developed a very large area of oil and gas territory, the average daily production of oil being 8,815 barrels.

Large areas of mixed hardwood forest are still available in this valley, and vast areas cut over 25 to 50 years ago are growing and producing new timber, thus insuring a continuing supply for the future.

Among the many other raw materials of the valley are found salt, glass sand, fire clay, and kaolin. The development of the great chemical industry in the valley is rapidly bringing Charleston forward as the recognized chemical center of the United States.

Charleston has the largest ax factory and glass plant in the world. The manufacturing establishments in this valley, of different kind and character, are numerous.

The Great Kanawha River, with equal river transportation facilities, will in a short time equal, if not excel, the annual tonnage of shipments of the Monongahela River. The Kanawha River contains an abundance of water. According to General Deakne, in low water the natural flow in this river is more than seven times greater than that in the Monongahela River. The natural resources of this valley are almost inexhaustible. This valley is coming to be a veritable hive of industry. Charleston is destined to be the center of the greatest industrial section in the world. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. SNELL. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. HASTINGS] may now have 10 minutes to address the House, the gentleman from Michigan [Mr. CRAMTON] 10 minutes, and the gentleman from New York [Mr. LaGUARDIA] 5 minutes, and the gentleman from Kansas [Mr. GUYER] 10 minutes.

The SPEAKER pro tempore (Mr. MAPES). The gentleman from New York asks unanimous consent that the gentleman from Oklahoma [Mr. HASTINGS] may now have 10 minutes to address the House, the gentleman from Michigan [Mr. CRAMTON] 10 minutes, the gentleman from New York [Mr. LaGUARDIA] 5 minutes, and the gentleman from Kansas [Mr. GUYER] 10 minutes. Is there objection?

There was no objection.

TO AUTHORIZE THE PRESIDENT TO VETO SEPARATE ITEMS IN APPROPRIATION BILLS

Mr. HASTINGS. Mr. Speaker, I am going to confine my remarks to a proposed amendment to the Constitution authorizing the President of the United States to veto separate items of an appropriation bill. There are similar provisions in the various State constitutions, and I have written the governors of the various States and have their replies discussing the subject very briefly, which I want permission to include in my remarks.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent to extend his remarks by printing communications from governors of different States. Is there objection?

Mr. SNELL. Reserving the right to object, for the purpose of making an announcement, I want to say that the special orders for to-morrow for the gentleman from Oklahoma [Mr. HASTINGS], and the gentleman from New York [Mr. LaGUARDIA], and the gentleman from Michigan [Mr. CRAMTON] will be vacated.

The SPEAKER pro tempore. Without objection, that will be the understanding.

Mr. HASTINGS. Mr. Speaker and gentlemen of the House, I wanted to bring to your attention a resolution which I have introduced (H. J. Res. 70) proposing an amendment to section

7, Article I, of the Constitution of the United States, permitting the President of the United States to disapprove any item or appropriation of any bill passed by Congress. The resolution is as follows:

Amend section 7, Article I, of the Constitution of the United States, by adding the following paragraph at the end of said section:

"Every bill which shall have passed the House of Representatives and the Senate making appropriations of money embracing distinct items shall, before it becomes a law, be presented to the President of the United States; if he approves, he shall sign it, but if he disapproves the bill or any item or appropriation therein contained, he shall communicate such disapproval, with his reasons therefor, to the House in which the bill shall have originated. All items not disapproved shall have the force and effect of law according to the original provision of the bill. Any item or items so disapproved shall be void, unless repassed by a two-thirds vote, according to the rules and limitations prescribed in section 7, Article I, in reference to other bills."

I have been greatly interested in this reform since the beginning of my service in Congress.

I am in favor of the Budget system and I voted for it. I made a speech in favor of it when the first bill was up for consideration.

The Budget system holds the administration responsible for the balance of receipts and disbursements of public moneys. Annual estimates are made and presented through the Bureau of the Budget of the revenues received from all sources and the estimated expenditures. Frequently amendments are added by one branch or the other of Congress to appropriation bills and the President, under the Constitution, is compelled to approve or veto the entire bill. If this amendment were adopted, he could veto any separate item of any appropriation bill. If an objectionable amendment were added or if any item estimated for by the Bureau of the Budget were too greatly increased, if this amendment were adopted, it would not necessitate vetoing the entire bill or the reconvening of Congress in session to make another appropriation for that particular branch or department of Government.

I think every Member who has experienced any length of service in the House will call to mind many items added or increased, particularly in the closing days of the short session of Congress, that have been the subject of severe criticism. My judgment is that every item of an appropriation bill should stand upon its own merit. It is unfair to sandwich items of doubtful merit which can not be justified in an appropriation bill.

The proposed amendment is similar to the constitutional provisions of many of the States, and I might add, copied from the provision of the Oklahoma constitution. I have addressed letters to the governors of all of the States, inclosing a copy of the proposed amendment making inquiry as to whether each State has a similar provision and asking for any constructive criticism or suggestion with reference to it. From the replies received and from investigations made, I find that nearly all of the most recently adopted or revised State constitutions have a similar provision, and almost without exception the provision is commended by each governor as a step in the interest of economy.

Mr. AYRES. Will the gentleman yield?

Mr. HASTINGS. Yes.

Mr. AYRES. I regret that I was not here at the beginning of the gentleman's remarks; will the gentleman, in a few words, state his proposed amendment?

Mr. HASTINGS. I have introduced a proposed amendment to the Constitution modeled after the constitutions of most of the States of the Union which, if adopted, would authorize the President of the United States to veto separate items of an appropriation bill. I explained that I had written to the governors of all the States and had received replies from 37 of the 48 governors and I have included here excerpts of letters of most of the governors from whom I have received replies, all of them without exception commending it as a good amendment and favoring its adoption as an amendment to the Federal Constitution.

Mr. MOORE of Virginia. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS. Yes.

Mr. MOORE of Virginia. Does not the gentleman find that all of the more modern State constitutions, adopted, say, within the last 20 or 25 years, authorize the governor to veto items in appropriation bills?

Mr. HASTINGS. That is true; and it is true of the gentleman's own State, Virginia.

Mr. MOORE of Virginia. I served in the last constitutional convention held in Virginia in 1901 and 1902, and we departed

from the old constitutional provision which did not give that power, and conferred that power upon the governor.

Mr. HASTINGS. I have a letter from Governor Byrd, of Virginia, and he very strongly recommends such a provision.

Mr. AYRES. Does not the gentleman feel that under the Budget system as we now have it the President has sufficient power over appropriations without the Constitution granting to him the power to veto any item in an appropriation bill after it has passed Congress?

Mr. HASTINGS. I discussed the budget system in four of the States—New York, Maryland, West Virginia, and Utah. There is a similar provision in each of those States that where the budget is submitted the legislature can not increase it, nor can it add any new or separate items. In New York, for example, the governor is permitted to veto separate items.

With the permission of the House, I am herewith inserting the replies received, for the reason that some of them contain suggestions which should be considered by the Committee on the Judiciary and by the Congress.

Gov. George W. P. Hunt, of Arizona, heartily indorses the proposed amendment and adds:

That provision is in our constitution, which is acknowledged to be the most modern in the United States, with all apologies to the State of Oklahoma.

Gov. C. C. Young, of California, advises that the governor of that State is permitted to either veto or reduce an amount of separate items in any appropriation bill. He states:

In my judgment this has worked very well and everyone is satisfied with it.

He suggests, however, that there has been some criticism against the provision for reducing the amount of an appropriation.

B. T. Poxson, secretary to the Governor of Colorado, states that the recent Supreme Court decision had made it impossible for the governor to veto separate items of an appropriation bill where they were linked up with the other items. He states, however:

If it had been possible for the governor to veto separate items he could have eliminated several unnecessary amounts from nearly every department of the State, and in this way could have brought the appropriation within the estimated revenues of the State.

Gov. John H. Trumbull, of Connecticut, states that an amendment was adopted to the Connecticut State constitution in November, 1924, authorizing the governor to disapprove separate items of an appropriation bill and comments as follows:

Prior to my first session as governor the same situation existed in Connecticut that now exists nationally—namely, the governor was compelled to accept the budget bill as a whole or veto it in toto.

And after advising of the amendment adopted in 1924 adds:

I am heartily in accord with your bill allowing the President to veto certain items in the Budget bill.

Gov. H. C. Baldrige, of Idaho, advises that that State does not have such a provision in its State constitution, but commends it as meritorious.

The legislative reference bureau, Congressional Library, in connection with the matter refers to section 11, article 4, of the constitution of the State of Idaho as follows:

The governor shall have power to disapprove of any item or items of any bill making appropriations for money, embracing distinct items, and the part or parts approved shall become a law.

Gov. John Hammill, of Iowa, after expressing regret that that State does not have such a provision in its constitution, states:

To my mind it is a movement in the right direction, and an executive certainly should have a right to veto any portion of an appropriation bill as distinguished from vetoing the entire bill.

Gov. Len Small, of Illinois, advises that a similar provision was adopted as a part of the Illinois State constitution in 1884, and states:

The purpose of this amendment was to enlarge the veto power by authorizing the governor to veto items in appropriation bills. This power has been exercised on numerous occasions and apparently has met with general approval.

P. H. Wolfard, secretary to the Governor of Indiana, advises that the constitution of that State does not contain such a provision.

Gov. L. G. Hardman, of Georgia, invites attention to the fact that Georgia has such an item in its constitution, and comments as follows:

The power to veto any one or more items seems to me a wise provision, and so far as I am informed it has met with the approval of the people of Georgia.

Gov. John W. Martin, of Florida, advises that the constitution of that State, section 18, article 4, has a provision authorizing the governor to disapprove separate items of the appropriation bills.

Gov. Ben S. Paulen, of Kansas, states that the Kansas constitution, amended in 1904, authorizes the governor to veto separate items of appropriation bills, and adds:

It occurs to me that the resolution suggested by you should be adopted by Congress.

W. A. Ponder, secretary to the Governor of Louisiana, writes that the constitution of that State does not contain a provision allowing the governor to veto any separate item in an appropriation bill. However, the legislative reference service of the Library of Congress reports that section 16, Article V, of the constitution of Louisiana has the following provision:

The governor shall have the power to disapprove of any item or items of any bill making appropriations for money embracing distinct items, and the part or parts of the bill approved shall be law, and the item or items of appropriation disapproved shall be void unless repassed according to the rules and limitations prescribed for the passage of other bills over veto.

C. F. Morrison, secretary to the Governor of Maine, while advising that the constitution of that State contains no such provision, states as follows:

However, the governor firmly believes in such a proposition for both State and Nation.

Gov. Albert C. Ritchie, of Maryland, writes:

Prior to the adoption in this State of the budget amendment, the constitution authorized the governor to veto separate items of the appropriation bill. This was always regarded as a most desirable and important provision. It is no longer necessary, however, because under our system the governor now submits his budget to the legislature and the legislature can reduce or eliminate items, but can not add new items. Consequently there is no more occasion in this State for the governor to veto separate items of the budget bill.

You will observe the difference between the law in Maryland and the Federal law. Congress can add to or increase the items estimated by the Bureau of the Budget, whereas in Maryland the legislature can only reduce.

Gov. Fred W. Green, of Michigan, comments as follows:

We have this provision in the constitution of this State and it seems that it is no more subject to abuse than the other system. In other words, without it the legislature may tie the hands of the executive on the question of appropriations, whereas if this amendment were adopted the executive may exercise his proper functions in the vetoing of specific items without imperiling the measure in which they are included.

Gov. Theodore Christianson, of Minnesota, strongly commends the proposition in a letter reviewing the merits of such a provision. He says, in part:

Answering your letter of the 17th instant, I will say that the constitution of Minnesota contains a provision which makes it possible for the governor to veto separate items of appropriation bills without vetoing the entire bill. I have found this provision not only helpful but essential to the success of my efforts to hold down appropriations in the State of Minnesota.

Gov. Sam A. Baker, of Missouri, after advising that the constitution of that State has such a provision, adds:

I do not know what I would do in this State if this provision were not in the constitution, because legislatures of States (and I presume the same is true of the Nation) are very apt to overappropriate.

F. M. Johnson, secretary to the Governor of Nebraska, writes that section 15, article 4, of the Nebraska constitution authorizes the governor to disapprove of any item or items of an appropriation bill and they can not be repassed except by a three-fifths vote of the Members of both Houses.

Gov. A. Harry Moore, of New Jersey, advises that the constitution of that State has such a provision and comments as follows:

This provision has worked out satisfactorily in this State, and I think your idea in proposing such an amendment to the Constitution is a good one.

J. H. White, secretary to the Governor of Nevada, on behalf of the governor, expresses regret that the Nevada constitution does not contain such a provision, but adds:

The governor directs me to say that he is very much in accord with your idea and will be glad to see your subject adopted and made a part of the National Constitution.

Gov. Huntley N. Spaulding, of New Hampshire, while advising that the constitution of his State does not contain such a provision, comments as follows:

I believe the National Constitution and the constitution of every State should contain such a provision, and I hope for your success in the worthy endeavor which you have initiated by the introduction of House Joint Resolution No. 70.

Gov. Richard C. Dillon, of New Mexico, advises that the constitution of that State contains such a provision, and adds:

I consider this a very safe and wise provision.

J. H. Wilson, director of the budget of the State of New York, by direction of Governor Smith, writes as follows:

Under our system in the State at the present time the governor has the right to veto items from the appropriation bill, but beginning with the constitutional budget next fall, after hearings by the governor, he shall transmit to the legislature a recommended bill and the legislature then shall have the power to decrease or omit any item therein, but if they should desire to increase an item, or add an item, it must be on a separate and distinct line. The bill, when passed by both houses, shall then become a law without the governor's signature, but the added or increased items must be presented to the governor for his approval or veto.

This, in effect, accomplishes the same result as the proposed amendment which I have introduced. In other words, if the budget is added to, the Governor of New York is permitted to veto the new or increased item. This is similar to the Maryland law.

Gov. Angus W. McLean, of North Carolina, replies as follows:

First. That North Carolina is the only State in the Union in which the governor has no veto power whatever.

Second. I heartily favor the purposes of your resolutions proposing to amend the Constitution of the United States so as to permit the President to disapprove any item of appropriation in any bill passed by Congress, without the necessity of vetoing the entire bill.

I want to emphasize and invite attention to the first paragraph of Governor McLean's letter, because I do not believe it is generally known that there is a State in the Union in which the governor does not have the veto power.

Gov. A. V. Donahey, of Ohio, advises:

Under the constitution of Ohio the governor has the power to veto separate, specific items in appropriation bills. We find it very satisfactory. The power is used frequently. I would recommend the further executive power to reduce by veto any particular items. In Ohio the governor can only veto in toto or permit an item to stand in toto.

Gov. Henry S. Johnston, of Oklahoma, writes:

I am greatly pleased with your resolution to amend the Constitution of the United States authorizing the President of the United States to veto separate items of an appropriation bill.

While Governor Johnston does not so state, Oklahoma has such a provision in its constitution similar to the amendment I have introduced.

Gov. I. L. Patterson, of Oregon, states that the constitution of Oregon gives the governor authority to veto single items in an appropriation bill.

The secretary to Gov. W. J. Bulow, of South Dakota, writes me that the constitution of his State has such a provision.

Gov. Henry H. Horton, of Tennessee, writes that his State has no such provision in its constitution, but adds:

It occurs to me that the amendment proposed would be wise.

Gov. Dan Moody, of Texas, writes:

The constitution of this State permits the governor to veto separate items of the appropriation bill. This has been the law in Texas for many years, and so far as I know there has never been any doubt of its wisdom.

Gov. George H. Dern, of Utah, writes that the constitution of his State has such a provision, and in his comment states:

The power given to the governor has seldom, if ever, been exercised in this State. I think, however, it is a proper provision, and it seems to me it would be just as appropriate in the National Government as in a State government.

He calls attention to the budget law in Utah, but in that State, as in the Federal Government, there is no way of confining appropriations to the amount recommended except by veto of specific items, as is proposed in this amendment.

Gov. Henry Flood Byrd, of Virginia, advises that his State has such an item in its constitution, and states further:

I beg to state that in Virginia the Governor has the right to veto separate items in the appropriation bill. I regard this as important and essential, and it has worked splendidly in Virginia.

Gov. John E. Weeks, of Vermont, writes that the constitution of that State does not contain such a provision.

Gov. Roland P. Hartley, of the State of Washington, calls attention to section 12 of Article III of the constitution of that State, empowering the governor to veto one or more sections or items while approving other portions of the bill, and with reference to it states:

It is my opinion that every bill should be drawn so that separate items can be vetoed. I feel it works out best that way, and agree with you that every item should justify itself.

Gov. Howard M. Gore, of West Virginia, calls attention to the fact that that State has a budget commission and that the legislature can not increase an item, but may reduce. After commenting on the matter he states:

After all, the executive is usually held responsible for the expenditures during his tour of duty, and certainly, either in the first instance—that is, in making up the budget—or in vetoing special items, is an authority that he should have.

Gov. Fred R. Zimmerman, of Wisconsin, strongly favors such an amendment and invites attention to the fact that the veto of separate items could have been used with advantage in his State if the governor had the authority to exercise that veto.

Replies were received, either from the governors or their secretaries of 37 of the 48 States. Practically all of them are in agreement that such an amendment should be adopted and that it would be in the interest of economy. In a few of the older States the constitutions do not have such a provision. Some three or four of the States have budget laws where the estimates can not be increased by the legislatures.

In addition to the above States from which replies were received from the governors or their secretaries, permit me to call attention to the fact that the constitutions of the following States have such a provision.

Section 126, Article V, of the Alabama constitution contains such a provision authorizing the governor to veto separate items of an appropriation bill.

Section 17, Article VI, of the Arkansas State constitution empowers the governor to disapprove any item or items of any bill making appropriations of money embracing distinct items.

Section 18, Article III, of the constitution of Delaware empowers the governor to disapprove of any item or items of any bill making appropriations of money embracing distinct items.

Section 20, Article III, of the North Dakota constitution gives the governor the power to disapprove of any item or items, or part or parts of any bill, making appropriations of money.

Section 23, Article IV, of the constitution of South Carolina empowers the governor to veto separate items of an appropriation bill.

The constitution of Wyoming has such a provision in section 9, Article IV.

For ready reference I am including as a part of my remarks the report of Mr. Raymond E. Manning, of the legislative reference service, Library of Congress, referring to and listing the sections and articles of the various State constitutions authorizing the governors of the States to veto separate items of appropriation bills. The report is as follows:

LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE.

ITEM VETOES—PROVISIONS IN STATE CONSTITUTIONS

Alabama: Article V, section 126.
Arizona: Article V, section 7.
Arkansas: Article VI, section 17.
California: Article IV, section 16; Article IV, section 34, as adopted November 7, 1922. Session Laws, pages 87–88.
Colorado: Article IV, section 12.
Connecticut: Amendments to constitution; Article XXXVII.
Delaware: Article III, section 18.
Florida: Article IV, section 18.
Georgia: Article V, section 1 (16).
Idaho: Article IV, section 11.
Illinois: Article V, section 16.
Kansas: Article II, section 14.
Kentucky: Section 88.
Louisiana: Article V, section 16.
Maryland: Article II, section 17.
Michigan: Article V, section 37.
Minnesota: Article IV, section 11.
Mississippi: Article IV, section 73.

Missouri: Article V, section 13.

Montana: Article VII, section 13.

Nebraska: Article IV, section 15.

New Jersey: Article V (7).

New Mexico: Article IV, section 22.

New York: Article IV, section 9.

North Dakota: Article III, section 80.

Ohio: Article II, section 16.

Oklahoma: Article VI, section 12.

Oregon: Article V, section 15a.

Pennsylvania: Article IV, section 16.

South Carolina: Article IV, section 23.

South Dakota: Article IV, section 10.

Texas: Article IV, section 14.

Utah: Article VII, section 8.

Virginia: Article V, section 76.

Washington: Article III, section 12.

West Virginia: Article VII, section 15.

Wyoming: Article IV, section 9.

No provision in the following States: Indiana, Iowa, Maine, Massachusetts, Nevada, New Hampshire, North Carolina, Rhode Island, Tennessee, Vermont, Wisconsin.

RAYMOND E. MANNING.

DECEMBER 5, 1927.

It may be asked, What are the objections urged against this proposed amendment? I have heard of none, either in the discussion before the Judiciary Committee, on the floor of the House, or from the governors of the several States. The only objection I have ever heard is the reluctance to amend the Constitution of the United States. Of course, I do not believe that to be a valid objection. The original Constitution would not have been adopted if it had not contained a provision for its amendment. I think that is generally conceded. It was understood that the first 10 amendments would be proposed to the Constitution by the first Congress and they were proposed on the 25th day of September, 1789. As above stated, without the promise of ratification of these amendments the original Constitution would not have been adopted.

There may be some differences of opinion as to the advisability of the adoption of some of the amendments, but I want to invite your attention to the sixteenth amendment providing for the collection of income taxes. I think no considerable number of people have raised any objection to that amendment or suggested that it should not have been adopted. Washington, in his farewell address, invites attention to the provision for the amendment of the Constitution in the orderly way. The truth is that every amendment proposed to the Constitution should be most carefully considered and should be considered on its own merits.

I am not one of those who believe that the Constitution should be lightly amended, but I voted a few days ago to amend the Constitution by changing the beginning of the terms of the President and Vice President and Members of Congress, because I thought it was a wholesome amendment.

I believe that this proposed amendment is a meritorious one and one that is in the interest of economy and it should be considered on its own merits.

I submit it, therefore, to the thoughtful consideration of the Congress.

I am appending hereto the replies of the governors of the several States in addition to the excerpts which I have above noted. Some of these replies contain additional argument in support of the adoption of the proposed amendment:

EXECUTIVE OFFICE, STATEHOUSE,
Phoenix, Ariz., December 22, 1927.

HON. W. W. HASTINGS,

House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN HASTINGS: I have your letter with inclosed joint resolution amending the Constitution of the United States so that the President may veto any single item of the appropriation bill.

I certainly would approve of that, and it should have the vote of our Arizona delegation. That provision is in our constitution, which is acknowledged to be the most modern in the United States—with all apologies to the State of Oklahoma, of which State you are a distinguished Representative.

Trusting you will be successful in your efforts, believe me,

Yours very truly,

GEO. W. P. HUNT, Governor.

GOVERNOR'S OFFICE, STATE OF CALIFORNIA,
Sacramento, December 22, 1927.

HON. W. W. HASTINGS,

House of Representatives, Washington, D. C.

DEAR MR. HASTINGS: In answer to your letter of December 17 I would say that our California constitution does permit a governor to

either veto or reduce an amount of separate items in any appropriation bill.

In my judgment this has worked very well, and everyone is satisfied with it. The only objection which I have heard regarding it is the provision for reducing the amount of an appropriation. As regards this provision, some claim that a governor might be able to practically kill a governmental function which he did not care openly to oppose by reducing the legislative appropriation to such an extent that it would practically throttle its activities.

As to whether this would work similarly in Congress, I should not care to express an opinion. Those of you who are intimately connected with the work of the National Legislature are able to judge this more accurately than a State official could do.

Yours very sincerely,

C. C. YOUNG, Governor.

EXECUTIVE CHAMBER, THE STATE OF COLORADO,
Denver, December 20, 1927.

HON. W. W. HASTINGS,
United States Congressman, Washington, D. C.

MY DEAR MR. HASTINGS: Replying to your communication of December 17, to Governor Adams, in reference to House Joint Resolution 70, will say that the constitution of Colorado under the supreme court decisions has made it impossible for the governor to veto separate items of an appropriation where they are linked up with other items. This, on several occasions, has placed the State in a very embarrassing position, and the actions of the last legislature caused a very acute condition to arise at the present time.

The legislature overappropriated about \$1,300,000 on straight maintenance appropriations, which compelled the governor to sign all of these bills rather than to leave State institutions without any funds.

If it had been possible for the governor to veto separate items he could have eliminated several unnecessary amounts from nearly every department of the State, and in this way could have brought the appropriation within the estimated revenues of the State. As it is, the State appears to be in a seemingly financial-embarrassed condition, and some of the State institutions falling in the lower classes are without funds, due to their classification, while other institutions in the State, due also to their classification and overappropriation, are receiving more funds than necessary for their operation. All of these embarrassments could have been avoided had the governor been able to veto certain items which were linked up in the regular maintenance bills.

Due to our personal experience, we believe that Federal legislation of this nature is absolutely necessary for the proper administration of the National Government.

Respectfully,

B. T. POXSON,
Secretary to the Governor.

STATE OF CONNECTICUT, EXECUTIVE CHAMBERS,
Hartford, December 27, 1927.

HON. W. W. HASTINGS,
Room 361, House Office Building, Washington, D. C.

DEAR SIR: I have the honor to acknowledge your letter of December 21 inclosing copy of House Joint Resolution 70, which proposes an amendment to the Constitution.

Prior to my first session as governor the same situation existed in Connecticut that now exists nationally, namely, the governor was compelled to accept the budget bill as a whole or veto it in toto. This situation was remedied by an amendment to the State constitution, adopted November, 1924, copy of which is inclosed for your information.

I am heartily in accord with your bill allowing the President to veto certain items in the Budget bill.

Very truly yours,

JOHN H. TRUMBULL.

[Inclosure]

Article XXXVI. Amendment to the constitution of Connecticut
(adopted November, 1924)

The governor shall have power to disapprove of any item or items of any bill making appropriations of money embracing distinct items while at the same time approving the remainder of the bill, and the part or parts of the bill so approved shall become effective and the item or items of appropriation so disapproved shall not take effect unless the same are separately reconsidered and repassed in accordance with the rules and limitations prescribed for the passage of bills over the executive veto. In all cases in which the governor shall exercise the right of disapproval hereby conferred, he shall append to the bill at the time of signing it a statement of the item or items disapproved, together with his reasons for such disapproval, and transmit the bill and such appended statement to the secretary. If the general assembly be then in session, he shall forthwith cause a copy of such statement to be delivered to the house in which the bill originated for

reconsideration of the disapproved items in conformity with the rules prescribed for legislative action in respect to bills which have received executive disapproval.

STATE OF IDAHO, OFFICE OF THE GOVERNOR,
Boise, December 28, 1927.

HON. W. W. HASTINGS, M. C.,
Room 361, House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN HASTINGS: Although the Idaho law does not permit its governor to veto individual items of an appropriation, nevertheless I believe there is a great deal of merit in House Joint Resolution 70, which you introduced in the House of Representatives on December 6.

Yours very truly,

H. C. BALDRIDGE, Governor.

EXECUTIVE DEPARTMENT, STATE OF IOWA,
Des Moines, December 23, 1927.

HON. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR REPRESENTATIVE HASTINGS: I am in receipt of your letter, and I agree heartily with you that the law should be so amended that any objectionable feature of an appropriation bill might be vetoed and the remaining portion of the bill allowed to stand.

I regret exceedingly to advise you that our constitution does not contain this provision. To my mind, it is a movement in the right direction, and an executive certainly should have a right to veto any portion of an appropriation as distinguished from vetoing the entire bill. To my mind, it is in the interest of good government.

With the compliments of the season and kind personal regards, I am,
Yours very truly,

JOHN HAMMILL, Governor.

STATE OF ILLINOIS, OFFICE OF THE GOVERNOR,
Springfield, December 29, 1927.

HON. W. W. HASTINGS,
House of Representatives, Washington, D. C.

DEAR SIR: Replying to your inquiry of December 21 relative to the power of the Governor of Illinois to veto items in appropriation bills, will say that no such power existed in our constitution until 1884. Prior to that date, bills could only be vetoed as a whole. This created a situation whereby acceptable items in appropriation bills often failed to become a law by the use of the veto, and objectionable items became law by failure to use the veto in order to save the residue.

In 1884, Article V, section 16, of the constitution of 1870 was amended. Section 16, in part, reads as follows:

"Bills making appropriations of money out of the treasury shall specify the objects and purposes for which the same are made, and appropriate to them, respectively, their several amounts in distinct items and sections, and if the governor shall not approve any one or more of the items or sections contained in any bill, but shall approve the residue thereof, it shall become a law as to the residue in like manner as if he had signed it. The governor shall then return the bill, with his objections to the items or sections of the same not approved by him, to the house in which the bill shall have originated, which house shall enter the objections at large upon its journal, and proceed to reconsider so much of said bill as is not approved by the governor. The same proceedings shall be had in both houses in reconsidering the same as is hereinbefore provided in case of an entire bill returned by the governor with his objections; and if any item or section of said bill not approved by the governor shall be passed by two-thirds of the members elected to each of the two houses of the general assembly, it shall become part of said law, notwithstanding the objections of the governor."

The purpose of this amendment was to enlarge the veto power by authorizing the governor to veto items in appropriation bills. This power has been exercised on numerous occasions and apparently has met with general approval.

Very truly yours,

LEN SMALL.

STATE OF INDIANA, EXECUTIVE DEPARTMENT,
Indianapolis, January 11, 1928.

HON. W. W. HASTINGS,
House of Representatives, Washington, D. C.

DEAR SIR: On behalf of Governor Jackson I wish to acknowledge receipt of your recent communication in which you inclose copy of proposed House Joint Resolution 70. He directs me to advise you that Indiana's constitution contains no provision authorizing the governor to veto separate items of the appropriation or budget bills.

Trusting this information will meet your requirements, I am,
Very truly yours,

P. H. WOLFARD,
Secretary to the Governor.

STATE OF GEORGIA, EXECUTIVE DEPARTMENT,
Atlanta, December 27, 1927.

Congressman W. W. HASTINGS,
Room 361, House Office Building, Washington, D. C.

MY DEAR MR. HASTINGS: I have your letter of December 21, inclosing copy of House Joint Resolution 70, which is a proposed amendment to the Constitution in regard to the question of permitting the vetoing of any single item of the appropriation bill.

In the State of Georgia the governor can veto any single item in the appropriation bill without affecting the other appropriations in the measure; the governor can not change any item in the appropriation bill, but can veto any one item without affecting any other.

The power to veto any one or more items seems to me a wise provision, and so far as I am informed it has met with the approval of the people of Georgia.

If I can serve you further, I shall be glad to do so.

Very sincerely yours,

L. G. HARDMAN, Governor.

EXECUTIVE DEPARTMENT, STATE OF FLORIDA,
Tallahassee, January 7, 1928.

Hon. W. W. HASTINGS,
United States House of Representatives, Washington, D. C.

SIR: Replying to your valued favor of December 21, I beg to advise that section 18 of Article IV of the constitution of Florida contains the following provision:

"The governor shall have power to disapprove of any item or items of any bills making appropriations of money embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items of appropriations disapproved shall be void, unless re-passed according to the rules and limitations prescribed for the passage of other bills over the executive veto."

The governors of this State have frequently applied the above provision to appropriation bills passed during the closing days of the session in order to avoid calling a special session.

Inasmuch as you ask for comment upon the wisdom of an amendment to the Federal Constitution such as you have proposed, I might suggest that one outstanding objection to the operation of such a provision for the National Government, which is controlled by two parties, is that it would enable a great deal of log rolling to be pulled off by making trades for appropriations, after which the prevailing party could procure presidential veto of considerable items of the minority party while obtaining approval of the items of the majority party.

Trusting this answers your inquiry of recent date, I am,

Very respectfully,

JOHN W. MARTIN, Governor.

OFFICE OF THE GOVERNOR, STATE OF KANSAS,
Topeka, December 27, 1927.

Hon. W. W. HASTINGS,
Room 361, House Office Building, Washington, D. C.

DEAR CONGRESSMAN: I have your letter of the 21st relative to House Joint Resolution 70.

An amendment to the Kansas constitution adopted by the people in November, 1904, granted the governor the right in any bill containing several items of appropriation of money to object to one or more items while approving the other portions of the bill.

It occurs to me that the resolution suggested by you should be adopted by Congress.

With kindest regards, I am, yours very truly,

BEN S. PAULEN, Governor.

EXECUTIVE DEPARTMENT, STATE OF LOUISIANA,
Baton Rouge, December 29, 1927.

Hon. W. W. HASTINGS,
Member of Congress, Room 361, House Office Building,
Washington, D. C.

DEAR SIR: In the absence of Governor Simpson I am taking the liberty of furnishing you with the information you desire in your letter of the 21st instant relative to the governor of this State having power to veto separate items in an appropriation bill.

The constitution of our State does not allow the governor to veto any separate items.

Very respectfully,

W. A. PONDER,
Secretary to the Governor.

OFFICE OF THE GOVERNOR, STATE OF MAINE,
Augusta, December 29, 1927.

Hon. W. W. HASTINGS,
361 House Office Building, Washington D. C.

DEAR CONGRESSMAN HASTINGS: Governor Brewster asks me to advise you that there is no law in Maine such as outlined in your letter to

him of December 21. However, the governor firmly believes in such a proposition for both State and Nation.

Cordially yours,

CARL F. MORRISON,
Executive Secretary.

EXECUTIVE DEPARTMENT,
Annapolis, Md., December 22, 1927.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

DEAR MR. HASTINGS: I have your favor of December 21. Prior to the adoption in this State of the budget amendment, the constitution authorized the governor to veto separate items of the appropriation bill. This was always regarded as a most desirable and important provision. It is no longer necessary, however, because under our system the governor now submits his budget to the legislature and the legislature can reduce or eliminate items but can not add new items. Consequently, there is no more occasion in this State for the governor to veto separate items of the budget bill.

Sincerely yours,

ALBERT C. RITCHIE, Governor.

STATE OF MICHIGAN, EXECUTIVE OFFICE,
Lansing, December 28, 1927.

Hon. W. W. HASTINGS,
361 House Office Building, Washington, D. C.

DEAR CONGRESSMAN HASTINGS: With reference to your letter of December 21 inclosing copy of House Joint Resolution 70, it seems to me that this provision of the Constitution permitting the Executive to veto particular items in appropriation bills without vetoing the rest of the bill is a good provision. We have this provision in the constitution of this State, and it seems that it is no more subject to abuse than the other system. In other words, without it the legislature may tie the hands of the executive on the question of appropriations, whereas, if this amendment were adopted, the executive may exercise his proper functions in the vetoing of specific items without imperiling the measure in which they are included.

Sincerely yours,

FRED W. GREEN.

STATE OF MINNESOTA, EXECUTIVE DEPARTMENT,
St. Paul, December 30, 1927.

Hon. W. W. HASTINGS,
Member of Congress, 361 House Office Building,
Washington, D. C.

DEAR MR. HASTINGS: Answering your letter of the 17th instant, I will say that the constitution of Minnesota contains a provision which makes it possible for the governor to veto separate items of appropriation bills without vetoing the entire bill. I have found this provision not only helpful but essential to the success of my efforts to hold down appropriations in the State of Minnesota.

Using this power, I reduced the appropriations of the State legislature approximately 5 per cent in 1925 and almost 4 per cent in 1927. If I had not had this power I should have faced the alternative either of repudiating my promise to the people of the State that there should be no increase in the State tax levy or calling an extra session of the legislature, as the governors of some of the neighboring States had to do at a considerable cost to the taxpayers and much inconvenience to the members.

I believe that an executive should have the power to not only veto separate items of appropriation bills but to reduce any item. The governor does not have that power in Minnesota, but I understand that he has in some of the States of the Union.

There is no legal or constitutional requirement that a department head spend all the money that the legislature appropriates for his use. There is discretion vested in the department head as to how much of the money appropriated he will spend. The question is, whether the elective head of the government, who is responsible to the people who provide the taxes, should not, rather than his appointees, have that determination.

It may not be as essential to center in the President the power of financial control in the Federal administration as it is to center that power in the States in the governor; for the Federal Government being organized in its executive department under a Cabinet appointed by and immediately answerable to the President, is subject to instant and direct control by the Chief Executive who can curb extravagance at any time he chooses to do so.

In the States the governor can not usually do this because many of the functions of the executive department are vested in appointed boards with long overlapping terms over which the chief executive has but little control. I am not ready to state that the reform which you suggest is of sufficient importance to justify the submission of a constitutional amendment, however. I am aware of the fact that it is a big undertaking to secure the ratification of an amendment to the

Federal Constitution. That question is one that the Congress should determine. All I want to say is that I consider the amendment desirable.

Yours very truly,

THEODORE CHRISTIANSON.

GOVERNOR'S OFFICE, STATE OF MISSOURI,
Jefferson City, December 23, 1927.

Hon. W. W. HASTINGS,
House of Representatives,
Room 361, House Office Building, Washington, D. C.

DEAR MR. HASTINGS: Replying to your communication of December 21, will say that the constitution of the State of Missouri does contain a provision that the governor may veto any separate item of a bill. I do not know what I would do in the matter of holding down appropriations in this State if this provision were not in the constitution, because legislatures of States—and I presume the same is true of the Nation—are very apt to overappropriate.

Sincerely yours,

SAM A. BAKER.

STATE OF NEBRASKA, EXECUTIVE OFFICE,
Lincoln, January 10, 1928.

Hon. W. W. HASTINGS,
Member of Congress, Washington, D. C.

MY DEAR MR. HASTINGS: Answering your letter of December 17, addressed to Governor McMullen, in which you ask if Nebraska has a law which would empower the governor to veto separate items of an appropriation bill, I beg to advise as follows:

Section 15, article 4, of our State constitution, provides that the governor may disapprove any item or items of an appropriation contained in bills passed by the legislature, and the item or items so disapproved shall be stricken therefrom, unless repassed in the manner herein prescribed in cases of disapproval of bills, i. e., a three-fifths vote of the members of both houses.

Trusting that this gives you the information that you desire, I am,
Yours very truly,

FRANK M. JOHNSON,
Secretary to the Governor.

STATE OF NEW JERSEY, EXECUTIVE DEPARTMENT,
January 3, 1927.

Hon. W. W. HASTINGS,
House Office Building, Washington, D. C.

MY DEAR MR. HASTINGS: The constitution of the State of New Jersey authorizes the governor to veto a separate item of an appropriation bill. The provision is found in paragraph 7, article 5, of the State constitution, and reads as follows:

"If any bill presented to the governor contain several items of appropriations of money, he may object to one or more of such items while approving of the other provisions of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the items to which he objects, and the appropriation so objected to shall not take effect. If the legislature be in session he shall transmit to the house in which the bill originated a copy of such statement, and the items objected to shall be separately reconsidered. If, on reconsideration, one or more of such items be approved by a majority of the members elected to each house, the same shall be a part of the law, notwithstanding the objections of the governor."

This provision has worked out satisfactorily in this State, and I think your idea in proposing such an amendment to the Constitution is a good one.

Very truly yours,

A. HARRY MOORE, Governor.

EXECUTIVE CHAMBER, STATE OF NEVADA,
Carson City, December 22, 1927.

Hon. W. W. HASTINGS, M. C.,
Room 361, House Office Building, Washington, D. C.

MY DEAR MR. HASTINGS: Your letter of the 17th instant, addressed to Hon. F. B. Balzar, Governor of Nevada, has been received and read. The governor directs me to say that he is very much in accord with your idea and will be glad to see your subject adopted and made a part of the National Constitution.

He regrets that there is no provision in the Nevada constitution which would enable the governor to veto any single item of the appropriation bill, although he has heretofore urged that such idea be incorporated in our own constitution. I am

Cordially yours,

J. H. WHITE,
Secretary to the Governor.

EXECUTIVE CHAMBER, STATE OF NEW HAMPSHIRE,
Concord, December 28, 1927.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Replying to your letter of December 21, I regret to say that the constitution of the State of New Hampshire does not allow the governor to veto any separate item of an appropriation bill permitting the remainder of the bill to become a law. I believe the National Constitution and the constitution of every State should contain such a provision, and I hope for your success in the worthy endeavor which you have initiated by the introduction of House Joint Resolution 70.

Yours very truly,

H. N. SPAULDING, Governor.

EXECUTIVE OFFICE,
Santa Fe, N. Mex., January 3, 1928.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Replying to your letter of December 17, I beg to say that the constitution of the State of New Mexico provides that the governor may veto separate items in the appropriation bill. I consider this a very safe and wise provision.

For further information on this subject I beg to refer you to Senator BRONSON CUTTING, of New Mexico, in the United States Senate.

Yours very truly,

R. C. DILLON, Governor.

EXECUTIVE DEPARTMENT, STATE OF NEW YORK,
DIVISION OF THE BUDGET,
Albany, January 16, 1928.

Hon. W. W. HASTINGS,
Room 361, House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: By direction of the governor I beg to acknowledge receipt of your communication of December 21. It would have been answered sooner but for the reason that we were at that time making the State budget, which has been completed and now goes to our legislature.

I am directing that a copy of this budget be sent to you as well as a copy of our new constitutional budget law.

Under our system in the State at the present time the governor has the right to veto items from the appropriation bill, but beginning with the constitutional budget next fall, after hearings by the governor, he shall transmit to the legislature a recommended bill, and the legislature then shall have the power to decrease or omit any item therein; but if they should desire to increase an item or add an item it must be on a separate and distinct line. The bill when passed by both houses shall then become a law without the governor's signature, but the added or increased items must be presented to the governor for his approval or veto.

I think you could get more information by reading our budget law, and after reading same I think you might even improve upon the proposed joint resolution.

Respectfully yours,

JOSEPH H. WILSON,
Director of the Budget.

GOVERNOR'S OFFICE, STATE OF NORTH CAROLINA,
Raleigh, December 30, 1927.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

DEAR MR. HASTINGS: Answer to your letter of December 21 has been delayed on account of the usual accumulation of work during the Christmas holidays.

Replying to the questions propounded let me say:

First. That North Carolina is the only State in the Union in which the governor has no veto power whatever.

Second. I heartily favor the purposes of your resolution proposing to amend the Constitution of the United States so as to permit the President to disapprove any item of appropriation in any bill passed by Congress without the necessity of vetoing the entire bill.

Wishing you many happy returns of the holiday seasons, believe me,

Faithfully yours,

A. W. McLEAN,
Governor of North Carolina.

EXECUTIVE DEPARTMENT, STATE OF OHIO,
OFFICE OF THE GOVERNOR,
Columbus, January 7, 1928.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

DEAR MR. HASTINGS: Replying to your recent inquiry:

Under the constitution of Ohio the governor has the power to veto separate, specific items in appropriation bills. We find it very satis-

factory. The power is used frequently. I would recommend the further executive power to reduce by veto any particular items. In Ohio the Governor can only veto in toto or permit an item to stand in toto.

Very truly yours,

VIC DONAHEY, Governor.

EXECUTIVE OFFICE, STATE OF OKLAHOMA,
Oklahoma City, January 19, 1928.

Hon. W. W. HASTINGS,
Member of Congress, Washington, D. C.

DEAR FRIEND: I am greatly pleased with your resolution to amend the Constitution of the United States authorizing the President of the United States to veto separate items of an appropriation bill.

That is a splendid thing to have, but I doubt if you can awaken public interest enough to establish that kind of thing.

With best wishes, I am truly yours,

HENRY S. JOHNSTON, Governor.

EXECUTIVE DEPARTMENT, STATE OF OREGON,
Salem, December 24, 1927.

Hon. W. W. HASTINGS,
Room 361, House Office Building, Washington, D. C.

MY DEAR SIR: Your letter of December 17 is at hand, together with the inclosed copy of House Joint Resolution 70 proposing an amendment to the Constitution.

I am referring your letter to Mr. Sam A. Kozier, secretary of state, who will be able to supply you with a copy of the Oregon Blue Book, containing the Oregon constitution, which, in Article V, section 15A, gives the governor authority to veto single items in appropriation bills.

Very truly yours,

I. L. PATTERSON, Governor.

EXECUTIVE DEPARTMENT, STATE OF SOUTH DAKOTA,
Pierre, December 30, 1927.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR MR. HASTINGS: Your letter dated December 21, requesting information with reference to the governor's power to veto separate items of the appropriation bill, has been received.

Article 4, section 10, of the South Dakota constitution provides that "the governor shall have power to disapprove of any item or items of any bills making appropriations of money embracing distinct items, and the part or parts of the bill approved shall be law and the item or items disapproved shall be void, unless enacted in the following manner: If the legislature be in session he shall transmit to the house in which the bill originated a copy of the item or items thereof disapproved, together with his objections thereto, and the items objected to shall be separately reconsidered, and each item shall then take the same course as is prescribed for the passage of bills over the executive veto."

I trust the above-quoted section will give you the information you desire.

Very truly yours,

WM. J. BULOW, JR.,
Secretary to the Governor.

EXECUTIVE CHAMBER, TENNESSEE,
Nashville, December 29, 1927.

Mr. W. W. HASTINGS,
Second District of Oklahoma,
Room 361, House Office Building, Washington, D. C.

MY DEAR MR. HASTINGS: Your letter of recent date, inclosing me copy of bill, House Joint Resolution 70, which is an amendment to the Constitution of the United States, was duly received.

In reply to your first question, "Whether the constitution of your State contains a similar provision, and if so, how it has worked in your State?"

Our constitution does not have such a provision.

In answer to your second question, it occurs to me that the amendment proposed would be wise.

I am, yours very truly,

HENRY H. HORTON, Governor.

EXECUTIVE DEPARTMENT,
Austin, Tex., December 31, 1927.

Hon. W. W. HASTINGS,
Member of Congress, Washington, D. C.

DEAR MR. HASTINGS: Your letter of December 21 has been received. Replying to your inquiry, the constitution of this State permits the governor to veto separate items of the appropriation bill. This has been the law in Texas for many years, and so far as I know there has never been any doubt of its wisdom.

Very truly yours,

DAN MOODY.

STATE OF UTAH, OFFICE OF THE GOVERNOR,
Salt Lake City, December 28, 1927.

Hon. W. W. HASTINGS, M. C.,
House Office Building, Washington, D. C.

MY DEAR MR. HASTINGS: With your letter of December 17 you sent me a copy of House Joint Resolution 70, by yourself, proposing an amendment to the Constitution of the United States permitting the President to disapprove any item or appropriation of any bill passed by Congress, and you desire to know whether the constitution of Utah contains a similar provision; and if so, how it has worked in this State.

Article VII, section 8, of the constitution of Utah is as follows:

"Every bill passed by the legislature, before it becomes a law, shall be presented to the governor; if he approve he shall sign it, and thereupon it shall become a law; but if he do not approve he shall return it with his objections to the house in which it originated, which house shall enter the objections at large upon its journal and proceed to reconsider the bill. If, after such reconsideration, it again passes both houses by a yea-and-nay vote of two-thirds of the members elected to each house it shall become a law, notwithstanding the governor's objections. If any bill be not returned within five days after it shall have been presented to him (Sunday and the day on which he received it excepted), the same shall be a law in like manner as if he had signed it, unless the legislature by its final adjournment prevent such return, in which case it shall be filed with his objections in the office of the secretary of state within 10 days after such adjournment (Sundays excepted) or become a law. If any bill presented to the governor contain several items of appropriations of money, he may object to one or more such items while approving other portions of the bill; in such case he shall append to the bill at the time of signing it a statement of the item or items which he declines to approve, together with his reasons therefor, and such item or items shall not take effect unless passed over the governor's objections as in this section provided."

You will perceive from the foregoing that the governor has the right to veto any item in the appropriation bill, and the veto of such item acts in precisely the same way as the veto of an entire bill.

The power given to the governor has seldom, if ever, been exercised in this State. I think, however, it is a proper provision, and it seems to me it would be just as appropriate in the National Government as in a State government.

In Utah the budget is prepared by the governor's office and submitted to the legislature. The legislative committees, of course, hold hearings and make some changes as a result of their own investigations, but in a large measure the governor is held responsible for the State expenditures, and he therefore should have such a measure of control as enables him to veto any specific item.

Very respectfully,

GEO. H. DERN, Governor.

COMMONWEALTH OF VIRGINIA,
GOVERNOR'S OFFICE,
Richmond, December 22, 1927.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

DEAR MR. HASTINGS: Acknowledging your letter of the 21st, in which you advise me that you have introduced an amendment to the Constitution to empower the President to veto separate items in the appropriation bill, and to make inquiry as to whether Virginia has such a constitutional provision. I beg to state that in Virginia the governor has the right to veto separate items in the appropriation bill. I regard this as important and essential, and it has worked splendidly in Virginia.

Sincerely yours,

H. F. BYRD.

STATE OF VERMONT, EXECUTIVE DEPARTMENT,
Montpelier, December 31, 1927.

Hon. W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR SIR: Your letter of the 21st was duly received, and in reply I will say that our State constitution does not contain a provision similar to that proposed in House Joint Resolution 70.

Yours very truly,

JOHN E. WEEKS,
Governor of Vermont.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
Olympia, Friday, December 23, 1927.

Congressman W. W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Replying to your letter of December 17, in connection with House Joint Resolution 70, proposing an amendment to the Constitution which would empower the President to veto separate

items of an appropriation bill, and inquiring as to whether the executive of the State of Washington is empowered to veto separate items:

Section 12 of article 3 of the State constitution of the State of Washington provides:

"If any bill presented to the governor contains several sections of items he may object to one or more sections or items while approving other portions of the bill. In such case he shall append to the bill at the time of signing it a statement of the section or sections, item or items, to which he objects, and the reasons therefor, and the section or sections, item or items so objected to shall not take effect unless passed over the governor's objection, as hereinbefore provided."

It is my opinion that every bill should be drawn so that separate items can be vetoed. I feel it works out best that way, and agree with you that every item should justify itself.

With best holiday greetings,

Yours very truly,

ROLAND H. HARTLEY,
Governor of Washington.

EXECUTIVE DEPARTMENT, STATE OF WEST VIRGINIA,
Charleston, December 28, 1927.

Hon. W. W. HASTINGS,

Member of Congress, Washington, D. C.

MY DEAR MR. CONGRESSMAN: I have your letter of December 21. In West Virginia the budget commission, which consists of the elective State officers—that is, the governor, secretary of state, auditor, attorney general, treasurer, superintendent of schools, and commissioner of agriculture—make up the budget for State expenditures within the estimated revenue. The legislature can not increase an item, but may reduce any recommendation of the board of public works. It is my judgment that for State purposes the governor should make up the budget rather than the board of public works. I believe that is the judgment of persons best informed. After all, the executive is usually held responsible for the expenditures during his tour of duty, and certainly, either in the first instance—that is, in making up the budget, or in voting special items—is an authority that he should have. However, we must keep in mind that after a bill has been passed an executive could exercise rather an unusual arbitrary power.

I am wondering if the plan followed in this State would not be better than the one that you propose—that is, the executive making up the Budget on the general current expense of the Government and permitting Congress to exercise its judgment as to whether they will grant the expenditure recommended or modify, as in keeping with their judgment.

I shall be very glad to have you stop in and see me at any time you are in the State.

With kindest personal regards and best wishes, I am,

Sincerely,

HOWARD M. GORE, Governor.

EXECUTIVE CHAMBER,
Madison, Wis., December 24, 1927.

Hon. W. W. HASTINGS,

Member of Congress, Washington, D. C.

MY DEAR MR. HASTINGS: Your letter of December 21, with a copy of the House Joint Resolution 70, is before me.

I believe that the President and governors should have the power to veto separate items in an appropriation measure. May I give you a personal experience with the last session of the Wisconsin Legislature:

The legislature had passed a regular university appropriation bill to which a rider was added making an appropriation for the civil service commission. Of course, there was no association between the civil service commission and the university, but it was necessary for me to either sign the bill as it was, or veto it. If it had been possible for me to veto separate items I should certainly have vetoed the civil service rider.

Our Wisconsin Progressives have always condemned the National Congress for similar actions, but what I relate was accomplished by Wisconsin Progressives in the last legislature.

I am, indeed, in favor of granting the President and governors the power to veto separate items in appropriation bills.

With kind personal regards, I am yours sincerely,

FRED R. ZIMMERMAN, Governor.

THE WET BLOC IN CONGRESS

The SPEAKER pro tempore (Mr. MAPES). The gentleman from Michigan [Mr. CRAMTON] is recognized for 10 minutes.

Mr. CRAMTON. Mr. Speaker and gentlemen of the House, in common with the membership generally, I followed with a great deal of interest the fine presentation of the feature of the President's veto power in connection with appropriations, which the gentleman from Oklahoma [Mr. HASTINGS] has given us.

I now beg your indulgence while I take up a subject much removed from that question. It is perhaps a strange anomaly, but it seems to be true, that no family is small enough to be immune from controversies and discord, and no Republic

insignificant enough to be immune from revolution and political discord. That seems to hold true through the field of organizations of all sorts. We have in Congress various blocs—the farm bloc, the wet bloc, the dry bloc, and others—and of them all there is but one of these blocs, so far as I know, that has a definite, positive organization, regularly elected officials, official stationery, and so forth. Calling itself an unofficial committee of the House, the wet bloc of the House is a definite entity which for the last three or four years has been struggling desperately to organize itself and get enough Members to agree upon one definite line of action to make some impression upon the House. As far as my recollection goes, 62—one-seventh of the House—is about the limit they have ever been able to corral in harmony on one question, as evidenced by their co-operative scheme of introducing beer bills. I think 62 is the most that ever joined in one measure. Recently that bloc, that definite organization that for three or four years has been attempting to unite upon a policy, succeeded in getting a roll call of the Members of the House on an issue that they selected and presented to the House. The result of that roll call was so disastrous, as evidence of sentiment in Congress, that not only the wets in Congress but the wets throughout the country are tremendously despondent over the situation as thus demonstrated on the eve of a national election. The leadership of the bloc for the moment felt that in merely getting a roll call they had accomplished a great result, although we all know that 40 or 50 Members can usually get a roll call at any time, and that many times one Member can accomplish that result by making the point of order of no quorum. Immediately after the late disastrous vote upon the Treasury appropriation bill, with reference to the use of certain denaturants in denatured alcohol, the Baltimore Sun published a feature article on the first column of the front page, I think in their issue of February 22—at any rate it is dated February 22—in which their correspondent said:

Mutiny is afoot among the wet crew in Congress, and some are suggesting that the new captain be made to "walk the plank."

This situation has developed as a result of the defeat a few days ago when the wets followed their newly chosen leader, Representative LINTHICUM, Democrat, Maryland, into a fight with the dries over the continued use of poisons in the manufacture of industrial alcohol. Mr. LINTHICUM tried to prohibit such use.

The wets were forced to face the guns on this issue on a roll-call vote, the first record vote to be had on any wet and dry question since the passage of the Volstead Act. On the face of things there were only 61 wet votes to 283 dry, or nearly 5 to 1 against the modification of the prohibition laws by the indirect method proposed by the Marylander.

Labor, in its special correspondence at that time, said:

Evidently the wets have made little impression on Congress despite the vigorous fight they have been waging.

I think the article in the Baltimore Sun was a little more harsh with the new leader of the wet bloc than was entirely fair. The situation was one that he was not entirely responsible for in the small minority of votes that followed his leadership. He is the leader of a forlorn hope. I have here a copy of the Minute Man of March 22, 1928. It is my impression that the Minute Man has at times carried in some of its editions the statement that it is the organ of the association against the prohibition amendment in this State or that. My recollection may be at fault in that, but that is my recollection. This issue, however, carries no statement that it is the official organ of anyone. It does carry the comforting assurance which they evidently feel may be deemed necessary that "this magazine has no connection whatsoever with any liquor or other trade interests." In that issue, on page 18, is this statement.

The Minute Man, as I have been noting it for several years, has seemed to be about the most active and influential of the wet publications, and so an expression from this organ is entitled to weight as demonstrating the great lack of harmony that exists in this very small organization in the House and in the wet ranks generally. I read:

The Minute Man is and has always been of the opinion that in the law-enforcement provisions of the eighteenth amendment everything demanded in Congress should be provided without any regard to anyone's private opinions. We have never been in sympathy with the very stupid "wet" bloc in the House.

I am not vouching for this article. I am quoting it; and I want my wet friends to understand that this is the language of the article and not my language.

Mr. LAGUARDIA. What statement is it?

Mr. CRAMTON. The statement of the Minute Man. I take it that it is an editorial article. It is not signed. To resume:

We have never been in sympathy with the very stupid "wet" bloc in the House. The strategy and the tactics employed from the very beginning have done more harm to the liberal cause than all the dry speeches in the CONGRESSIONAL RECORD. Under foolish leadership it has allowed itself to be maneuvered into record votes, each one progressively more one-sided than the one preceding, resulting, of course, in the entirely just claim (based upon record votes, of course) that Congress is getting drier with each test.

This wet bloc has never been countenanced by many really prominent Members who, while equally detesting prohibition, have consistently voted with the dries. It is another case of heaven preserve us from our friends.

I think that not too much of this responsibility should be heaped upon the shoulders of my friend, the distinguished gentleman from Maryland [Mr. LINTHICUM]. I remember the roll call in question. If I am not mistaken, it was demanded by the gentleman from New York [Mr. CAREW], whose relations are at least cordial with Tammany, and no doubt at least cordial with Gov. Al Smith, the probable Democratic nominee for the Presidency. [Applause.] I think it will be significant of what will follow in the Democratic campaign, that the little applause at the mention of the name of the prospective Democratic nominee was confined to two gentlemen on the front seats. [Laughter.]

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

Mr. CRAMTON. Mr. Speaker, may I have two minutes more?

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to proceed for two minutes more. Is there objection?

Mr. O'CONNOR of New York. Reserving the right to object, Mr. Speaker, will the gentleman inform us what subject he is discussing?

Mr. CRAMTON. The lack of harmony between the gentleman and his friends of the wet bloc. [Laughter.] Mr. Speaker, I will yield the floor. I will withdraw my request.

THE HIGH PRICE OF MEAT

The SPEAKER pro tempore. The gentleman from New York [Mr. LAGUARDIA] is recognized for five minutes.

Mr. LAGUARDIA. Mr. Speaker, when the agricultural appropriation bill was before the House I took occasion then, as I have done at other times, to complain about the high and exorbitant price of meat, the retail price, in cities. Every time I make a statement on the high cost of meat I receive a lengthy letter from the Institute of American Meat Packers. This is the Washington office of the meat packers. They always close their communication with the request that I insert their letter in the RECORD. I shall put their latest letter in the RECORD. They feel that my figures are incorrect. I feel that their figures are incorrect. I will leave it to the millions of housewives in the country to decide who is right. Taking their own figures, I fail to see how they can justify the exorbitant high retail prices of meats in the city. I mean the actual prices people are paying for meat.

What they do is this: They assume an ideal state of facts for themselves, and on that assumed state of facts they argue their case. They talk about cheap grades of meat that are not at all available.

Now, after receiving this letter from the representatives of the meat packers in Washington I had a survey made in the city of New York, in the four of the five counties of the greater city, New York County—that is, Manhattan—the Bronx, Kings County—that is, Brooklyn—and Queens County, and I find that the average cost of porterhouse steak was 65 cents a pound. The average cost of sirloin steak was 55 cents a pound; and I found that this meat that they talk about—plate beef, at 23 cents—is theoretical, and you can not eat theoretical meat. What few scraps some butcher will put on the block at the lowest price I could find was offered at about 25 cents a pound, and it was of such an inferior quality that it was of absolutely no use to the average consumer.

Now, last week there was a shortage of lambs in the city of Washington. There was a shortage of lambs in New York City. I believe lamb was purposely held back in order to shoot up prices. After receiving the letter from the American Institute of Meat Packers, I communicated with Mr. Draper and asked him about the price of lamb. He told me then that the wholesale price of lamb to the retailer was about 27 cents a pound. I have here in my hand a slip from the Cudahy Packing Co. showing that on April 2 the wholesale price of lamb was 32 cents a pound and that was not choice lamb. The lamb covered by this invoice was a year old. The spring lamb, the choice lamb, is wholesaling at 33 and 34 cents a pound in New York and Washington. That is the whole carcass, the whole animal.

So that you can not get lamb chops at anything under 60 cents, and roasting leg of lamb averaged about 45 cents a pound in New York City on last Saturday. Calf's liver is up to 90 cents a pound in New York City. Calf's liver in Washington was about 80 cents a pound. Now, no one can assert there is any justification for such prices.

Mr. COLTON. Mr. Speaker, will the gentleman yield there? Mr. LAGUARDIA. Yes.

Mr. COLTON. Lamb producers are contracting this next year's crop at 10 and 10½ cents a pound live weight, so that there must be a great spread between the producer and the consumer.

Mr. LAGUARDIA. Yes. The gentleman is absolutely right. To make sure, after I received these letters I had these surveys made in the four counties of New York City by friends who are cooperating with me in an effort to bring about a readjustment of prices of meat in our city.

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

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to proceed for two additional minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for two additional minutes. Is there objection?

There was no objection.

Mr. LAGUARDIA. Then I took the wholesale prices of lamb right in the city, because I was discussing those prices with Mr. Draper, of the Institute of American Meat Packers, and the retailers in Washington told me that what is known as the choice lamb, the lamb we are supposed to eat around Easter time, will average and does average to-day about 33 to 34 cents a pound wholesale, that the price of the roast lamb will be from 40 cents to 45 cents a pound and chops from 60 cents to 65 cents a pound.

I believe it is a wholesome thing that these retail prices should be made known and that we should discuss them, because, as the gentleman from Utah suggests, this stretch between what the livestock men are getting and what we in the cities are paying is too big, out of all proportion, and there is something wrong somewhere.

Mr. SEGER. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. SEGER. Does not the gentleman believe that the shortage of lamb in the District is due to the great demand for lambs in Wall Street at this time?

Mr. LAGUARDIA. Yes. They have been shorn, have they not?

Mr. Speaker, I ask unanimous consent to insert this letter from the Institute of American Meat Packers.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The letter referred to follows:

INSTITUTE OF AMERICAN MEAT PACKERS,
WASHINGTON OFFICE, MUNSEY BUILDING,
Washington, D. C., March 29, 1928.

Hon. F. H. LAGUARDIA,

United States House of Representatives, Washington, D. C.

DEAR SIR: Our attention has been directed to remarks which you made March 3 in the House of Representatives on beef prices. In view of your interest in the subject, may we comment on several of the topics which you discussed on that occasion?

In the first place, you mention 75 cents a pound as being the price of beefsteak. The steer, of course, is not all steak, and a price of 75 cents a pound for steak by no means represents the average retail price of beef.

It may be possible that some retail dealers have been charging that much for some cuts—porterhouse and sirloin steaks—but we feel certain that you will find that there are many cuts of beef selling at far lower figures and that many retailers are selling steak at prices well below 75 cents a pound.

Although packers sell at wholesale, we believe it only fair to the retailer to state the facts.

The most recent retail meat price quotations for New York City, those issued by the United States Bureau of Labor Statistics for December 6, 1927, show the following retail beef prices:

	Cents per pound.
Sirloin steak	56.6
Round steak	47.1
Rib roast	43.0
Chuck roast	29.5
Plate beef	23.6

These prices, as you note, are well below 75 cents a pound. Moreover, the five beef items listed here do not include a number of cuts which sell at even lower levels. The retail meat dealer is obliged to sell several of the cuts at or below the actual wholesale cost of the steer in order to move them at all, and as a result it is necessary for

him to charge higher prices for several of the cuts which are more in demand.

Although you referred in your talk to current retail meat prices in New York City, we believe that these prices are quite representative of the prices prevailing at the time your talk was made, inasmuch as beef-cattle prices and wholesale beef prices on December 15 were slightly higher than they were around the 1st of March.

In comparing these retail prices with wholesale prices, or with the cost of live cattle, it must be borne in mind that beef cattle are not all meat. The dressing percentage in the packing plant averages about 54 per cent. The remaining 46 per cent includes the by-products, which are sold, in most cases, at low prices, and also includes the shrinkage and portions from which no revenue is obtained. Moreover, when the retailer buys a side of beef weighing 367 pounds, which is an average weight, he receives 75 to 80 pounds of bones, suet, etc., part of which he must trim from the meat he sells and for which he can get less than cost.

These official figures which we have quoted indicate clearly, in our opinion, that 75 cents a pound is far above the average retail price of good beef.

Beef prices are somewhat higher now than they have been in the past, but as Secretary Jardine has pointed out in an official statement issued recently: "The present beef prices * * * seem unduly high only because they are compared with prices of the last few years, which were ruinously low to the cattle grower."

At another point in your talk you urge cattle raisers to establish a more direct contact with consumers, and then say, "The producer is not going to get a fair price, and the consumer will have to pay an exorbitant price."

We should like to call your attention to reliable figures which indicate clearly that the cost of distributing meat and the profits of the packing industry are relatively small, and that the producer receives a relatively large share of the consumer's meat dollar. At the National Distribution Conference, held in Washington in December, 1926, under the auspices of the United States Chamber of Commerce, it was shown that the slaughtering and meat-packing industry had a lower cost of distribution than any of the other essential industries studied. You undoubtedly are familiar with this information which appears in the report of Committee IV of the National Distribution Conference, a volume entitled "Expenses of Doing Business."

Furthermore, the most recent figures issued by the United States Bureau of the Census, those for 1925, showed that the meat-packing industry pays out for raw materials, principally livestock, 85 per cent of the plant value of its product; the other 15 per cent goes to pay all operating expenses, including such items as interest, depreciation, overhead, rent, taxes, and a small manufacturing profit.

It should be borne in mind, however, that out of the money which he receives from the packer for the sale of his livestock the producer must pay the expenses of raising, feeding, and transporting the animals.

Furthermore, figures compiled and issued by the United States Department of Agriculture, following an extensive survey, show that retail meat dealers make an average profit of less than 3 per cent on sales.

In our opinion, these figures indicate clearly that the packing industry is serving the livestock producer economically and efficiently, and that the prices which the consumer pays for meat are entirely fair.

You also state in this talk that meat in New York City is a luxury. We should like to point out that, while the prices of some beef cuts may be relatively high, other beef cuts are selling at considerably lower prices, as the figures just quoted indicate. Furthermore, practically all cuts of pork are wholesaling and retailing at levels which are from 15 to 40 per cent lower than a year ago. Measured by its food value and healthful properties, meat is one of our most essential and valuable foods and is in no sense a luxury.

We venture the hope that you will bring these facts to the attention of your colleagues in the House of Representatives.

Very truly yours,

INSTITUTE OF AMERICAN MEAT PACKERS,
NORMAN DRAFER, Washington Representative.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. SUMMERS of Washington (at the request of Mr. HADLEY), for four days, on account of necessary absence from the city.

To Mr. TILMAN, indefinitely, on account of serious illness in family.

Mr. Mr. McKEOWN, for five days, on account of illness in family.

THE AIRPLANE, THE RADIO, AND THE POSSIBILITIES OF THE FUTURE

The SPEAKER. The gentleman from Kansas [Mr. GUYER] is recognized for 10 minutes.

Mr. GUYER. Mr. Speaker, a week ago many Members of Congress, through the courtesy and generosity of Colonel Lindbergh, had the pleasure of seeing Washington from the per-

spective of the sky. To one who was so fortunate as to enjoy that pleasure and honor, the romance of the conquest of the air holds a great appeal.

If you will forgive a personal reference, I recall a most dramatic story told to me by my father, Rev. Joseph Guyer, when I returned for the holiday vacation in the fall of 1895 from the University of Kansas, where I was pursuing my legal studies. In October an old friend had visited him in central Kansas. They were boyhood and manhood friends, preached in the same church for over a quarter of a century, and were born in the same year—1828—just a century ago. I remember how my father laughed at Bishop Milton Wright because he said that his boys were going to perfect a flying machine that would fly; how the venerable bishop had described that old biplane; how the boys had built a slide on the side of a sand dune; how one of them would lie down on the lower part of the plane while the other pushed him off; and that when he reached the bottom of the slide he had gained sufficient momentum to keep the air, twenty-five, fifty, and sometimes a hundred feet. And then, with all the audacity and finality of one who has demonstrated a proposition in geometry, Milton Wright exclaimed:

When Wilbur and Orville find an agent to drive that machine, they'll fly like birds!

That was where my father laughed. The whole world laughed. Flying had been the jest of the ages ever since Icarus blossomed out in Greek mythology. The highest expression of impossibility was: "You might just as well try to fly," an expression so deeply rooted that it still persists in our language.

You might just as well have told my father that they would invent a delicate little instrument that would reach out its invisible arm across the continents and from the voiceless silence of the air steal the music of a thousand orchestras and fling it back across the hemispheres to ravish the ear of the earth in palace and cottage and hovel as to tell him that men would fly. You might as well have told him that this marvelous little instrument would stretch out its magic wand and gather up the words of a hundred orators a thousand miles away to charm the people with their eloquence as to tell him that men would fly. You might as well have told him that there was at that moment a boy over at Amherst College 23 years of age who, on the 4th of March, in 1925, would stand out yonder on that historic old portico and whisper his message to every nook and corner of this mighty land of ours as to tell him that men would fly.

I wonder what my father would have thought if, in a moment of prophetic vision, Milton Wright would have told him that, before a third of a century had fallen into the abyss of the past, a boy five and twenty years of age would in 33 hours wrap about his youthful brow the chaplet of immortal fame by conquering the old Atlantic and cheating its hungry billows, and land safely in the field of Le Bourget in Paris.

Mr. Speaker, what are we going to do next? They tell me, sir, that they are going to dig down into the dusty archives of dead and forgotten centuries and reproduce the voices of those whose tongues have been sealed by the silence of death for thousands of years. They tell me that they will reproduce the golden voice of him who hurled his thunderbolts at Phillip of Macedon. That they will reproduce the voice of Him who walked by the side of the tideless sea of Galilee, of Him who whispered to all the world:

Suffer little children to come unto me.

That they will tune in on the 18th of June in 1815 and, amid the thunder of Waterloo, they will hear the conqueror of Napoleon pray, as he looked at his watch: "Oh! for night or Blücher." And maybe we will find out if he said it, for no Englishman ever admitted that he said anything of the kind. That they will pick up the 19th of November in 1863, and over yonder, on the soil of old Gettysburg, made sacred by the blood of our fathers, will hear a heart-broken voice begin:

Four score and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal.

Impossible! you say. Of course it is impossible. That was precisely what my father told Milton Wright in October, 1895, about the airplane. There is nothing impossible if the intellect of man centers upon it and thinks and dreams about it long enough.

For a thousand years before our fathers founded this blessed country of ours the great minds of the earth were centered upon one colossal question—"What are the rights of man?" How far can arbitrary power trample upon the rights of the individual? How far can the individual disregard the rights of

society? Then, one day, a tall, tawny-haired son of old Virginia sat down at a colonial table and in four hours wrote all the conclusions of a thousand years of thinking into the Declaration of Independence, and that question was forever settled.

I repeat it, there is nothing impossible. If you have any respect for your reputation as a prophet, erase that word "impossible" from your vocabulary. There is nothing impossible for America as long as she is filled with youth that looks straight into the sun, that gazes across the far and radiant stretches of the sky, clear-eyed, clean-lived, lion-hearted, like that unconquerable Viking of the air, like that incomparable eaglet, unafraid.

MESSAGE FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were presented to the House of Representatives by Mr. Latta, one of his secretaries, who also announced that on the following dates the President approved and signed bills of the House of the following titles:

On March 21, 1928:

H. R. 4964. An act to authorize the city of Muskogee, Okla., to remove and retain title to the boilers from the Municipal Hospital Building recently conveyed by the city to the United States Veterans' Bureau Hospital No. 90, at Muskogee, Okla.

On March 23, 1928:

H. R. 10286. An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1929, and for other purposes.

On March 24, 1928:

H. R. 10954. An act to authorize the Secretary of the Treasury to execute agreements of indemnity to the Union Trust Co., Providence, R. I., and the National Bank of Commerce, Philadelphia, Pa.;

H. J. Res. 175. Joint resolution to change the name of the Ancon Hospital, in the Panama Canal Zone, to the Gorgas Hospital; and

H. R. 5255. An act for the relief of Jacob F. Webb.

On March 26, 1928:

H. R. 232. An act to amend the act of June 7, 1924, prescribing the persons entitled to the benefits of the National Home for Disabled Volunteer Soldiers, and the method of their admission thereto;

H. R. 5500. An act to establish a national military park at the battle field of Fort Donelson, Tenn.; and

H. R. 10027. An act to authorize the transfer of a portion of the Hospital Reservation of the United States Veterans' Hospital No. 78, North Little Rock, Ark., to the Big Rock Stone & Material Co., and the transfer of certain land from the Big Rock Stone & Material Co. to the United States.

On March 27, 1928:

H. R. 356. An act to amend section 2 of the act of March 3, 1905, entitled "An act to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations to carry the same into effect";

H. R. 8311. An act to provide for the naming of a mountain or peak within the boundaries of the Lassen Volcanic National Park, Calif., in honor of Hon. John E. Raker, deceased;

H. R. 9031. An act to provide further for the disposal of abandoned military reservations in the Territory of Alaska, including Signal Corps stations and rights of way;

H. J. Res. 211. Joint resolution to amend Public Resolution No. 65, approved March 3, 1925, authorizing the participation of the United States Government in the international exposition to be held in Seville, Spain;

H. R. 926. An act for the relief of Jennie Roll;

H. R. 3145. An act for the relief of Willis B. Cross;

H. R. 3073. An act for the relief of Maj. F. Ellis Reed;

H. R. 4203. An act for the relief of A. S. Guffey;

H. R. 7110. An act for the relief of Frances L. Dickinson;

H. R. 7932. An act to authorize appropriations for construction at military posts, and for other purposes; and

H. R. 8824. An act to provide for the protection of the watershed within the Carson National Forest from which water is obtained for the Taos Pueblo, N. Mex.

On March 28, 1928:

H. R. 7944. An act to authorize appropriations for construction at military posts, and for other purposes;

H. R. 173. An act to provide funds for the upkeep of the Puyallup Indian Cemetery at Tacoma, Wash.;

H. R. 308. An act authorizing an appropriation for the survey and investigation of the placing of water on the Michaud division and other lands in the Fort Hall Indian Reservation;

H. R. 340. An act to authorize the incorporated town of Anchorage, Alaska, to issue bonds for the construction and equipment of an additional school building, and for other purposes;

H. R. 7367. An act to authorize the incorporated town of Seward, Alaska, to issue bonds in any sum not exceeding \$50,000 for the purpose of constructing and equipping a public-school building in the town of Seward, Alaska;

H. R. 8542. An act to provide for the construction of a hospital at the Fort Bidwell Indian School, Calif.;

H. R. 8543. An act to provide for the construction of a school building at the Fort Bidwell Indian School, Calif.;

H. R. 8887. An act for the relief of Victorina Mesa, of Cavite, P. I.; and

H. R. 10083. An act to provide for advances of funds by special disbursing agents in connection with the enforcement of acts relating to narcotic drugs.

On March 29:

H. J. Res. 126. Joint resolution to provide for the entry under bond of exhibits for display at the Pacific Southwest Exposition to be held in commemoration of the landing of the Spanish padres in the Pacific Southwest and the opening of the Long Beach, Calif., world port, and for other purposes;

H. R. 445. An act authorizing the Secretary of the Interior to enter into a cooperative agreement or agreements with the State of Montana and private owners of lands within the State of Montana for grazing and range development, and for other purposes;

H. R. 7927. An act granting the consent of Congress to the Louisiana Highway Commission of the State of Louisiana to construct, maintain, and operate a bridge across the Atchafalaya River at Melville, La.;

H. R. 7198. An act authorizing Henry Thane, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 8093. An act for the relief of John Rooks;

H. R. 8897. An act to revive and reenact the act entitled "An act granting the consent of Congress to the city of Chicago to construct a bridge across the Calumet River at or near One hundred and thirtieth Street in the city of Chicago, county of Cook, State of Illinois," approved March 21, 1924;

H. R. 9350. An act granting the consent of Congress to Frank E. Merrill, carrying on business under the name and style of Frank E. Merrill & Co.'s Algonquin Shores Realty Trust, to construct, maintain, and operate a footbridge across the Fox River;

H. R. 9361. An act granting the consent of Congress to the city of St. Charles, State of Illinois, to widen, maintain, and operate a bridge across the Fox River within the city of St. Charles, State of Illinois;

H. R. 9761. An act to extend the time for completing the construction of a bridge across the Monongahela River at or near Pittsburgh, Pa.;

H. R. 9773. An act granting the consent of Congress to the Manufacturers' Electric Terminal Railway, its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near the mouth of the Big Blue River, in Jackson County, Mo.;

H. R. 9946. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at or near Mount Carmel, Ill.;

H. R. 9964. An act authorizing E. L. Higdon, of Baldwin County, Ala., his heirs, legal representatives, and assigns to construct, maintain, and operate a bridge across Perdido Bay at or near Bear Point, Baldwin County, Ala.;

H. R. 10025. An act to extend the time for completing the construction of a bridge across the Monongahela River at or near Cliff Street, McKeesport, Pa.;

H. R. 10143. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Sabine River at or near Merryville, La., on the Merryville-Newton highway;

H. R. 10144. An act authorizing the B & P Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande River at or near Zapata, Tex.;

H. R. 10373. An act authorizing the Plattsmouth Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Plattsmouth, Nebr.;

H. R. 10424. An act authorizing John C. Mullen, T. L. Davies, John H. Hutchings, and Virgil Falloon, all of Falls City, Nebr., their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Rulo, Nebr.;

H. R. 10566. An act granting the consent of Congress to the city of Peoria, Peoria County, Ill., to construct, maintain, and operate a free highway bridge across the Illinois River at or near Peoria, Ill.;

H. R. 10658. An act authorizing the Interstate Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Decatur, Nebr.;

H. R. 10707. An act authorizing the Point Marion Community Club, of Point Marion, Pa., its successors and assigns, to construct, maintain, and operate a bridge across the Monongahela River at or near Point Marion, Pa.;

H. R. 10756. An act authorizing the State of Indiana to construct, maintain, and operate a toll bridge across the Miami River between Lawrenceburg, Dearborn County, Ind., and a point in Hamilton County, Ohio, near Columbia Park, Hamilton County, Ohio; and

H. R. 10806. An act authorizing the city of Atchison, Kans., and the county of Buchanan, Mo., or either of them, to construct, maintain, and operate a toll bridge across the Missouri River at or near Atchison, Kans.

On March 30, 1928:

H. R. 6094. An act to amend section 7 of public act No. 45, Sixty-ninth Congress, entitled "An act authorizing the use for permanent construction at military posts of the proceeds from the sale of surplus War Department real property, and authorizing the sale of certain military reservations, and for other purposes";

H. R. 7224. An act to extend the time for the refunding of certain legacy taxes erroneously collected; and

H. R. 367. An act to authorize the settlement of the indebtedness of the Kingdom of the Serbs, Croats, and Slovenes.

On March 31, 1928:

H. R. 9860. An act to amend the act of April 25, 1922, as amended, entitled "An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within the former Cheyenne River and Standing Rock Indian Reservations, N. Dak. and S. Dak."

On April 2, 1928:

H. J. Res. 217. Joint resolution providing for the remission of duties on certain cattle which have crossed the boundary line into foreign countries and for other purposes;

H. J. Res. 245. Joint resolution to make immediately available the appropriation for a road across the Kaibab Indian Reservation;

H. J. Res. 253. Joint resolution authorizing certain customs officials to administer oaths; and

H. R. 8326. An act to authorize the construction of a dormitory at Riverside Indian School at Anadarko, Okla.

THE DRY BLOC

Mr. BLACK of New York. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

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

There was no objection.

Mr. BLACK of New York. Mr. Speaker and gentlemen of the House, I was very much impressed with the address of the last speaker, especially toward its conclusion when he referred to governments trampling on the rights of men, and his friendly reference to the great Democrat, Jefferson. I would that we had another Jefferson so that we could have another declaration of independence which is sadly needed in this country, as emphasized by the speech of a preceding speaker, the gentleman from Michigan, [Mr. CRAMTON].

The gentleman from Michigan [Mr. CRAMTON], makes the point that the wet bloc is divided in itself. Well, of course, it is divided. It is an independent, liberal, intelligent, thinking bloc, and necessarily has divisions. The dry bloc, on the other hand, represents just a dry chain gang under the whip of an outside organization called the Anti-Saloon League. But there are divisions among the dries too—not making any reference to the dries in this House. They are divided in this way. First of all, and the main division, are those who get it and those who do not get it. Then there is another division, the dries with a Bible and a flask in the back pocket and the dries with two flasks in the back pocket.

Speaking of roll calls, give us a roll call on the main question. You have packed committees in this House against the people of this country having a roll call on the question. Give us a roll call on straight modification and you will see the dries blow up and scatter to the four winds on such a roll call.

The gentleman spoke of the farm bloc. The farm bloc itself has surrendered to the dry bloc and the Anti-Saloon League in this House. I defy the farm bloc of the Congress to go back to the farmers and tell them what they have lost in barley and hops since prohibition. Show them the figures that come from official sources and see how long they will last.

I do not blame the gentleman from Michigan from glorifying in the result of the roll call. He is an extremist. The gentleman from Michigan is the presiding elder of the Borgia bloc in the House. Naturally, they glorify in the fact they can continue poisoning the American people. Let the men who voted on that question go back to their constituents and say they voted to spend the public money on poisoning the American people in the interest of enforcement of prohibition.

I think the gentleman from New York [Mr. CAREW] when he demanded a roll call did a very noteworthy thing in the progress of this proposition. He got a record of this House on the extremists among the dries. Some men will have to go back to their constituents and say to their constituents, "At a roll call on whether or not the Government should be allowed to poison the great, free American people, I, an American Congressman, cringing to the Anti-Saloon League, losing my self-respect, forgetting that I owed it to the people to be with them, voted to permit the Prohibition Bureau to send out poison through the friends of prohibition, the bootleggers, to the American people."

We never had bootleggers before we had prohibition. Bear that in mind, gentlemen of the Borgia bloc.

CONFERENCE OF CONCILIATION AND ARBITRATION (S. DOC. NO. 79)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and with accompanying papers referred to the Committee on Foreign Affairs and ordered to be printed.

To the Congress of the United States:

I commend to the favorable consideration of the Congress the inclosed report from the Secretary of State to the end that legislation may be enacted requesting (1) the President to extend to the Republics of America an invitation to attend a Conference of Conciliation and Arbitration to be held at Washington during 1928, for the purpose of drawing up a convention for the realization of the principle of arbitration for the pacific solution of their international differences of a juridical nature which was adopted in the resolution passed at the Sixth International Conference of American States; (2) the authorization of an appropriation of \$60,000 for the expenses of such a conference.

CALVIN COOLIDGE.

THE WHITE HOUSE, April 3, 1928.

Mr. MOORE of Virginia. Mr. Speaker, I call attention to the fact that this morning a resolution reported by the Committee on Foreign Affairs making provision for what the President recommends in the message just read was passed by the House.

INTERNATIONAL CONFERENCE FOR REVISION OF THE CONVENTION OF 1914 FOR THE SAFETY OF LIFE AT SEA (S. DOC. NO. 80)

The SPEAKER also laid before the House the following message from the President of the United States, which was read and with accompanying papers referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the inclosed report from the Secretary of State, to the end that legislation may be enacted to authorize an appropriation of \$100,000 for the expenses of participation by the United States in the International Conference for the Revision of the Convention of 1914 for the Safety of Life at Sea, to be held in London, England, in 1929.

CALVIN COOLIDGE.

THE WHITE HOUSE, April 3, 1928.

ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 4115. An act for the relief of Winfield Scott;

H. R. 4116. An act for the relief of W. Laurence Hazard;

H. R. 4117. An act for the relief of Harriet K. Carey;

H. R. 11140. An act to provide for the inspection of the battle field of Kings Mountain, S. C.; and

H. R. 12245. An act to amend the War Finance Corporation act approved April 5, 1918, as amended.

The SPEAKER also announced his signature to enrolled bills of the Senate of the following titles:

S. 380. An act for the relief of Charles H. Niehaus;

S. 2537. An act to amend section 110, national defense act, so as to provide better administrative procedure in the disbursements for pay of National Guard officers and enlisted men;

S. 2827. An act granting the consent of Congress to the States of South Dakota and Nebraska to construct, maintain, and operate a bridge across the Missouri River at or near Niobrara, Nebr.;

S. 2950. An act to amend the second paragraph of section 67, national defense act, as amended;

S. 3131. An act to provide additional pay for personnel of the United States Navy assigned to duty on submarines and to diving duty; and

S. 3558. An act authorizing Point Pleasant & Henderson Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Kanawha River at or near Point Pleasant, W. Va.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 15 minutes p. m.) the House adjourned until to-morrow, Thursday, April 5, 1928, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, April 5, 1928, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON AGRICULTURE

(10 a. m.)

To provide for the eradication of pink bollworm and authorizing an appropriation therefor (H. J. Res. 237).

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

(10.30 a. m.)

To provide for the transfer to the Department of the Interior of the public-works functions of the Federal Government (H. R. 8127).

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To amend the act entitled "An act to create the Inland Waterways Corporation for the purpose of carrying out the mandate and purpose of Congress, as expressed in sections 201 and 500 of the transportation act," approved June 3, 1924 (H. R. 10710).

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To authorize the Secretary of the Navy to lease the United States naval destroyer and submarine base, Squantum, Mass. (H. R. 11922).

COMMITTEE ON THE DISTRICT OF COLUMBIA—SUBCOMMITTEE ON THE JUDICIARY

(10.30 a. m.)

To amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions (H. R. 7951).

COMMITTEE ON IMMIGRATION AND NATURALIZATION

(10.30 a. m.)

To amend the immigration act of 1924 by making the quota provisions thereof applicable to Mexico, Cuba, Canada, and the countries of continental America and adjacent islands (H. R. 6465).

COMMITTEE ON THE JUDICIARY

(10 a. m.)

For the relief of the State of North Carolina (S. 3097).

EXECUTIVE COMMUNICATIONS, ETC.

426. Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination and survey of Weymouth Fore River, Mass., from Hingham Bay to Quincy, was taken from the Speaker's table and referred to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII:

Mr. GAMBRILL: Committee on Naval Affairs. H. R. 5548. A bill to authorize payment of six months' death gratuity to dependent relatives of officers, enlisted men, or nurses whose death results from wounds or disease not resulting from their own misconduct; with amendment (Rept. No. 1125). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 5718. A bill to amend the act entitled "An act to readjust

the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service"; without amendment (Rept. No. 1126). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSEYER: Committee on the Post Office and Post Roads. H. R. 7354. A bill to allow the Postmaster General to promote mechanics' helpers to the first grade of special mechanics; with amendment (Rept. No. 1127). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSEYER: Committee on the Post Office and Post Roads. H. R. 8728. A bill to authorize the Postmaster General to give motor-vehicle service employees credit for actual time served on a basis of 1 year for each 306 days of 8 hours served as substitute; with amendment (Rept. No. 1128). Referred to the Committee of the Whole House on the state of the Union.

Mr. PERKINS: Committee on Coinage, Weights, and Measures. H. R. 8907. A bill to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, and for other purposes; with amendment (Rept. No. 1129). Referred to the Committee of the Whole House on the state of the Union.

Mr. KENDALL: Committee on the Post Office and Post Roads. H. R. 12605. A bill to enable the Postmaster General to purchase and erect community mail boxes on rural routes and to rent compartments of such boxes to patrons of rural delivery; with amendment (Rept. No. 1130). Referred to the Committee of the Whole House on the state of the Union.

Mr. PERKINS: Committee on Coinage, Weights, and Measures. H. J. Res. 243. A joint resolution to provide for the coinage of a medal commemorative of the achievements of Thomas A. Edison in illuminating the path of progress through the development and application of inventions that have revolutionized civilization in the last century; with amendment (Rept. No. 1131). Referred to the Committee of the Whole House on the state of the Union.

Mr. PERKINS: Committee on Coinage, Weights, and Measures. H. R. 43. A bill to amend the act entitled "An act to standardize lime barrels," approved August 23, 1916; without amendment (Rept. No. 1132). Referred to the House Calendar.

Mr. WOLVERTON: Committee on Naval Affairs. H. R. 5644. A bill to enable an enlisted man in the naval service to make good time lost in excess of one day under certain conditions; with amendment (Rept. No. 1135). Referred to the House Calendar.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 11621. A bill to authorize the Secretary of the Navy to advance public funds to naval personnel under certain conditions; without amendment (Rept. No. 1136). Referred to the House Calendar.

Mr. FENN: Committee on the Census. H. R. 11725. A bill for the apportionment of Representatives in Congress; without amendment (Rept. No. 1137). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. BURDICK: Committee on Naval Affairs. S. 2442. An act for the relief of Lieut. Henry C. Weber, Medical Corps, United States Navy; with amendment (Rept. No. 1133). Referred to the Committee of the Whole House.

Mr. STEELE: Committee on Claims. H. R. 8440. A bill for the relief of F. C. Wallace; with amendment (Rept. No. 1134). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII the Committee on Claims was discharged from the consideration of the bill (H. R. 12666) for the relief of William S. Shacklette, and the same was referred to the Committee on Naval Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CLANCY: A bill (H. R. 12674) authorizing the President of the United States to present in the name of Congress a congressional medal of honor to Capt. Edward V. Rickenbacker; to the Committee on Military Affairs.

By Mr. McLEOD: A bill (H. R. 12675) authorizing the President of the United States to present in the name of Congress a congressional medal of honor to Capt. Edward V. Rickenbacker; to the Committee on Military Affairs.

By Mr. PARKS: A bill (H. R. 12676) to amend section 2 of an act approved February 14, 1926, granting consent of Con-

gress for the construction of a bridge across Red River at or near Fulton, Ark.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 12677) to amend section 2 of an act approved March 12, 1928, granting consent of Congress for the construction of a bridge across the Ouachita River at or near Calion, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. RAINEY: A bill (H. R. 12678) authorizing the Calhoun Bridge Co., an Illinois corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Illinois River at or near Grafton, Ill.; to the Committee on Interstate and Foreign Commerce.

By Mr. COCHRAN of Missouri: A bill (H. R. 12679) to prohibit the recovery of any indebtedness to the United States from either the principal or the interest due and payable to any depositor from the military or naval service whose savings were intrusted to the Government under provisions of existing law; to the Committee on Expenditures in the Executive Departments.

By Mr. BUSHONG: A bill (H. R. 12680) authorizing an appropriation of \$2,500 for the erection of a tablet or marker at Weiser Park, Pa., to commemorate the services of Conrad Weiser; to the Committee on the Library.

By Mr. BRIGGS: A bill (H. R. 12681) to authorize a survey of West Galveston Bay, Tex., and adjacent waters, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. CELLER: A bill (H. R. 12682) to amend section 283 of the Judicial Code, same being section 420, title 28, of the Code of Laws of the United States of America, in force December 6, 1926; to the Committee on the Judiciary.

By Mr. CRAWL: A bill (H. R. 12683) to regulate the shipment in interstate commerce of pistols, revolvers, rifles, and machine guns, and ammunition which may be used therein; to the Committee on Interstate and Foreign Commerce.

By Mr. FULMER: A bill (H. R. 12684) authorizing an appropriation of \$2,000 for the erection of a tablet or marker, near Leesville, S. C., to commemorate the burial place of Capt. James Butler, sr., James Butler, jr., and the 20 American soldiers killed and massacred in the Battle of Clouds Creek in 1781; to the Committee on the Library.

Also, a bill (H. R. 12685) to amend an act entitled "An act to divide the eastern district of South Carolina into four divisions and the western district into five divisions" by adding a new division to the eastern district and providing for terms of said court to be held at Orangeburg, S. C.; to the Committee on the Judiciary.

By Mr. HAWLEY: A bill (H. R. 12686) authorizing the Secretary of War to accept from Sedgwick Post, No. 10, Grand Army of the Republic, a tract of land designated as soldiers' lot in the City View Cemetery, Salem, Oreg.; to the Committee on Military Affairs.

By Mr. HAUGEN: A bill (H. R. 12687) 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; to the Committee on Agriculture.

By Mr. JAMES: A bill (H. R. 12688) to authorize appropriations for construction at military posts, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 12689) authorizing the sale of surplus War Department real property at Jeffersonville, Ind.; to the Committee on Military Affairs.

By Mr. MILLER: A bill (H. R. 12690) to amend the narcotic drugs import and export act of May 26, 1922, and for other purposes; to the Committee on Ways and Means.

By Mr. OLDFIELD: A bill (H. R. 12691) to provide for the further development of agriculture, home economics, and industry; to the Committee on Education.

By Mr. PEERY: A bill (H. R. 12692) to amend the interstate commerce act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. REED of New York: A bill (H. R. 12693) to define fruit jams, preserves, jellies, and other products, to provide standards therefor, and to require the labeling thereof, and to regulate traffic therein, and for other purposes; to the Committee on Agriculture.

By Mrs. ROGERS: A bill (H. R. 12694) authorizing the Secretary of the Navy to provide an escort for the bodies of deceased officers, enlisted men, and nurses; to the Committee on Naval Affairs.

By Mr. VESTAL: A bill (H. R. 12695) to authorize the licensing of patents owned by the United States; to the Committee on Patents.

By Mr. WOODRUM: A bill (H. R. 12696) to increase the compensation for certain civilian employees of the Government of the United States and the District of Columbia, and to amend the salary rates contained in the classification act of 1923 as amended; to the Committee on the Civil Service.

By Mr. ZIHLMAN: A bill (H. R. 12697) to amend the Code of Laws of the District of Columbia relating to interest and usury; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLGOOD: A bill (H. R. 12698) granting an increase of pension to Nancy Ellis; to the Committee on Invalid Pensions.

By Mr. BEERS: A bill (H. R. 12699) granting an increase of pension to Fannie Stevens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12700) granting an increase of pension to Mary A. Booth; to the Committee on Invalid Pensions.

By Mr. BUCHANAN: A bill (H. R. 12701) for the relief of the Taylor Country Club, Taylor, Tex.; to the Committee on Claims.

Also, a bill (H. R. 12702) for the relief of the Brenham Club, Brenham, Tex.; to the Committee on Claims.

By Mr. BUSHONG: A bill (H. R. 12703) granting an increase of pension to Isabella Reedy; to the Committee on Invalid Pensions.

By Mr. CARTWRIGHT: A bill (H. R. 12704) for the relief of Franklin Bourland; to the Committee on Indian Affairs.

By Mr. COHEN: A bill (H. R. 12705) for the relief of Lustbader Construction Co. (Inc.); to the Committee on Claims.

By Mr. COLTON: A bill (H. R. 12706) for the relief of the town of Springdale, Utah; to the Committee on the Public Lands.

By Mr. EDWARDS: A bill (H. R. 12707) for the relief of Julius Victor Keller; to the Committee on Military Affairs.

By Mr. ROY G. FITZGERALD: A bill (H. R. 12708) for the relief of John H. Lawler; to the Committee on Military Affairs.

By Mr. W. T. FITZGERALD: A bill (H. R. 12709) granting an increase of pension to Mary W. Plank; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 12710) granting a pension to John Bivens; to the Committee on Pensions.

Also, a bill (H. R. 12711) for the relief of certain members of a trail crew employed by the Forest Service; to the Committee on Claims.

By Mr. FULMER: A bill (H. R. 12712) granting a pension to Lula Gardner Crouch; to the Committee on Pensions.

Also, a bill (H. R. 12713) granting a pension to Ida C. Watson; to the Committee on Pensions.

By Mr. HARDY: A bill (H. R. 12714) for the relief of the Rocky Ford National Bank, Rocky Ford, Colo.; to the Committee on Claims.

Also, a bill (H. R. 12715) for the relief of the Rocky Ford National Bank, Rocky Ford, Colo.; to the Committee on Claims.

By Mr. JENKINS: A bill (H. R. 12716) granting an increase of pension to Rebecca M. Spires; to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 12717) granting a pension to Elizabeth McCuen; to the Committee on Invalid Pensions.

By Mr. KORELL: A bill (H. R. 12718) granting an increase of pension to Helen M. Barnes; to the Committee on Invalid Pensions.

By Mr. LOZIER: A bill (H. R. 12719) granting a pension to Louis Annamiller; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN: A bill (H. R. 12720) granting a pension to Nora Porter; to the Committee on Invalid Pensions.

By Mr. MAJOR of Illinois: A bill (H. R. 12721) granting an increase of pension to Susan Jane Kessinger; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 12722) granting a pension to Joseph M. Cameron; to the Committee on Invalid Pensions.

By Mr. STEVENSON: A bill (H. R. 12723) granting a pension to Otho W. Thomas; to the Committee on Pensions.

Also, a bill (H. R. 12724) granting a pension to Martha Henkle Beckham; to the Committee on Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 12725) granting an increase of pension to John O. Lind; to the Committee on Pensions.

Also, a bill (H. R. 12726) granting an increase of pension to Mary J. Jenness; to the Committee on Invalid Pensions.

By Mr. SWANK: A bill (H. R. 12727) for the relief of Caesar F. Simmons; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 12728) granting a pension to Frank Sutton; to the Committee on Pensions.

By Mr. VINSON of Kentucky: A bill (H. R. 12729) granting a pension to Susan Lewis; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6365. Petition of Federation of Citizens' Associations of the District of Columbia, David Babb, secretary, relating to the farmers' market in the District of Columbia; to the Committee on the District of Columbia.

6366. Petition signed by Isabella Miller and 71 other citizens of Trinidad, Colo., urging enactment of legislation to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

6367. By Mr. BACON: Petition of sundry citizens of Long Island, favoring the passage of House bill 11410, to amend the national prohibition act; to the Committee on the Judiciary.

6368. By Mr. BARBOUR: Resolution adopted by Grant Post, No. 9, Grand Army of the Republic, Department of California and Nevada, and affiliated organizations of Modesto, Calif., protesting against change of name of Arlington Memorial Bridge to Lincoln-Lee Bridge; to the Committee on the Library.

6369. Also, letter of affiliated organizations of the Grand Army of the Republic in the city of Fresno, Calif., urging increased pensions for Civil War veterans and widows; to the Committee on Invalid Pensions.

6370. Also, petition signed by residents of Fresno, Calif., urging enactment of the Tyson-Fitzgerald bill, for the retirement of emergency Army officers; to the Committee on World War Veterans' Legislation.

6371. By Mr. BRIGGS: Petition of a number of citizens of Galveston County, Tex., relating to pensions; to the Committee on Invalid Pensions.

6372. Also, petition of a number of citizens of Galveston County, Tex., relating to pensions; to the Committee on Invalid Pensions.

6373. By Mr. BURTNESS: Letter of E. A. Erickson, secretary-treasurer Farmers' Mutual Fire & Lightning Insurance Co., of Steele County, N. Dak., protesting against passage of the Oddie bill (S. 1752); to the Committee on the Post Office and Post Roads.

6374. Also, petition of 60 residents of Gilby, N. Dak., for increases in pensions to veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

6375. Also, petition of 29 residents of Buxton, N. Dak., for increases in pensions to veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

6376. By Mr. BURTON: Resolution of Cleveland Council No. 733, Knights of Columbus, Cleveland, Ohio, at a meeting held March 20, 1928, indorsing the Dale-Lehlbach retirement bill (H. R. 25 and S. 1727); to the Committee on the Civil Service.

6377. Also, resolution of Hesperian Lodge No. 281, Knights of Pythias, Cleveland, Ohio, at its session March 22, 1928, indorsing the Dale-Lehlbach retirement bill (H. R. 25 and S. 1727); to the Committee on the Civil Service.

6378. Also, resolution of Bedford Local, No. 1991, Bedford, Ohio, favoring the Dale-Lehlbach retirement bill (H. R. 25 and S. 1727); to the Committee on the Civil Service.

6379. Also, resolution of Firemen and Oilers Union No. 52, Cleveland, Ohio, favoring the Dale-Lehlbach retirement bill (H. R. 25 and S. 1727); to the Committee on the Civil Service.

6380. Also, resolution of Americus Lodge, Knights of Pythias, Cleveland, Ohio, at a meeting held March 27, 1928, favoring the Dale-Lehlbach retirement bill (H. R. 25 and S. 1727); to the Committee on the Civil Service.

6381. Also, resolution of Paving and Sewer Inspection Local No. 109, Cleveland, Ohio, at a meeting held March 28, 1928, favoring the Dale-Lehlbach retirement bill (H. R. 25 and S. 1727); to the Committee on the Civil Service.

6382. Also, resolution of Painters and Decorators' Local No. 765, Cleveland, Ohio, at a meeting held March 20, 1928, favoring the Dale-Lehlbach retirement bill (H. R. 25 and S. 1727); to the Committee on the Civil Service.

6383. Also, resolution of Clark Lodge, No. 764, Knights of Pythias, Cleveland, Ohio, adopted at a meeting held March 16, 1928, favoring the Dale-Lehlbach retirement bill (H. R. 25 and S. 1727); to the Committee on the Civil Service.

6384. Also, resolution of Minton Camp, No. 124, Woodmen of the World, Cleveland, Ohio, at a meeting held March 28, 1928, favoring the Dale-Lehlbach retirement bill (H. R. 25 and S. 1727); to the Committee on the Civil Service.

6385. Also, resolution of Division 268, Amalgamated Association of Street and Electric Railway Workers of America, at a meeting held March 28, 1928, favoring the Dale-Lehlbach retirement bill (H. R. 25 and S. 1727); to the Committee on the Civil Service.

6386. Also, resolution of Criterion Lodge, No. 68, Knights of Pythias, Cleveland, Ohio, at a meeting held March 26, 1928, favoring the Dale-Lehlbach retirement bill (H. R. 25 and S. 1727); to the Committee on the Civil Service.

6387. Also, resolution of Subcourt Banner, No. 360, Independent Order of Foresters, Cleveland, Ohio, at a meeting held March 27, 1928, indorsing the Dale-Lehlbach retirement bill (H. R. 25 and S. 1727); to the Committee on the Civil Service.

6388. Also, resolution of Carpenters Local No. 1365, Cleveland, Ohio, at a meeting held March 14, 1928, indorsing the Dale-Lehlbach retirement bill (H. R. 25 and S. 1727); to the Committee on the Civil Service.

6389. Also, resolution of Goddess of Liberty Council 62, Daughters of America, Cleveland, Ohio, at a meeting of March 26, 1928, favoring the Dale-Lehlbach retirement bill (H. R. 25 and S. 1727); to the Committee on the Civil Service.

6390. Also, resolution of Owatonna Lodge No. 62, Knights of Pythias, Cleveland, Ohio, at a meeting held March 26, 1928, indorsing the Dale-Lehlbach retirement bill (H. R. 25 and S. 1727); to the Committee on the Civil Service.

6391. By Mr. CARSS: Petition of 49 residents of Two Harbors, Minn., favoring the National Tribune's Civil War pension bill; to the Committee on Invalid Pensions.

6392. By Mr. CURRY: Petition of citizens of the third California district, for the abolishing of the national origins law; to the Committee on Immigration and Naturalization.

6393. By Mr. GARBER: Petition of Federal Steam Specialties Co., by J. C. Fullerton, secretary, of Oklahoma City, Okla., in opposition to House bill 9949, repeal of the present bankruptcy act; to the Committee on the Judiciary.

6394. Also, petition of Herman Olson, of Henryetta, Okla., in support of House bills 97 and 8143; to the Committee on World War Veterans' Legislation.

6395. Also, petition of residents of Medford, Okla., urging the enactment of legislation for the relief of the Civil War veterans and widows; to the Committee on Invalid Pensions.

6396. By Mr. HARDY: Petition signed by Sara J. Ashley and 53 other citizens of Pueblo, Colo., urging enactment of legislation to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

6397. Also, petition signed by Barbara J. Millikan and 38 other residents of Rocky Ford, Colo., urging enactment of legislation to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

6398. Also, petition signed by 142 citizens of Trinidad, Colo., urging enactment of legislation to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

6399. Also, petition signed by Sarah J. Smiley and 117 other citizens of Olney Springs, Colo., urging enactment of legislation to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

6400. Also, petition of 130 citizens of Aguilar, Colo., urging enactment of legislation to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

6401. By Mr. HAWLEY: Petition of residents of Eugene, Oreg., opposing the Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

6402. By Mr. HOGG: Petition of T. A. Meyer, Ray E. Hasbrook, and 128 other citizens of Fort Wayne, Ind., petitioning Congress to take immediate action on House bill 433, to provide \$100 pension for all Civil War veterans and \$50 per month for all their widows; to the Committee on Invalid Pensions.

6403. By Mr. HUDDLESTON: Petition of Robert McLeod Smith, in re income tax and regulations; to the Committee on Ways and Means.

6404. By Mrs. KAHN: Petition of numerous citizens of California, urging action on House bill 9494, a bill to amend section 9 of the act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service"; to the Committee on Military Affairs.

6405. By Mr. KENDALL: Petition of certain citizens of Uniontown, Pa., protesting against the passage of House bill 78; to the Committee on the District of Columbia.

6406. Also, petition of certain citizens of Hopwood, Pa., protesting against the passage of House bill 78; to the Committee on the District of Columbia.

6407. By Mr. KINDRED: Petition of Forest Hills Post, No. 630, American Legion, urging the Congress of the United States to pass an amendment to the World War veterans' act of 1924 which will permit a veteran to name a bank or trust company to act as his trustee in order to distribute the proceeds of his war risk insurance in accordance with his wishes; to the Committee on World War Veterans' Legislation.

6408. By Mr. KVALE: Petition of members of the American Legion Auxiliary of Walter Tripp Post, No. 29, Morris, Minn., urging passage of the Butler bill (H. R. 7359); to the Committee on Naval Affairs.

6409. By Mr. LINDSAY: Petition of chamber of commerce, Los Angeles, Calif., praying that a brief submitted by said body to the chairman of the Senate Committee on Commerce and the chairman of the House Committee on the Merchant Marine and Fisheries, outlining the attitude of the Los Angeles Chamber of Commerce on the subject of American merchant marine, embracing close acquaintance and expert knowledge of the many ramifications of the subject, be given thoughtful consideration; to the Committee on the Merchant Marine and Fisheries.

6410. Also, petition of American Federation of Labor, Washington, D. C., submitting resolutions urging abolishment of the sea service bureau and shipowners' association shipping offices; to the Committee on the Merchant Marine and Fisheries.

6411. Also, petition of New York State Federation of Women's Clubs, Mount Vernon, N. Y., urging Congress to take favorable action on the Cooper-Hawes bill; to the Committee on Interstate and Foreign Commerce.

6412. Also, petition of John L. Brown, Brooklyn, N. Y., praying that House bill 11488 receive favorable action, it being a bill to provide for a pensionable status to members of the crew of the U. S. S. *St. Louis*, which served in the Spanish-American War; to the Committee on Pensions.

6413. By Mr. LUCE: Petition of residents of Ashland, Mass., urging increase in Civil War pensions; to the Committee on Invalid Pensions.

6414. By Mr. McLAUGHLIN: Petition of Mercy Ann Plotts and 120 other residents of Newaygo County, Mich., urging passage of bill providing increase of pension to Civil War veterans and their widows; to the Committee on Invalid Pensions.

6415. By Mr. MADDEN: Petition of the board of directors of the Hamilton Club, of Chicago, representing 4,000 members, urging flood relief legislation; to the Committee on Flood Control.

6416. Also, petition of the board of directors of the Hamilton Club, of Chicago, urging support of the Navy program now before Congress; to the Committee on Naval Affairs.

6417. By Mr. MILLER: Petition of citizens of Seattle, Wash., indorsing House bills 89 and 5681; to the Committee on the Post Office and Post Roads.

6418. By Mr. MORROW: Petition of Pantaleon Madrid Post, the American Legion, Santa Rosa, N. Mex., indorsing the Tyson-Fitzgerald bill for retirement of disabled emergency officers of the World War; to the Committee on World War Veterans' Legislation.

6419. By Mr. O'CONNELL: Petition of the National Society, Daughters of the American Revolution, favoring the passage of the Capper-Gibson bill (S. 1907, H. R. 6664) for a woman's bureau in police department; to the Committee on the District of Columbia.

6420. Also, petition of the American Federation of Labor, Washington, D. C., favoring the amendment to the independent offices appropriation bill, which provides that none of the appropriation for the Shipping Board or the Merchant Fleet Corporation shall be used to maintain the sea service bureau; to the Committee on Appropriations.

6421. Also, petition of the Manhattan Broom Co., New York City, N. Y., favoring the passage of the Hawes-Cooper bill; to the Committee on Labor.

6422. Also, petition of the Walter L. Brown Co., of New York City, opposing the McNary-Haugen farm relief bill; to the Committee on Agriculture.

6423. By Mr. PEAVEY: Petition of numerous citizens of Superior, Wis., urging that the national-origins clause of the immigration law be annulled; to the Committee on Immigration and Naturalization.

6424. Also, petition of numerous citizens of Ashland, Wis., protesting against the passage of compulsory Sunday observance legislation, and particularly House bill 78; to the Committee on the District of Columbia.

6425. By Mr. RAINEY: Petition of C. D. McMurtry and 136 other citizens of the twentieth congressional district of Illinois, for increased pensions for Civil War soldiers and widows; to the Committee on Invalid Pensions.

6426. Also, petition of Mrs. Sodema Shelley and 121 other citizens of Barry, Ill., for increased pensions for Civil War soldiers and widows; to the Committee on Invalid Pensions.

6427. By Mr. SCHNEIDER: Petition by numerous citizens of Luxemburg, Wis., urging that immediate steps be taken to bring to a vote a Civil War pension bill carrying rates proposed by the National Tribune in order that relief may be accorded to needy and suffering veterans and widows; to the Committee on Invalid Pensions.

6428. Also, petition by numerous citizens of Lena and Suring, Wis., indorsing and urging the passage of House bill 11410, to amend the prohibition act; to the Committee on the Judiciary.

6429. By Mr. SINNOTT: Petition of a large number of citizens of Scandinavian descent, residing in the States of Oregon and Washington, protesting against the new quota in our Federal immigration law and asking that the law be amended and the new quota provision repealed and the present quota continued; to the Committee on Immigration and Naturalization.

6430. By Mr. STRONG of Kansas: Petition of 35 citizens of Washington County, Kans., urging enactment of legislation to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

6431. By Mr. SWING: Petition of citizens of San Diego, Calif., in behalf of Civil War veterans and widows; to the Committee on Invalid Pensions.

6432. By Mr. THURSTON: Petition of the Afton Business Club, unanimously indorsing the agricultural bill now pending before the Congress (McNary-Haugen bill); to the Committee on Agriculture.

6433. By Mr. WASON: Petition of J. W. Peirce and 38 other residents of Claremont, N. H., urging that immediate steps be taken to bring to a vote a Civil War pension bill in order that relief may be accorded to needy and suffering veterans and widows; to the Committee on Invalid Pensions.

SENATE

THURSDAY, April 5, 1928

(Legislative day of Wednesday, April 4, 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

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following bill and concurrent resolution of the Senate:

S. 2549. An act providing for payment to the German Government of \$461.59 in behalf of the heirs or representatives of the German nationals, John Adolf, Hermann Pegel, Franz Lipfert, Albert Wittenburg, Karl Behr, and Hans Dechantsreiter; and S. Con. Res. 13. Concurrent resolution to pay the necessary expenses of the joint committee appointed to represent Congress at the unveiling of the Stone Mountain monument at Atlanta, Ga., on April 9, 1928.

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

H. R. 9569. An act authorizing the payment of an indemnity to the British Government on account of the death of Reginald Ethelbert Myrie, alleged to have been killed in the Panama Canal Zone on February 5, 1921, by a United States Army motor truck;

H. R. 12178. An act to repeal Revised Statutes 1683 and part of title 22, section 32, of the United States Code;

H. R. 12179. An act to provide for the reimbursement of the Government of Great Britain on account of certain sums expended by the British chaplain in Moscow, the Rev. F. North, for the relief of American nationals in Russia in 1920;

H. J. Res. 145. Joint resolution to provide for the payment of an indemnity to the Chinese Government for the death of Chang Lin and Tong Huan Yah, alleged to have been killed by members of the armed forces of the United States;

H. J. Res. 146. Joint resolution to provide for the payment of an indemnity to the Dominican Republic for the death of Juan Soriano, who was killed by the landing of an airplane belonging to the United States Marine Corps;

H. J. Res. 148. Joint resolution to provide for the payment of an indemnity to the British Government to compensate the dependents of Edwin Tucker, a British subject, alleged to have been killed by a United States Army ambulance in Colon, Panama;

H. J. Res. 149. Joint resolution to authorize an appropriation for the compensation of William Wiseman;