

HOUSE OF REPRESENTATIVES

THURSDAY, January 31, 1929

The House met at 12 o'clock noon.

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

O Father of us all, the great world, which has become so endeared to us and which touches us on every side, is Thy world. Its streams of tendency flow around about the throne of omnipotence. Thy faithfulness is unto all generations, and the old earth has never been false to Thee. We have an ally in every star that shines and in every planet that moves. A sense of reproach is with us and we turn our faces earthward, for disturbance and confusion are from man. Pity us in our weakness and forgive us. Oh, kindle the hidden fires on the altars of our souls and let the heavenly virtues grow in the fullness of their bloom. May the wide sweep of duty be compassed by irresistible resolution and triumphantly borne where wisdom, knowledge, and faith are in full possession. In the name of Jesus. Amen.

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

MESSAGE FROM THE SENATE

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

H. R. 6864. An act to authorize the Postmaster General to require steamship companies to carry the mail when tendered;

H. R. 13414. An act to amend section 1396 of the Revised Statutes of the United States relative to the appointment of chaplains in the Navy;

H. R. 13507. An act to amend section 3 of Public Act No. 230 (37 Stat. L. 194); and

H. J. Res. 340. Joint resolution to authorize the Secretary of the Treasury to cooperate with the other relief creditor governments in making it possible for Austria to float a loan in order to obtain funds for the furtherance of its reconstruction program and to conclude an agreement for the settlement of the indebtedness of Austria to the United States.

The message also announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 15386. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1930, and for other purposes.

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

S. 1513. An act granting travel pay and other allowances to certain soldiers of the Spanish-American War and the Philippine insurrection who were discharged in the Philippines;

S. 3002. An act for the relief of Mina Bintliff;

S. 4604. An act for the relief of James L. McCulloch; and

S. 4736. An act for the repeal of the provisions in section 2 of the river and harbor act approved March 3, 1925, for the removal of a dam at Grand Rapids, on the Wabash River, Ill. and Ind.

RIVER AND HARBOR IMPROVEMENTS

Mr. ENGLAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of river and harbor improvements.

The SPEAKER. The gentleman from West Virginia asks unanimous consent to extend his remarks in the RECORD on the subject of river and harbor improvements. Is there objection? There was no objection.

Mr. ENGLAND. Mr. Speaker and Members of the House, in my judgment one of the most, if not the most, important bills now pending on the House Calendar is the rivers and harbors improvement bill, which by all means should be enacted into law before the adjournment of this session of Congress. If farm legislation is not taken up and disposed of at the present session, there no doubt will be an extraordinary session shortly after the adjournment of this session for the purpose of enacting farm legislation.

President-elect Hoover pointed out in his campaign for the Presidency three methods of giving aid to the farmers:

First. The passage of a law providing the necessary machinery for the marketing of farm products;

Second. A revision of the tariff; and

Third. The improvement of the rivers and harbors of the country.

In the event the rivers and harbors bill is not taken up for consideration at the present session of Congress, it should with-

out question be considered as a part of the farm-relief program at the extra session. The President said in his message:

River and harbor work ordered by the Congress not yet completed will cost about \$243,000,000, besides the hundreds of millions to be spent on the Mississippi flood way.

Until we can see our way out of this expense, no further river and harbor legislation should be passed, as expenditures to put it into effect would be four or five years away.

The authorized river and harbor work not completed prior to the act of September 22, 1922, was greater than at the present time, yet this fact did not prevent the Congress from passing the act of 1922, and the authorized rivers and harbors improvements not yet completed prior to the act of January 21, 1927, was greater than at the present time, and this fact did not prevent the passage of the 1927 act.

In the light of this legislative river and harbor history I feel that no good reason can be offered against the passage of the present bill, embracing improvements, the estimated cost of which is only \$48,435,415.75.

This is one of the most important river and harbor improvement bills ever before the Congress and its passage should not be delayed. Again, the Government's annual expenditures for highways is approximately \$100,000,000, and I am sure I would not want to see this expenditure curtailed, but on the other hand increased.

The annual expenditure for river and harbor improvements to afford better transportation facilities is less than half this amount. The river and harbor work is of such vast importance to the commerce of the country and our national prosperity, the completion of same should be had at the earliest possible time.

I desire also to include as a part of my remarks a speech of Mr. Ernest M. Merrill, an expert engineer and president of the Great Kanawha Valley Improvement Association, delivered January 8, 1929, before the transportation committee of the Charleston Chamber of Commerce, which is as follows:

OPENING THE DOOR

It is always a pleasure to talk about a subject in which one is deeply and enthusiastically interested, and your secretary has assigned me such a subject to-night in asking me to talk to you along the lines of river transportation. I am going to select as the theme for my talk to you the simple act of "opening the door," and I am not just going to give you a peep at the picture I see unfolded, but I am going to give you, as I see it, a good look.

Opening a door presupposes a great many things. For instance, opening the door permits us to let people in and also permits us to let people out. It presupposes that there is an inside and that there is an outside. Our Great Kanawha River is just such a door. Its standardization will let us out and let the other fellow in, and will give us access to the great system of inland waterways now nearing completion and will open our valley to the inflow of commodities from this great system and the territory served by it.

The Great Kanawha Valley Improvement Association is an organization of all the chambers of commerce, several of the service clubs, the three great coal operators' associations, and practically all of the major industrial companies located in or adjacent to the valley. It holds memberships in and is represented among the officers and directors of the three great river improvement associations, namely, the Ohio River Improvement Association, the Mississippi Valley Association, and the National Rivers and Harbors Congress. In addition to furnishing and assisting in any way it can the improvement of the Great Kanawha River and the inland waterways system generally, it tries to live up to the aims of the St. Louis Chamber of Commerce as explained to the Mississippi Valley Association at its last convention in St. Louis. That is, "We aim to please."

This association is the outgrowth of a river committee of the Charleston Chamber of Commerce, appointed by Past President John T. Morgan in 1926. It is, therefore, a child of your organization, and its able and efficient secretary is also your able and efficient secretary. There is 100 per cent cooperation between the two organizations, but the river association performs certain functions which could not be as effectively performed by a chamber of commerce, which is necessarily regarded as a local institution. The association has always enjoyed ample support throughout the valley, although it spends comparatively little money, since the members themselves do the great bulk of the work. In addition to promoting the improvement program and holding representation in the overhead organizations, the association, through its river committee, headed by Mr. George E. Sutherland, represents the navigation interests in all navigation matters, such as bridge permits, channel changes, and river maintenance and operation. This service is always substantial and at times even burdensome. So much for our association.

I want to try first of all to show you through my own eyes what a tremendous thing it is we are opening our doors to when we shall have completed our standard facility on this great Kanawha River. There are two major aspects to this great proposition, namely, the overseas or world aspect and the domestic or home aspect.

I have here a map showing Decatur's projection of the world, with the New York meridian laid down as the center line. You will note the location of New York, New Orleans, San Francisco, Seattle, and Charleston first, and the relation of the Mississippi River, extending from the Canadian borders to the Gulf, and from thence to world markets via its port of entry, New Orleans. You will also note that Valparaiso, Iquique, and the west coast of South America are all practically due south of New York, while the east coast is practically equidistant from New York and Liverpool, there being a difference of less than a day's sailing time between the American and English ports to Buenos Aires or Montevideo. Again you will note the relation of the Panama Canal and the English canal at Suez. These two canals control the competitive trade routes from Europe and America to the Orient.

Coal, its quality and its cost at the canal, is the controlling factor in the mind of the vessel owner in choosing between these routes. To give our Panama Canal the superlative coals of the great Kanawha Valley at a minimum cost is, therefore, to perform a great national service. Why did Mr. Hoover go to South America? The answer is simple. According to the yearbook of the Department of Commerce for 1926, we find that Latin America is our third largest customer among the world groups, but even more significant than that, we find that while our volume of trade with Argentina, Brazil, Chile, and Peru increased 140 per cent between 1913 and 1926, our trade with France, Germany, Italy, and the United Kingdom only increased 66 per cent. Who wouldn't nurse a customer like that?

To reach this customer via cheap water transportation not only insures to him a lower freight rate and better service but insures to us ever-increasing markets for our national surpluses. Further study of this map will reveal to you just how vital it is and of what tremendous world import that the Mississippi Valley with her mines, mills, factories, and vast agricultural productivity should reach tidewater at New Orleans at a minimum of transportation cost. I will not take your time to develop this world aspect further, but will ask you to turn your attention to this map of the United States.

I want to call your attention first to the relative location of Boston, New York, Charleston, Pittsburgh, Cincinnati, Chicago, St. Louis, Duluth, Kansas City, Omaha, Tulsa, New Orleans, San Francisco, and Seattle.

I have shown in red the broad boundaries of the Mississippi Valley confined on the west by the snow-capped Rockies, on the east by the beautiful low-lying Alleghenies, on the north by the Great Lakes, and on the south by the Gulf of Mexico. God's own garden made and dedicated to the greatest people on earth. Her mountain slopes yield in abundant measure all of the metals known or useful to man. Her valleys and prairies yield every vegetable, fruit, or grain known or useful to man. Her climate is best adapted to man at his best and to his needs. Her people are the sturdy stock of the hardy pioneers of yesterday. She is governed by the greatest system of government the world has ever known. She is capable of maintaining in comfort and luxury a population of 350,000,000 people.

I have shown in blue the great system of inland waterways it is proposed to construct for the comfort and convenience and economic health of this great inland empire. Here is the Mississippi extending from the Twin Cities to New Orleans. Here is the Missouri extending from St. Louis to the Saw Tooth Mountains and flowing six times as many foot-seconds of water 2,500 miles above St. Louis as flows in the Ohio at Pittsburgh. Here is the Illinois River carrying the 9-foot stage into the Great Lakes, and here is the proposed St. Lawrence outlet via the Great Lakes to the Atlantic. The southland has caught the vision and here is the interoceanic canal, a sheltered inland route for river equipment without transfer into ocean-going vessels, from New Orleans to Galveston and Corpus Christi, Tex., and ultimately to the Rio Grande. Or, turning east from New Orleans to Pensacola, Fla., or at Mobile, turning up the Warrior River to Birminghamport, Ala. And last, but not least, our own Ohio with its great tributaries, the Monongahela, the Allegheny, the Muskingum, Great Kanawha, Tennessee, and Cumberland. This system includes 70 projects aggregating 13,394.42 miles already approved and under construction at a cost of \$548,399,717, of which all but \$96,129,500, the cost of two first-class battleships, is already spent, and it is estimated that the balance will be completed in terms ranging from one to three years. The Ohio will be finished early next spring and ready for traffic. Our own little 95 miles at a cost of perhaps \$6,000,000 doesn't look very big beside these figures.

Up here are north and south and east and west lines drawn through Kansas City. In the territory lying north and west of these lines is the great agricultural empire of the Northwest. Take away the agricultural products of this area and annual farm surpluses would disappear and we would be compelled to purchase overseas sufficient food to sustain us. It is from this area that the great wail for farm relief originates.

Isolated and many times more distant from the coast and domestic markets, cheap transportation is the only answer for this great domain. Population is dwindling, farms are being abandoned, distress and discontent are dominant. Cheap river transportation down the Mississippi for export, across the Great Lakes to our own clamoring markets, up the Ohio to the Great Kanawha Valley and the Allegheny and Monon-

gahela; that is the answer, and the leaders of these communities are demanding and urging it.

Up here are the great iron ranges and copper mines of the Lake Superior region. Great areas of this ore can be loaded into river equipment at the head of navigation on the Mississippi as cheaply as it can be loaded on lake equipment at the Lake Superior ports. It can then be floated down the river at a minimum of transportation cost.

Over here we have the great Appalachian coal fields with our own Great Kanawha Valley in the very midst of it and possessing the only coals anywhere in the country peculiarly and exactly adapted to a diversified metallurgical industry.

Our coals and these ores must be brought together to produce iron and steel, the basic products of the age. Our coal can and will be floated down the Ohio to meet these ores and a great new steel center will result, based on a minimum transportation cost of the raw materials plus minimum transportation cost to the ultimate consumer, not only because of a cheap river transportation, but because of its location at the center of population of the entire Nation.

Coal barges from the Kanawha Valley returning filled with the agricultural products of the Missouri. Agricultural barges from the Missouri returning to the Northwest filled with coal from the Great Kanawha. Ore barges from the Mesabi ranges returning to the Twin Cities filled with coal from the Great Kanawha. Coal to the Dakotas, coal via the Illinois to the Great Lakes, coal to St. Louis, coal to New Orleans, Texas, and the Panama. Vast new markets, vast new industries based on cheap coal and cheap raw materials and cheap river transportation. I could continue along this line indefinitely, but again time will not permit.

What assurance then have we that this project will fulfill the vision of its promoters and really perform the service of bulk transportation cheaper and better than the railroads?

First of all, during the past 25 years our transportation via the rails has increased from 114,000,000,000 ton-miles to 444,000,000,000 ton-miles. That is substantially 400 per cent. Saturation point was reached and passed during the World War, and our railroads broke down. Is it safe to assume that the rails can continue to expand sufficiently to care for the ever-increasing needs during the next 25 years? Again, cost of rail transportation has increased almost as rapidly as volume has increased. Twenty-five years ago our coal cost was 65 cents a ton into Cincinnati. To-day it costs us \$1.79, or an advance of substantially 300 per cent. It is rail rates and not mine costs which have let the substitutes for coal win away the markets from our valley. A new, cheap system of transport for bulk commodities is the crying need of industry to-day.

Again, Europe has tried out river transportation. Our ever-functioning Department of Commerce has thoroughly investigated the European waterways, and here are one or two of the vital items which they give us: "The network of railways in Belgium is the densest in the world, being 35 miles of railway per 100 square miles, and 14 miles of navigable waterways per 100 square miles." The Mississippi system of waterways when complete will equal about three-tenths of a mile for 100 square miles, or one forty-second as much as Belgium. Mr. Norman F. Titus, of the Commerce Department, says: "A reason for the Belgium waterway development is found in the following: As a typical freight movement on a shipment of 100 kilometers (220 pounds) from Rotterdam to Groninger, a distance of 225 kilometers (140 miles)—

"Express rail, \$2.50, delivered in one day.

"Ordinary rail, \$1.20, delivered in five or six days.

"Water, \$0.30, delivered in three days."

Mr. Titus further reports that "the Department of Commerce files disclose in 1927, on an average movement of 225 miles on the Rhine, the lowest monthly charge on coal was in May, 15 cents a ton, and in December, 29 cents a ton. Obviously similar cheap transportation in the United States would have a tremendous effect upon our industrial and agricultural development."

The distance from Charleston to Cincinnati via the river is 225 miles, and via the rails 211 miles.

Mr. Herbert Hoover, writing in the November, 1928, issue of National Inland Waterways, says, in part:

"True conservation is to get our water at work. There are imperative reasons for it. Before expiration of the years required in major construction, we shall need more food supplies than our present lands will afford. To-day there are many distortions in the agriculture industry due to the unnecessary increases in freight rates from the war, which can be greatly cured by the conversion of our inland waterways into real connected transportation systems. It is demonstrated by actual rates current to-day that we can carry 1,000 bushels of wheat 1,000 miles upon lake and ocean steamers for \$20 to \$30, on modern river barges for \$60 to \$70 as against \$150 to \$200 by rail. There will be urgent demand for more and more hydroelectric power as the sure base of our great interconnected power systems. Our population will increase by 40,000,000 in the next quarter of a century. If we are to preserve the standards of living and increase the comfort of the average family, we must place in use every resource we have; our race with the Malthusian theory can be won by such development."

Speaking at the St. Louis convention of the Mississippi Valley Association in St. Louis last year—1928—Maj. Gen. T. Q. Ashburn, in charge of the Federal Barge Line, the Government-owned and operated barge-line facility operating between the Twin Cities and New Orleans, gave the following résumé of actual and comparative costs in the Federal Barge Line for the first 10 months of 1928. These figures were afterwards referred to and approved by Secretary of War Dwight F. Davis. They stand out because they are actual operating, rather than estimated possible results.

General Ashburn stated that the auditors of the barge line had made a study of the actual cost of transport via lake vessels for the current season and found it to average, on bulk commodities, slightly less than 1 mill per ton-mile as against rail costs on similar movements ranging from 9 mills to 12 mills per ton-mile while the barge line costs on total Mississippi River movement for the first 10 months of 1928 had been three and ninety-two one-hundredths mills per ton-mile. The general stated that as a better balance between up river and down river movement is developed he expects to cut this cost substantially.

Lake vessel tonnage costs from \$65 to \$80 per cargo ton, railway equipment costs about \$200 per ton, and modern, standard steel river equipment costs from \$25 to \$30 per cargo ton.

I could multiply this data indefinitely, but I think this should be enough to convince you that there is a large fundamental economy in cost as between river and rail transport in favor of the rivers.

I think, before leaving the subject, I should call your attention to a further broad difference between the rails and the river, which is this: Were the Pennsylvania Railway to decide to enter the valley with a branch line of its great system, that would only be one new transportation system, whereas, because the rivers are just highways open to all, the standardization of our river will be the equivalent to the opening up of an indefinite number of transportation systems and the benefits will be proportionately greater.

I would like to take time to tell you of the great political organization which has been built up around this movement, or show you some of the rapidly increasing tonnage figures which are developing even though the system is still incomplete and disjointed, or tell you of actual results obtained by such shippers as Jones & Laughlin or Carnegie Steel Co., but time will not permit. I will content myself with two illustrations only.

The Carnegie Steel Co. operates the Clairton by-product plant at Clairton, on the Monongahela River. Mr. Orchard, the traffic manager of the steel company, told us on the river inspection trip up the Monongahela by the Ohio Valley Association last October that this plant consumes over 30,000 tons of coal a day, all of which comes in by river at a cost of 14 cents per ton, as against a rail rate of \$1.18, or a saving of \$1.04 per ton on 30,000 tons of coal per day.

The other instance is the steel tows going down the river from Pittsburgh to Memphis, which save the steel companies an average of \$100,000 per tow. Jones & Laughlin just started their thirty-eighth tow down the river last week. These tows range from 12,000 to 14,000 tons of finished steel products per tow.

And so opening the Great Kanawha doorway will bring us out and into this magnificent system of inland waterways from which we are now separated by less than 100 miles of shallow water.

Now, let us spend just a moment on the other aspect of the proposition; that is, what we ourselves have to give and to attract industry to us. I could spend longer on this phase than I have the other, but time does not permit.

Our association has taken the position, and successfully sustained it, that of all the territory located alongside or adjacent to the inland waterways system we have more actual and potential tonnage per linear mile to give to the rivers than any other similar area. Major General Jadwin, Chief of the United States Engineers, expressed it as being his opinion, in his report to the Congress of the United States, that the Great Kanawha River would eventually develop as great a river tonnage as the Monongahela, and, gentlemen, the Monongahela actually handled over 25,000,000 tons in 1927, as against the Suez Canal 24,000,000 and the Panama Canal 26,000,000.

With 18,000,000,000 tons of superlative metallurgical coal in the hill, actual production of over 3,000,000 barrels of high-grade petroleum, 6,000,000,000 cubic feet of natural gas per annum, unlimited quantities of salt brine, kaolin, glass sand, virgin timber, and vast undeveloped water power, God has given to us such a valley as exists nowhere else on earth. With our coal, oil, gas, timber, and glass industries already developed and the ever-widening fame of our expanding chemical industry promising immediate and further expansions, General Jadwin has ample grounds for his high opinion of the prospects for future tonnage in our river.

I hope Mr. Puffer will some time tell you of our relation to the great program of national defense and the conclusions reached by two great boards of Federal investigators, one group of whom selected Nitro for the smokeless-powder plant and the other South Charleston for the naval ordnance plant. This valley bids fair to become the national base of military supplies when the next great war comes to us, as it inevitably will.

I desire to also include as a part of my remarks, a resolution passed by the West Virginia Legislature on January 28, 1929, urging rapid completion of the improvement of the Great Kanawha River, which reads as follows:

Engrossed senate joint resolution 10 (by Mr. Hallanan) concerning appropriations for the improvement of the Ohio and Kanawha Rivers

Whereas there is now pending before the National Congress the so-called rivers and harbors act providing for appropriations for important improvements of the Ohio and Great Kanawha Rivers; and

Whereas the appropriation for the Ohio River will bring to completion the lock and dam system, long sought by the western border of this State, and to the tributaries thereto; and

Whereas the proposed improvement to the Great Kanawha River will afford great relief to the coal industry of southern West Virginia, and will contribute another means of transportation to the great chemical plants located in the Kanawha Valley, and will enhance the opportunities for national defense where chemical plants, easily converted in time of war to munition factories, may safely operate on a protected inland stream and still be accessible to the Atlantic seaboard: Therefore, be it.

Resolved by the Senate of West Virginia (the House of Delegates concurring therein), That the Legislature of West Virginia, concurring with proponents of the said act pending before the National Congress, earnestly urges that no time should be lost in the enactment of this measure in order that important work contemplated may be inaugurated at once;

Resolved further, That copies of this resolution be forwarded to the West Virginia delegation in the House of Representatives and in the United States Senate and that they be urged to use their influence to bring forth an early enactment of said measure.

I, M. S. Hodges, clerk of the Senate of West Virginia, do certify that the foregoing resolution was adopted unanimously by the Legislature of West Virginia on January 28, 1929.

M. S. HODGES,
Clerk of the Senate.

SUITS AGAINST DISTRICT OF COLUMBIA—CONFERENCE REPORT

Mr. ZIHLMAN. Mr. Speaker, I present a conference report upon the bill S. 3581, authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia, for printing under the rules.

FIRST DEFICIENCY APPROPRIATION BILL

Mr. SNELL. Mr. Speaker, I present a privileged report from the Committee on Rules.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Tennessee makes the point of order that there is no quorum present. Evidently there is not.

Mr. TILSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The doors were closed.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 18]

Anthony	Gasque	Knutson	Robson, Ky.
Beck, Pa.	Gilbert	Kunz	Sanders, N. Y.
Bohn	Goldsbrough	Lozier	Sirovich
Boles	Graham	Lyon	Stedman
Buchanan	Griest	McClintic	Strong, Pa.
Buckbee	Hammer	McLeod	Strother
Cartwright	Harrison	McSweeney	Sumners, Tex.
Collins	Hull, Tenn.	Maas	Swing
Combs	Jacobstein	Monast	Tillman
Connolly, Pa.	Johnson, Okla.	Moore, N. J.	Underwood
Curry	Kent	Morin	Upink
Dickinson, Iowa	Kiess	Murphy	Vincent, Iowa
Doyle	Kindred	Reed, Ark.	White, Kans.
Fulbright	King	Reid, Ill.	Yates

The SPEAKER. Three hundred and seventy Members have answered to their names, a quorum.

Mr. TILSON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. SNELL. Mr. Speaker, I present House Resolution 303, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 303

Resolved, That the bill (H. R. 15848), an act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1929, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1929, and for other purposes, with Senate amendments thereto, be taken from the Speaker's table, the Senate amendments be dis-

agreed to, a conference be requested with the Senate upon the disagreeing votes of the two Houses, and the managers on the part of the House at said conference be appointed without intervening motion except one motion to recommit.

Mr. CRISP. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRISP. Will it be in order to move to recommit this resolution to the Committee on Rules, with instructions to report back instantanly with an amendment providing that this deficiency appropriation bill be taken from the Speaker's table, considered by the House in Committee of the Whole House, under the general rules of the House which will give opportunity to consider each of the Senate amendments separate? Before the Speaker answers that inquiry, may I have his indulgence for a few minutes to present some views respecting it?

The SPEAKER. The Chair will be very glad to hear from the gentleman.

Mr. CRISP. Mr. Speaker, I am aware that in years gone by a number of Speakers have held that a motion to recommit a rule providing for an order of business to the Committee on Rules is not in order. I am also aware that my father—and I may be pardoned I am sure in this House for saying that to me he was the greatest Speaker who ever presided over this House [applause]—held that the motion to recommit was not in order. That decision was followed by Mr. Speaker Henderson, Mr. Speaker Cannon, and Mr. Speaker Clark. Mr. Speaker Reed decided otherwise, that a motion to recommit was in order. If the rules of the House were as they were when Mr. Speaker Crisp decided this question, and his decision was the pioneer one upon the subject, I would cheerfully acquiesce, because in construing that decision the Speaker must consider the rules of the House as they existed at that time. The Speaker must consider the conditions as to the procedure in the House which existed at that time.

At that time filibusters were common in the House, dilatory motions were made, merely to delay the House in deciding a question, and the decision of Mr. Speaker Crisp was based solely upon the ground that the motion to recommit was dilatory, his decision being that after the House had voted the previous question on a bill or resolution the House had a right to vote upon it at once, without being delayed, and he stated in that decision that, before the previous question was ordered, it would be undoubtedly in order to move an amendment to the rule so as to change the order of consideration of a bill, but that, after the previous question was ordered, there should be no dilatory motion or delay.

Mr. Speaker, the rules of the House to-day are different. In recent years the rules of the House have been liberalized for the purpose of giving the House a chance to consider matters for itself; to give individual Members greater power. Rule XIII, dealing with a report from the Committee on Rules, has a provision in it now, a mandatory provision, that the Committee on Rules shall not report any rule to the House which denies or takes away the right to make one motion to recommit, and the rule further provides that that motion can be made either before or after the previous question has been ordered. The rule is mandatory. The hands of the Committee on Rules are tied. They can not bring in a rule denying that right. That rule did not exist at the time of the decision of Mr. Speaker Crisp, and to-day it is common practice of this House, after the previous question is ordered on a bill of the greatest importance, say a tariff bill, and it is in order to move to recommit the bill to the Committee on Ways and Means, which action delays the House voting immediately upon it—it is in order to move to recommit an appropriation bill to the Committee on Appropriations, which action delays the immediate consideration of it. The object of that rule is to give the minority the right to express its views on a legislative proposition.

But some may say that this is not a legislative proposition, that it is a rule providing for an order of business, a rule providing for the manner in which legislation shall be considered. The Committee on Rules is the committee that brings in the rule giving the House an opportunity to consider a bill. The minority, in my honest judgment, is entitled to go on record showing the manner and method in which it desires to consider that legislation, because it is very material to the minority to have a right to express its views on certain questions.

Therefore it seems to me that the intent of the rule, that the welfare of the House itself will be best conserved by holding that the motion to recommit a rule providing for an order of business is in order. And, Mr. Speaker, upon what meat does this our Caesar feed—the Rules Committee—that it is excepted

from all the other committees of the House? Why does it occupy a greater privilege than any other committee of the House. If you can move to recommit a bill dealing with legislation to a committee for that committee to change its legislation and bring in legislation in conformity with the will of a majority of the House, clearly logically it is just as much in order to recommit a rule providing for an order of business to the Rules Committee with instructions to bring in a rule providing for a different order of procedure.

Mr. SNELL. Mr. Speaker, may I be heard for a moment? I am very glad our friend from Georgia referred to a decision of his distinguished father. I agree that he was a great Speaker of the House and certainly agree with the basis of the decision he rendered at that time on a proposition similar to the one before us to-day. While the gentleman from Georgia quoted a part of that decision, in my judgment from reading that decision fully there is still another inference to be obtained. The gentleman from Georgia, the former Mr. Speaker Crisp, went further in making the decision than his distinguished son infers. He said the purpose of a special rule was to bring the House to a direct vote on the main proposition, and you were not taking away any privileges of the House, because if a majority of the House was not in favor of the rule they had the right and opportunity to vote down the previous question, so none of the rights of the House were denied to the House by refusing the motion to recommit. That is my position here to-day. If the majority of the House is not in favor of what the Rules Committee proposes, it will vote down the motion for the previous question, and then my friend from Georgia will get the opportunity to amend or instruct as he desires. This exact question has been before the House a great many times.

All the decisions I am able to find run in exactly the same direction and agree and are against the position taken by the gentleman from Georgia. It was followed by Mr. Speaker Cannon, by Mr. Speaker Henderson, and especially by Mr. Speaker Clark; and this decision was after the change in the rules that my friend from Georgia spoke of a moment ago. Yet in my judgment this change has no effect on the proposition before it. At that time of the decision of Mr. Speaker Clark we had practically the same proposition before the House we have to-day, only the tables were turned, as far as politics are concerned. Mr. GILLET, a Member on the Republican side, offered a motion to recommit a resolution from the Committee on Rules. Mr. Speaker Clark was in the chair. Mr. Fitzgerald, of New York, made a point of order against the motion to recommit. Speaker Clark made a decision sustaining the point of order and cited an opinion of former Speaker Cannon on a similar question. And every decision of recent years has been in support of the contention I am now making, that it is not in order to move to recommit a resolution from the Committee on Rules. And I specially call the Speaker's attention to the fact that this last decision came after the change in the rules, upon which the gentleman from Georgia was laying such stress in his argument here to-day.

And I am further very sure that with this long list of precedents before him, the present distinguished Speaker will have no trouble in advising the gentleman from Georgia that a motion to recommit this resolution is not in order.

Mr. CHINDBLOM. Mr. Speaker, may I make an observation?

The SPEAKER. The Chair will be glad to hear the gentleman.

Mr. CHINDBLOM. The gentleman from Georgia [Mr. CRISP] referred to the present rule, which forbids the Committee on Rules from bringing in a rule which will operate to prevent the motion to recommit. I beg to call the attention of the Chair to the exact language of the rule:

Nor shall it [the Committee on Rules] report any rule or order which shall operate to prevent a motion to recommit being made as provided in paragraph 4 of Rule XVI.

There is a limitation there—

as provided in paragraph 4 of Rule XVI.

Now, what does paragraph 4 of Rule XVI provide? It provides as follows:

After the previous question shall have been ordered on the passage of a bill or joint resolution one motion to recommit shall be in order, and the Speaker shall give preference in recognition for such purpose to a Member who is opposed to the bill or joint resolution.

This is merely a House resolution, not a bill nor a joint resolution; and I contend, if the Speaker please, that the rule does not cover the situation and that the status of the rule is exactly the same now, so far as this question is concerned, as it was

at the time the former distinguished Speaker, Mr. Crisp, rendered his decision.

The SPEAKER. The Chair is prepared to answer the parliamentary inquiry of the gentleman from Georgia [Mr. CRISP], to whom he listened, as he always does, with great respect for his logic and his knowledge of the rules of the House. The Chair, however, is not aware of any decision at any time which controverts the decision originally rendered by Mr. Speaker Crisp and by a number of his illustrious successors.

The gentleman from Georgia has said, and with much persuasiveness, that the situation is not exactly what it was when those decisions were rendered, so far as the present rules of the House go, covering motions to recommit. However, the Chair does not think those changes in the rules, either in their letter or their spirit, have so changed the present rules of the House as to justify him in overruling all those decisions.

Clause 4 of Rule XVI of the House with regard to the full liberty of the motion to recommit is as follows:

After the previous question shall have been ordered on the passage of a bill or joint resolution one motion to recommit shall be in order, and the Speaker shall give preference in recognition for such purpose to a Member who is opposed to the bill or joint resolution.

The Chair is prepared to concede that in so far as bills or joint resolutions are concerned the question of the motion to recommit is slightly different from what it was at the time those decisions were rendered, particularly the decision of the honored father of the gentleman from Georgia. But the present rules of the House make no change in regard to a House resolution. This is not a joint resolution. It is a House resolution. The Chair thinks it is precisely in the same status as at the time those decisions were rendered. Therefore in response to the parliamentary inquiry of the gentleman from Georgia the Chair thinks that a motion to recommit this resolution is not in order.

Mr. SNELL. Mr. Speaker, I want to make a unanimous-consent request in regard to the time to be consumed in the discussion of the rule. I have had numerous requests for time on this side, and I would like to extend the usual hour. I ask unanimous consent that the time may be extended to three hours, with the understanding that I will yield one-half of that time to the gentleman from North Carolina [Mr. POU] to yield for debate, and at the end of that time the previous question shall be considered as ordered.

Mr. POU. I suggest that the gentleman leave out the previous question.

The SPEAKER. The gentleman from New York asks unanimous consent that the time for general debate be extended to three hours, with the understanding that he will yield one-half of that time to the gentleman from North Carolina [Mr. POU], and he further adds that at the conclusion of the general debate the previous question shall be ordered.

Mr. GARRETT of Tennessee. To that last request I shall object.

The SPEAKER. Objection is made.

Mr. SNELL. Then I withdraw the last portion of my request, Mr. Speaker, with the understanding that I will yield one-half the time to the gentleman from North Carolina.

The SPEAKER. The gentleman from New York asks unanimous consent that the time be extended to three hours, with the understanding that he will yield one-half of that time to the gentleman from North Carolina [Mr. POU]. Is there objection?

There was no objection.

The SPEAKER. The gentleman from New York [Mr. SNELL] is recognized.

Mr. SNELL. Mr. Speaker, the present resolution is presented to the House with the distinct purpose of sending to conference the first deficiency bill. The only way you can get a House bill with the disagreeing votes of the two Houses to conference is either by unanimous consent or by a special rule. The gentleman from Indiana [Mr. WOOD] tried the unanimous-consent route the other day, and he was unable to accomplish that purpose. If this rule is adopted as presented, the bill, together with the disagreeing votes of the two Houses, will be sent to conference.

Now, let us see what the actual facts are that confront us and which have brought us to this situation. In order to do so I think we have got to go back a little and get just a little bit of previous history.

When the bill making appropriations for the Treasury Department was being considered in the Senate an amendment was offered to that bill increasing the amount for the enforcement of prohibition to \$250,000,000. That amendment was advocated and sponsored by some of the most bitter opponents of prohibition that have ever been on Capitol Hill, and while that amendment was not agreed to in the committee of confer-

ence, nevertheless it sowed some seed that evidently took root when they were considering the present deficiency bill. As a result an amendment was offered to that bill to increase the money available for the enforcement of prohibition by \$24,000,000.

Now, what are the actual facts in regard to this? What are the facts which Members who want to legislate intelligently and constructively must meet? That amendment, to a large degree, was and is supported by four distinct groups; and we might as well meet this situation just exactly as it is.

There was one group made up of hysterical dries. It was made up of men who, every time the question of prohibition is mentioned, will jump through a hoop and do anything they are told to do by the active representatives of the prohibition movement. There was another group made up of the bitter wets; men who are willing to do anything in their power to make prohibition enforcement a ridiculous farce, and they think they are helping to do that by supporting this amendment. There was still another group who desired to rehabilitate themselves in the minds of their own constituency on account of the position they took in the last election. In order to be regular many of them supported one of the wettest men who has ever run for the office of President of the United States, and for that reason was very obnoxious to these extreme dries. Therefore in order to rehabilitate themselves and reinstate themselves in the good graces of their dry constituents, and to prove how dry they are notwithstanding their support of a wet candidate for President, they are now supporting the amendment providing for more money to enforce the prohibition proposition than has ever been asked for by any department of the Government and for which there is no provision for spending it.

Mr. SCHAFER. Will the gentleman yield?

Mr. SNELL. Not at the present time. There is another group of people who are willing to do anything they can under present conditions to embarrass the new administration, and we find that group very anxious to have this amendment adopted at this time. Now, those are the real facts that are before us as far as this amendment is concerned. I want some one to tell me why we should not approach this proposition of appropriating \$24,000,000 in the same spirit that we approach any other appropriation of similar size. If we did that, the first thing we would ask is this: Is it needed? Has it been requested, and does the Budget approve, and does it conform with the financial program of the President? No one has ever considered these things; no one claims they have.

No one claims there has been any request from the Treasury Department, or the people who are responsible for this enforcement, for these additional funds. As a matter of fact, I understand it has been definitely stated that it could not be spent efficiently and that a large amount of it would be wasted if they were forced to spend it under the provisions of this deficiency bill. I have never known this House before to insist that a department of the Government take more money than it requested or said they could spend efficiently in carrying out the provisions of the law.

Mr. GARBER. Will the gentleman yield?

Mr. SNELL. In just a minute. So I ask the Members of this House to approach this proposition with the same common sense and judgment, that we do others of similar size, and do the same in regard to this appropriation that they would do in regard to any other appropriation that has never been asked or a single argument, except a political one, to justify it. I now yield to the gentleman.

Mr. GARBER. The gentleman referred to the provisions under which the appropriation was made. Will the gentleman kindly detail the provisions for the information of the House?

Mr. SNELL. I really do not understand the gentleman's question.

Mr. GARBER. The provisions under which the proposed appropriation of \$24,000,000 is made.

Mr. SNELL. Well, the amendment was put on in the Senate, but I do not understand it was requested by any of the people who are responsible for the carrying out of the enforcement of prohibition.

Mr. GARBER. As I understand it, the amendment was amended to conform to the recommendations of the Secretary of the Treasury.

Mr. SNELL. Not at all. There has never been any recommendation from the Secretary of the Treasury, so far as I know, requesting the additional amount that was put on in the Senate under this amendment.

Mr. GREEN. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. GREEN. Is the gentleman advised whether or not the Secretary of the Treasury is in favor of enforcing the prohibition law?

Mr. SNELL. I have never asked the Secretary of the Treasury and he has never advised me, but it is his duty as Secretary of the Treasury to enforce it.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. LAGUARDIA. The gentleman states that it is sought to make the present enforcement a farce. Is it not true that the present condition is a farce and a disgrace?

Mr. SNELL. I would not admit that in its entirety, but I am not entirely satisfied with the enforcement of prohibition at the present time.

Mr. LAGUARDIA. The gentleman stated that nowhere and at no time have additional appropriations been asked for. Is not the gentleman aware of the fact that former Commissioner Haynes, present Commissioner Doran, Assistant Secretary of the Treasury Andrews, and every official who has had charge of the enforcement of the law has repeatedly asked for more funds?

Mr. SNELL. No; the gentleman is not informed of that fact and doubts whether that is true, because they are not asking at the present time for any additional funds.

Mr. GARNER of Texas. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. GARNER of Texas. Did I understand the gentleman to say that the group which is supporting this amendment is made up of the extreme dries, the fanatical dries, and the extreme wets?

Mr. SNELL. Not all of them. I said a part of them.

Mr. GARNER of Texas. Has the gentleman examined the vote in another body on the adoption of the amendment in that body?

Mr. SNELL. Yes.

Mr. GARNER of Texas. Does the gentleman suggest that the amendment was adopted by the vote of the extreme dries and extreme wets?

Mr. SNELL. I said a part of them were; the hysterical dries. I did not say extreme dries, but I said the hysterical ones are in favor of the proposition.

Mr. CELLER. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. CELLER. I wish to say to the gentleman that I am in favor of the resolution, but I want to ask the gentleman whether he can state how much it is estimated would be required to enforce prohibition?

Mr. SNELL. I have made no estimate and I could not answer the gentleman.

Mr. LAGUARDIA. Does not the gentleman know that Commissioner Doran has stated it would cost \$300,000,000?

Mr. WELLER. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. WELLER. In connection with the \$24,000,000 amendment which has been explained by the gentleman from New York, may I ask the gentleman if he is prepared to make any statement with reference to the item of \$250,000 for an investigating committee, which amendment was put on in the Senate?

Mr. SNELL. The gentleman is not in position to make any statement about that, and the gentleman from New York reserves the balance of his time and yields the floor to the gentleman from North Carolina [Mr. POU]. [Applause.]

Mr. POU. Mr. Speaker, there is an old saying that there are more ways to kill a dog than choking him to death with butter, and there is a genuine fear entertained by the membership of this House, a certain portion of it at any rate, that there will be no opportunity for a clear-cut vote on the Harris amendment. For this reason we are opposing the adoption of this rule, and we are hoping that the previous question will be voted down so that the rule may be amended and an opportunity afforded for a direct vote on the so-called Harris amendment.

We might as well look the facts in the face, Mr. Speaker. It seems the time is about here when, if there is ever going to be an effort made, a genuine effort, to enforce the so-called Volstead Act, the time is at hand. [Applause.]

It is a matter of common knowledge that almost throughout the length and breadth of the Nation prohibition enforcement is a roaring farce. As I stand here to-day I believe it would be safe to say that in every ward in the city of Washington, in almost every hotel in the city of Washington, I might say in the Capitol itself, the prohibition law is being violated every day by men who would scorn to violate other laws of the Nation.

I have sat in the courts, Mr. Speaker, and seen the criminal mill at work. It was, in almost every instance, the poor, the humble, the helpless, who were captured by the prohibition officers. I saw a poor, poverty-stricken woman with 10 children sent to prison for selling a pint of liquor. I did not see any of

the big fellows brought to trial. It seems they are immune, and it is about time that enough money was being put at the disposal of the departments of the Government to go after everybody that is violating this law, rich and poor alike. [Applause.] This is all it is proposed to do. Officials of the Government do not have to use the money.

Why all this hullabaloo about putting money into their hands for enforcing the law? They are not forced to use it. They can use \$1,000,000 or \$2,000,000 or \$3,000,000 or refuse to use any of it. It looks as though somebody wants an alibi for failure to enforce the prohibition law.

Whenever the time comes that the administration of this law is put in the hands of men who at heart are for the law, and whenever the time comes that men of that kind are given sufficient means to enforce the law equally against everybody, rich and poor alike, even against the man who filled his cellar with liquor enough to last him a lifetime when the Volstead law was enacted and has been replenishing it since; whenever the time comes that the law is enforced equally against all, then we may feel that an honest effort has been made to enforce the Volstead law; but there are many who do not believe an honest effort has been made to enforce it up to this time. [Applause.]

Mr. Speaker, I reserve the remainder of my time.

Mr. SNELL. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. COOPER]. [Applause.]

Mr. COOPER of Ohio. Mr. Speaker and gentlemen of the House, I have here an editorial taken from one of the leading Democratic newspapers in the State of Ohio. The president of this organization is Justice John H. Clarke, former Associate Justice of the Supreme Court of the United States, and one of the outstanding men of our country, and I would like to have the Clerk read the editorial.

The SPEAKER. Without objection, the Clerk will read.

The Clerk read as follows:

TWENTY-FOUR MILLION DOLLAR PROHIBITION FUND

If President Coolidge does his duty, he will veto the \$24,000,000 increase in the prohibition-enforcement fund. This \$24,000,000 is nothing but a gigantic alibi on Congress's part. Such an amount ought never to be appropriated without definite plans as to how it should be expended. Congress has no such plans and means to set aside this huge sum not from a desire to bring about better enforcement but with the sole object of passing the buck and impressing the country with its earnestness about prohibition, when, as a matter of fact, the majority of Congress does not care whether President Coolidge vetoes the appropriation or not. It is cowardly to shift responsibility to his shoulders, and it has no right to embarrass Mr. Hoover, who, if he is as conscientious in this as he is in everything else, will have to let the money lie unused for six months or a year until he can find a way to employ it. Meanwhile he will come in for all sorts of criticism, and the country will not know what to believe. That is not the way the people expect Congress to transact their business.

[Applause.]

Mr. COOPER of Ohio. Mr. Speaker, I believe my position on the question of prohibition and its enforcement is known not only to my colleagues in the House but to the people of the country. I have fought for and supported every measure for the adoption of prohibition and its enforcement during my 14 years of service in Congress, and if I thought the adoption of the amendment providing \$24,000,000 in addition to the \$13,000,000 already appropriated would benefit prohibition enforcement I would gladly support the same.

I regret I must break on this question with my good friend Doctor McBride, the superintendent of the Anti-Saloon League—and he is my friend.

As one who is deeply interested in the enforcement of prohibition I believe it is my duty to work and cooperate with the Anti-Saloon League and other dry organizations in the enforcement of the eighteenth amendment. On the other hand, however, I have deep convictions on this question, and I shall follow out what my conscience tells is right, and shall support the adoption of the rule to send the report to conference. [Applause.]

I would now like to ask my good friend Doctor McBride why he has changed his mind. Here is what he said a short time ago on this question:

I stated that the larger appropriation can be wisely made under a well-prepared budget by the enforcement department. The Secretary of the Treasury has well said that a survey should be made to see whether larger funds could be used toward more successful enforcement.

This is what Doctor McBride said two or three weeks ago, and now he asks me and the other "dry" Members of this House to support this proposition without these provisions being attached to the amendment.

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

Mr. SNELL. Mr. Speaker, I yield the gentleman three additional minutes.

Mr. COOPER of Ohio. I noticed these headlines in my home paper of last night, which came to my desk a short time ago:

COOPER battles "drys"; hits \$24,000,000 fund. Mr. McBride stated that "It was hard for him to see how any dry, especially a Republican, should not vote to give a Republican President adequate funds for law enforcement."

In reply, let me say I stand ready to support President Coolidge and President-elect Hoover in any program they have for the enforcement of prohibition. [Applause.]

Doctor McBride also decried the intimation that politics was the chief incentive behind the drive to force the House to accept the increased appropriation.

Now, Doctor McBride is too good a politician for him to try and fool the Members of this House in saying that there is no politics back of the \$24,000,000 amendment. I am not unmindful of the fact that less than three months ago the chief supporters of the \$24,000,000 appropriation were going from one end of the country to the other advocating the election of a candidate for President who never has been in favor of prohibition, and while he was Governor of the State of New York for eight years he never was interested in enforcing prohibition.

Mr. CELLER. Will the gentleman yield?

Mr. COOPER of Ohio. Not now. The voters of our country, and especially those in favor of the eighteenth amendment and its enforcement, expressed their confidence in Herbert Hoover in such a way as would indicate that he would handle the prohibition enforcement question in a manner that would bring results along the line of better enforcement.

Mr. SCHAFER. Will the gentleman yield?

Mr. COOPER of Ohio. Not now. I am of the firm opinion that it would be better for Congress to wait until Mr. Hoover becomes President and then get his views as to what he believes to be the best method of carrying out a program for better enforcement of the eighteenth amendment.

I wanted to be understood, however, as saying that if Mr. Hoover requests Congress to grant larger appropriations for enforcement I will whole-heartedly support him in his request.

Never in all my experience in Congress have I known this body to appropriate a large sum of money and force it on an executive department of the Government without their asking for it.

I am going to support the rule. I know that possibly I will come in for some criticism by some of my dry friends, but I am as much in earnest in regard to the prohibition question and the enforcement of the eighteenth amendment to-day as I have been in the past. But I can not support the \$24,000,000 appropriation, because my conscience tells me it is wrong for this Congress to dictate to Mr. Hoover what his policy regarding the enforcement of prohibition must be before he becomes President of our country. I have confidence in the ability of Herbert Hoover to enforce the prohibition laws. He will not break faith with the law-abiding citizens on this question. I believe it would be the wise policy to wait until we get his message on enforcement and then give him our loyal and whole-hearted support. [Applause.]

Mr. POU. Mr. Speaker, I yield 10 minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. Mr. Speaker, I do not propose to discuss the merits of the proposals that are contained in the Senate amendments at this time; because, if this House shall avail itself of the opportunity, as I hope it will, to vote down the previous question, and then support a proper amendment to the resolution offered by the gentleman from New York, Chairman of the Rules Committee, there will be ample opportunity for discussion of the merits of these proposals. But I do want to get very clearly in the RECORD just precisely what is before us.

It is not alone the Senate amendment dealing with the prohibition question. Let us forget, let it be remembered that the Senate has put an amendment on the bill touching tax refunds and future administration of that very important service, that I should judge Members of this House would like to consider.

Of course, it can be pointed out that when this deficiency appropriation bill was originally before the House of Representatives I expressed myself briefly, stating very frankly, that I felt a certain degree of embarrassment in being called upon to vote for an amendment withholding money for tax refunds found to be due taxpayers under the law in existence. But in that same connection I stated that if it were possible to create the machinery to assure a more careful review of tax-refund cases, I would be happy to support it.

The Senate amendment upon this subject provides a method of review and I think should be considered.

So the prohibition amendment is not the only important proposition that is involved, and which will be involved, in the matter of the vote on the previous question.

Now let it be gotten clearly in mind—there is no use for us to deceive ourselves or to try in the future to deceive others, if anyone should be disposed to try—the important vote under the parliamentary situation that exists here, however gentlemen may stand on these amendments, is on the previous question on the proposed special order.

Had it been possible under the rules of the House to have adopted the suggestions offered, or which would have been offered by the gentleman from Georgia [Mr. CRISP], it could have been reached in a different way. The Speaker has made a ruling, with which I make no quarrel, which leaves the only parliamentary course to be pursued by those who desire to be absolutely certain of an opportunity to consider these important Senate amendments, that of voting down the previous question on the rule and then we will offer such amendments to the rule as will enable an immediate, direct, and certain consideration by the House of these Senate proposals.

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Florida [Mr. GREEN].

Mr. GREEN. Mr. Speaker, I am forced to reflect briefly upon the last presidential election and admonish the Members of the House to keep faith with the American people. Something like 15 per cent of the electoral vote of the last election by some is interpreted as a wet vote, and something like 85 per cent as a dry vote. When the Members of Congress who sit on my left—the Republicans—undertake to throttle the enforcement of prohibition by abiding the dictates of a wet Secretary of the Treasury who aspires to continue to refuse to enforce prohibition, they are refusing to keep faith with the American people.

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

Mr. GREEN. Not now. I am sorry I have not the time. By the verdict of the people they have called for enforcement. By the unseen powers in the Republican Party, you are saying they shall not have it. The unseen power is your wet Secretary of the Treasury. He is the generalissimo of the wet forces in America and his first lieutenant probably will later prove to be the President elect and his second lieutenant, possibly, is the present President of the United States. My friends, those are the facts. Have you ever heard either of these gentlemen calling for enforcement of the prohibition laws? Where do they stand?

I am glad that the president of the Anti-Saloon League has finally found that he is in the wrong category and has split from the wet Secretary of the Treasury and now demands this \$24,000,000 appropriation. I have always supported the president of the Anti-Saloon League and support him now. I am glad he has finally found out the wet-inclined principles of the Mellon-Coolidge-Hoover régime. My friends, the situation is plain, the question of enforcement or refusal thereof is placed on your doorstep. Now, then, will you keep faith with the American people and say in substance to Mr. Mellon, "You have got to make a showing" by honest enforcement against all violators, or will you break faith with the American people and let the bootlegging go wild in the Capital of the United States and other cities, as the gentleman from North Carolina [Mr. POU] has just said?

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

Mr. GREEN. Not now. My time is too limited. I am sorry. Which are you going to do, my friends? Will you keep faith and enforce prohibition or will you let the two or three powers in your Republican Party continue to vacillate and refuse to enforce prohibition? I am going to leave it with you. As for me, I am going to vote for the enforcement of the laws of the land in accord with the dictation of the voters of my district. My church people, my Woman's Christian Temperance Union members, and the rank and file of my district stand for law and order, and I shall forever vote their conscience. They are a dry people. They vote dry and they live dry. They are honest and law-abiding, and I am happy to champion and defend the cause of such people and of humanity. I hope those Republican Members, who happen to be dry Members, will rise above the cracking of the whip of the Secretary of the Treasury and vote for prohibition enforcement.

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

Mr. GREEN. I am sorry I have not the time. It is on your doorstep. Are you going to keep faith with the moral and spiritual forces of America and say that it will be enforced or are you going to let it pass along and thus protect the nullificationist, anarchic, and communistic forces who would

destroy our country? I shall vote against the rule in order that we may have a direct vote on the question and then vote for the amendment. [Applause.]

Mr. SNELL. Mr. Speaker, I yield 15 minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, ladies, and gentlemen of the House, for the first time since I have been a Member of this body—16 years—it has been necessary to resort to a special rule to send an appropriation bill to conference. This occurs now because the other day gentlemen who are interested in the \$24,000,000 prohibition enforcement amendment were not satisfied with the opportunity that they would have had if they had given consent to send the bill to conference, the opportunity they would have had to move to instruct the conferees to accept that amendment, and on that there would have been debate and a roll call. They were not satisfied with that opportunity. That would have made possible a direct vote on this question on the \$24,000,000 amendment. We invited that. They did not see fit to accept the opportunity.

What is this \$24,000,000 amendment that occasions this extraordinary method of sending an important appropriation bill to conference? I consider it a very short bill. It is of a legislative character, although in an appropriation bill, and reads:

BUREAU OF PROHIBITION

For increasing the enforcement force, \$24,000,000, or such part thereof as the President may deem useful, to be allocated by the President, as he may see fit, to the departments or bureaus charged with the enforcement of the national prohibition act, and to remain available until June 30, 1930.

It should have borne four titles. It could well have been termed a bill to eradicate the recent wet splash on the political records of dry Democrats; or, secondly, to restore Bishop Cannon to the good graces of the southern Democracy; or, third, to condemn Secretary Mellon; or, fourth, to repudiate the administration of President Coolidge and embarrass the administration of President-elect Hoover. Those are the four frank purposes of this amendment.

DEMOCRATIC PARTY NEEDS REHABILITATION

We have just gone through a great national campaign that went down closer to the roots of the political feelings of the people of this Nation than any other campaign in 50 years. The results of that election in November were such that a former candidate for governor in Michigan, Mr. Frensdorf, a leader of the Democratic Party in my State, has openly advised the Democratic Party in Michigan to take a vacation for a number of years to come, and the trouble here is that many gentlemen in this House on the Democratic side from Southern States fear that the party down there will invite its leaders to take the vacation for several years to come, and so we have this \$24,000,000 appropriation to rehabilitate the Democratic leaders.

I want now to quote a word from a distinguished Democrat, probably the most popular Democrat in the United States, certainly one Democrat who has been elected to office and who has never been defeated. I think he is not only popular, but I think he is one of the best political economists and best political strategists in the party. I refer to Will Rogers. Recently in an article in the Saturday Evening Post, in his letter to Al Smith, he said:

I don't know why it is, Al, but us Democrats just seem to have an uncanny premonition of sizing up a question and guessing wrong on it. It almost makes you think sometimes it is done purposely. You can't make outsiders believe it is not done purposely. For they don't think people could purposely make that many mistakes accidentally. And what makes it funny is we get the first pick.

Further, he says:

If a national question comes up, there is no sensible reason why we shouldn't be on the popular side instead of the right side all the time. Leave our old political leaders in the Senate, where they can't do anybody any good or harm, but hide 'em when a campaign is on; they been making the same speeches since they was weaned. * * * Get Raskob back on those Chevrolets again. He may know what Wall Street is going to do, but none of those guys have got a vote. We don't need a financier; we need a magician.

[Laughter.]

A few days ago he gave some good advice to his party on this present situation:

The Democrats are having a tough time finding somebody to give the \$24,000,000 to. Mellon says, "I don't need it." Coolidge says, "Don't leave it on my doorstep." Hoover says, "My charity distributing days are over, don't sic it onto me." What they should do with it is to take \$1,500,000 and pay off Raskob, Kenny, and Lehman, get Bishop

Cannon a new typewriter, and take the other \$22,000,000 and establish an endowment fund to take care of Senators whose political schemes backfire.

[Laughter.]

PROHIBITION THE ISSUE OF 1928

Anybody got any doubts what was the issue in that last campaign? The gentleman from Florida [Mr. GREEN] is still here. He raised some question about it. Let me, for his benefit and others, cite the opinions of some distinguished gentlemen and authorities. From the New York Times, one of the great newspapers of this country and certainly not unfriendly to the Democratic Party in the last campaign, I quote from their editorial Voting on Prohibition in their issue of November 4, the last Sunday before the election:

Seldom in our history has the fate of one nonpartisan political issue been so closely bound up with the results of a national election as this year.

Next Tuesday, however, the issue between Smith and Hoover in the matter of prohibition is sharp and clear. Hoover proposes to attempt to correct the abuses of enforcement, but stands for the amendment and the Volstead law unalterably. Smith, pledged to attempt real enforcement of the law for the first time in its history, would amend the amendment and modify the law so as to permit the several States to undo prohibition. It is the first opportunity which Americans opposed to prohibition have ever had to register their opinion and make it felt by the politicians. If this opportunity is not grasped, years may pass before it comes again. All the dry forces are militantly for Hoover. They accept the issue as real.

If Smith is elected, liberalism will have a leader in a position of great power, carried into office by so widespread and popular an uprising that the barriers of reform—which Mr. Hughes describes as unscalable even by the people who set them there—will begin to crumble. If Hoover is elected, every antiprohibitionist who votes for him should acquiesce in present conditions without further complaint.

WET LEADERSHIP OF DEMOCRATIC PARTY

That was the issue of the campaign. Who was the leader of the Democratic organization in that campaign? Mr. Raskob was chairman of the Democratic Political Party and he is to-day. He is the official leader of that party. And what does he say about prohibition? Since he got rich selling automobiles by reason of the prosperity that has attended prohibition, his great mission is, as he proclaims it, "Ridding the country of the damnable affliction of prohibition."

That is why the party in Congress is attempting since its complete defeat on that issue and under that leadership to rehabilitate itself by this senseless, profligate appropriation of \$24,000,000, with no idea of how it is to be used.

Furthermore, I call attention to what Hon. JOSEPH T. ROBINSON, Democratic candidate for Vice President, said on October 12, as carried in an Associated Press dispatch:

Governor Smith favors—and I am heartily in accord with his views—a change in the Volstead Act which would give a scientific definition of what is an intoxicating beverage. Under this change in the law such States as desire them would be permitted to have very light wines and beer.

Oh, if Bishop Cannon wants to snuggle up to these Democratic leaders he is welcome; if Scott McBride wants to do so, he can do so; but my devotion to prohibition goes back too many years to be led astray by such foolish leadership as now proposes this appropriation, and I will not be alarmed by any fear of misunderstanding of my position. I was acting chairman of the campaign that made dry my home county in 1910. I supported in person and in my newspaper the campaign that gave Michigan state-wide prohibition in 1916. I voted in this House to submit the eighteenth amendment and for the Volstead Act, and since have championed the law to the best of my ability and have observed it personally. I am concerned about results.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. CRAMTON. Not now; I would be very glad to yield to the gentleman if I could yield to anyone in my limited time.

Senator SIMMONS said in his speech at Newbern, N. C., October 12, the same day the candidate for Vice President, Mr. ROBINSON, made the statement I have quoted:

Governor Smith has deliberately made the question of State control of liquor traffic the paramount issue in this campaign. * * *

Whenever the question of prohibition has been heard, the men and women whose souls are wrapped up in that cause, a cause for which they struggled for more than a quarter of a century, and finally wrote into the Constitution, they are told that they are not opposed to Governor Smith because he wants to destroy this great reform, but because of their bigotry and sectarian prejudice.

I defy and spurn the man who attempts to drive them with the party lash, who seeks to deter them upon the grounds of party regularity from the free exercise of their righteous convictions.

Such was the issue, and the people rendered their verdict. They did not say that they voted to put Senator HARRIS, Mr. GARNER, and Mr. BYRNS, and Mr. CRISP, and Major LaGUARDIA in control of the situation; did not vote to give them the leadership.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. CRAMTON. I regret I can not now—but they voted to give the leadership to Herbert Hoover, who takes office as President of the United States on the 4th day of March. [Applause.] He who declared his opposition to the repeal of the eighteenth amendment and his desire to see it succeed.

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

Mr. CRAMTON. I regret I can not.

Mr. GARNER of Texas. Just for one question.

Mr. CRAMTON. Since I have referred to the gentleman I will yield to him if he wants to make a correction, but otherwise not.

Mr. GARNER of Texas. The gentleman says Senator SIMMONS voted for this amendment—Senator SIMMONS, now in the Senate.

Mr. CRAMTON. Certainly; Senator SIMMONS wants to rehabilitate the Democratic Party. I want to say again, the design is to take money out of the Treasury to rehabilitate the Democratic Party.

SENATORIAL VOTE ON \$24,000,000 AMENDMENT

Now, as to the amendment. What is this thing? It is to increase the prohibition enforcement fund by \$24,000,000, to be allocated as the President desires, "to the departments or bureaus charged with the enforcement of the national prohibition act." That was adopted in the Senate with the votes of 13 Republicans, most of them fairly unfriendly to Secretary Mellon, and 39 Democrats and 1 Farmer-Labor. I will put them all in the extension of my remarks. Against the amendment were 3 Democrats and 29 Republicans, the vote being as follows:

FOR HARRIS AMENDMENT (INCLUDING ANNOUNCEMENT OF ABSENTEES)

Republicans, 13: Brookhart, Capper, Couzens, Dale, Deneen, Frazier, McMaster, Norris, Nye, Pine, Sackett, Schall, and Vandenberg.

Democrats, 39: Ashurst, Barkley, Black, Blease, Bratton, Broussard, Caraway, Copeland, Dill, Edwards, Fletcher, George, Glass, Harris, Harrison, Hawes, Hayden, Heflin, McKellar, Mayfield, Neely, Overman, Pittman, Robinson of Arkansas, Ransdell, Sheppard, Simmons, Smith, Steck, Stephens, Swanson, Thomas of Oklahoma, Trammell, Tydings, Tyson, Wagner, Walsh of Massachusetts, Walsh of Montana, and Wheeler.

Farmer Labor, 1; Shipstead.

AGAINST HARRIS AMENDMENT (INCLUDING ANNOUNCEMENT OF ABSENTEES)

Republicans, 29: Bingham, Blaine, Borah, Burton, Curtis, Edge, Glenn, Fess, Goff, Gould, Hale, Hastings, Johnson, Jones, Keyes, Larrazolo, McNary, Metcalf, Moses, Oddie, Phipps, Reed of Pennsylvania, Shortridge, Smoot, Steiwer, Thomas of Idaho, Warren, Waterman, and Watson.

Democrats, 3: Bruce, Kendrick, and Reed of Missouri.

CURTIS, JONES, BORAH IN OPPOSITION

Among those Republicans opposing this extravagance in the Senate, this ill-considered spending of \$24,000,000, were Senator CURTIS—no fairer, truer dry in the country [applause]; Senator JONES, of Washington, who in his last election was fought by the wets because of his dryness—

Mr. SCHAFER. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SCHAFER. It is against the rules of the House, which provide that a gentleman has no right to mention the names of individual Senators.

The SPEAKER pro tempore. Under the rules of the House it is a breach of order to refer to debates or votes on the same subject in the other House.

Mr. CRAMTON. I have not questioned the motives which actuated them. I am just stating the roll call of the Senate, and I hope a statement of that kind is not uncomplimentary to any Senator.

Furthermore, I will mention Senator BORAH, who, when Senator HARRIS, Congressman GARNER, Congressman BYRNS, and all of these other Democrats were parading the country appealing for the election of a wet candidate for President—

Mr. SCHAFER. Mr. Speaker, a point of order.

The SPEAKER pro tempore. What is the gentleman's point of order?

Mr. SCHAFER. I do not think the gentleman from Michigan is complying with the rules of the House in mentioning these various Senators for their attitude in the Senate.

Mr. CRAMTON. I am within the rules, and I object to having my speech constantly interrupted by ill-founded points of order.

The SPEAKER pro tempore. The gentleman from Wisconsin is within his rights when he rises to make a point of order. It will not be taken out of the gentleman's time. The Chair wishes to state that it is a breach of the rules of the House to refer to the votes on the same subject in the other House. The Chair wishes to direct the attention of the Members of this House to the rule on this subject. It is found in the House Rules and Manual, paragraph 364, which reads:

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses.

In the opinion of the Chair the point of order is well taken. The gentleman from Michigan will proceed in order.

Mr. CRAMTON. Mr. Speaker, the gentleman will be glad to. [Applause.]

I can speak of my friend from Texas [Mr. GARNER] all right. In the last campaign, when the gentleman from Texas [Mr. GARNER] and the gentleman from North Carolina [Mr. POW] and the gentleman from Tennessee [Mr. BYRNS] and the gentleman from Tennessee [Mr. GARRETT] and others that might be mentioned were appealing for the election of this wet candidate, a certain distinguished gentleman well known throughout the Nation, having as great a personal influence as any man in the Nation, whose official position and recent vote I am not permitted to mention under the rules of the House, was the "Plumed Knight" who led the fight for preservation of the eighteenth amendment and its effective enforcement; and he does not favor this \$24,000,000 appropriation.

\$24,000,000 CAN NOT BE USED IF APPROPRIATED

Now, the ridiculousness of the expenditure of this \$24,000,000 appears when you study its language and learn that if you appropriate this money it can not be expended. It contributes nothing to prohibition enforcement. All it does is to transfer the dry leadership from the party that carried the banner for preservation of the eighteenth amendment to the party that sought to destroy it. [Applause.]

The language of the Senate amendment to the deficiency bill relating to a \$24,000,000 fund, provides for the allocation of the fund by the President "to the departments or bureaus charged with the enforcement of the national prohibition act."

Under this language no part of the fund could be used by the Civil Service Commission. About 60 per cent of the present force of over 2,000 field officers have been appointed pursuant to the civil service act applicable to the Bureau of Prohibition. The recent examination for agents, which closed November 20, 1928, will not be completed for about a year, according to informal advices from the Civil Service Commission. It is, therefore, impracticable to appoint a large number of additional prohibition agents at this time as it would merely break down the civil-service procedure and place the service where it was prior to the passage of the civil service act. All of the men temporarily appointed would have to be examined and in large part displaced. Such a process would in no way benefit enforcement and would merely cause trouble. Hundreds of cases would be made and later dropped as the men left the service.

Under the provisions of the act of March 3, 1927, creating a Bureau of Customs and a Bureau of Prohibition in the Department of the Treasury, in subparagraph (c) of section 2 the Secretary of the Treasury is prohibited from delegating to the Bureau of Customs any rights or duties in connection with the administration of the national prohibition act, as amended, or any other law relating to the enforcement of the eighteenth amendment.

The Coast Guard is likewise without specific authority to enforce the provisions of the national prohibition act.

It could not be allocated to the Coast Guard, where a study is now being made as to where and how more money could wisely be expended. Until that is done and we enact the necessary legislation authorizing units under the proposed expenditure, the money could not be spent for the Coast Guard, and this amendment grants no such legislative authority.

Furthermore, in the Department of Justice, there is no place to use any great amount of this money unless you also enact

legislation. They may need more judges. The additional judges that were given have appreciably reduced the number of prohibition criminal cases pending in the last year. If more judges are wanted, they could not be secured through this appropriation. Congress must first act on legislation to create the judgeships and many of those bills are now pending in the Senate. The money could be used to employ more assistant district attorneys, but I am to-day advised by the Department of Justice that these appointments, under the law, can only be made on request of the Federal judges and that they have appointed every assistant district attorney that has been requested and they have never been handicapped by lack of money for this purpose.

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

Mr. MICHENER. I yield to the gentleman five minutes more.

Mr. CRAMTON. These defects emphasize the necessity of proceeding in a constructive manner in determining what the needs of each particular service may be. Any other procedure would inevitably result in a waste of funds and the benefits, by way of actual enforcement, would be very questionable and really negligible.

MELLON'S STATEMENT ON THE \$24,000,000

Secretary Mellon in his letter made a statement—and I say that Secretary Mellon has never been hostile to law enforcement, as I have had opportunity to know through personal contact with him in connection with the reorganization of the Prohibition Bureau, and he is honest—if you will read his letter any fair-minded man who is not seeking political results will find that he well points out the unwisdom of appropriating \$24,000,000 for which nobody has asked. In his letter of January 21 to Bishop Cannon he said, in part:

As I pointed out in my letter of January 12 to Senator WARREN, prohibition enforcement does not rest solely upon the Bureau of Prohibition, but its success depends largely on the cooperation afforded by the Coast Guard, the Customs Service, and the border patrol, and, what is even of more vital importance, on the possibility of bringing to trial cases prepared by the Prohibition Bureau and ready for trial. What I endeavored to point out in my letter to Senator WARREN is that the Harris amendment makes the additional funds available to the Prohibition Bureau only and restricts the uses by that bureau, with no discretion in the Secretary of the Treasury. There are now 21,000 liquor cases pending in the Federal courts and causing congestion, with no relief in sight.

The Customs Service needs additional guards in the principal ports and the border patrol needs strengthening, while in so far as the Coast Guard is concerned, Admiral Billard is at present undertaking a survey as to the ships needed to replace a number of destroyers whose usefulness has been pretty nearly exhausted, and is prepared to recommend an increase in the commissioned personnel of the Coast Guard. The Harris amendment would not make funds available for any of these purposes, nor could the additional money provided for be used for the educational purposes which you emphasize in your telegram.

Under these circumstances, can it be fairly said that an appropriation of \$25,000,000, made with these restrictions, would of itself constitute an intelligent and effective means of promoting prohibition enforcement?

I note that in your telegram you suggest that the restrictions be removed and that \$25,000,000 be made available to the Secretary of the Treasury to spend as he sees fit. This, of course, is not the Harris amendment now pending in Congress; and aside from the fact that it would make no provision whatsoever for relieving the congestion in the courts, which to-day constitutes one of the major problems in the field of prohibition enforcement. I want to suggest whether you consider it good practice to place so vast a sum in the hands of a public official with unlimited discretion as to its use? It makes no difference whether that official be the Secretary of the Treasury or some other chief of an executive department of Government. I do not believe that adequate protection of the public interests and the proper safeguards that should always surround the expenditure of public funds can fairly be said to have been provided for if an appropriation of this character is made. Such a program would break down the safeguards of the Budget system, and the effective and proper control which Congress exercises over the expenditure of the public funds. I think that upon second consideration you will realize that this is not a minor question but a fundamental one, and that in the long run, whether in the prohibition field or in any other field of government, infinitely more is lost than gained if for the sake of accomplishing immediately a purpose, no matter how desirable, a fundamental principle of good government and sound practice is violated.

LIQUOR LAWS FAIL IN NONPROHIBITION COUNTRIES

They say the law is not enforced in this country. The liquor traffic does not obey the law in any country at any time, and

whatever the form of the law, it is not fully effective. I recently read in an Associated Press dispatch how Ontario is proceeding to limit shipments to our country because they come back to them and go through their bootleg channels. The item reads:

DETROIT, November 22.—It was reported to-day that a decision by W. D. Euler, Canadian Minister of National Revenue, to limit the number of liquor export docks along the Canadian side of the Detroit river will result in closing of 20 docks maintained by small exporters.

Euler's decision, according to the newspaper, followed a conference with Sir Henry Drayton, chairman of the Ontario Liquor Control Board.

The reason ascribed by the newspaper for reducing the number of docks to 10 is that Ontario government officials have found that much of the liquor consigned to Detroit has been finding its way back into bootleg channels in Canadian border cities.

I find in another Associated Press dispatch that Bucharest has discovered that half the population are drinking moonshine liquor:

HALF OF CITY FOUND USING MOONSHINE—BUCHAREST OFFICERS SEIZE WINE MADE OF ANILINE DYE AND SACCHARINE

BUCHAREST, RUMANIA, December 1.—The government has discovered that half the population of this wine-drinking city has been consuming moonshine and other adulterated liquors. An epidemic of acute eye troubles has been traced to the synthetic wines and it has been estimated that the moonshiners have taken in more than \$500,000.

Analysis of the fraudulent wine showed that it contained only 1 per cent of grape juice. Aniline dye, saccharine, and low-grade alcohol formed the principal basis of the concoction.

I find in the paper this morning that Yugoslavia intends to take strong measures against alcoholic drinks, even to the extent of arresting those who drink, because of so much excessive drinking in that nonprohibition country, according to another Associated Press dispatch:

PLANS LIMIT ON LIQUOR—YUGOSLAV GOVERNMENT TO BAN EXCESSIVE RUM DRINKING

BELGRADE, YUGOSLAVIA, January 30.—The new government intends to take strong measures against alcoholic drinks. While total prohibition is not contemplated, the government, being appalled at the effects attributed to excessive drinking, has decided to make drunkenness a crime.

Anyone found drunk in a public place will be severely punished, especially if the offender is a civil servant. Certain repressive measures included already in the new penal code will be greatly strengthened.

PROHIBITION HAS PROVEN ITSELF HERE

We lack much of having the enforcement desired in this country, but we are making good progress. Rum row on the Atlantic coast has practically disappeared, the work on the land borders is being better organized, and unlawful diversions of industrial alcohol are being greatly reduced. Those are Federal problems. The States and the cities have their share of the responsibility and can not afford to much longer neglect that responsibility. Better enforcement will bring better results, but even with such enforcement as we have had, Irving Fisher, professor of economics at Yale; Henry Ford; Babson, the great statistician; and other great authorities agree that it has proven itself as a great industrial and social benefactor. This is shown by the fact that deposits in savings banks increased from thirteen billion in 1919 to twenty-six billion in 1926, and the number of such accounts from 29,000,000 to 48,000,000. The number of high-school students increased from 312 per thousand of children of 14 to 17 to 473 per thousand. The life insurance increased from \$334 per capita to \$543. At the same time the people were using much more generally the necessities and the luxuries of life.

W. C. T. U. AND METHODIST BOARD WILLING TO WAIT FOR HOOVER

Our Democratic friends would have you think that all the dry leadership of the country is clamoring for this amendment. It is only those excitable bishops of Virginia and these excitable Democrats who are insisting on it.

As a matter of fact, the people I most admire are those devoted prohibition advocates, those sainted women who for years have battled against overwhelming odds to outlaw the saloon and who in this last campaign contributed so much to the splendid result. I refer to the Women's Christian Temperance Union. [Applause.] Those women are not concerned about politics. They have no fences to mend, but they are keeping their heads and they are not asking for this \$24,000,000. They trust Hoover and are willing to wait a few weeks for him. The gentleman from New York [Mr. DAVENPORT] was interested to know their attitude, no statement having come from them, and so he wired to Mrs. Ella A. Boole, president of the Women's Christian Temperance Union, asking her position, and she sends

this telegram in reply, which I have secured his permission to read to you:

The National Woman's Christian Temperance Union has taken no stand in the present confused situation about the \$24,000,000 deficiency appropriation.

Listen!

Because we are confident the new administration, after careful study, will have its own plans and will present its own needs for money.

[Applause.]

And let me say to any dries that if they will just follow Herbert Hoover's leadership they will have a dry record upon which they can go into any dry district of this country. [Applause.]

That is not all. I sought an opinion from the Board of Temperance, Prohibition, and Public Morals of the Methodist Episcopal Church, nothing having been volunteered by that board, and Doctor Wilson in reply expressed also their desire not to add to the existing controversy or become a party to it. He did say, however:

We take it for granted that the appropriation will not be effectuated either because of disagreement between the two Houses or because of presidential veto, and we trust that as soon as possible Congress can enact well-conceived legislation allocating necessary funds to the various departments on the basis of a thorough understanding of the needs. We take it that such appropriation must necessarily include consideration of a possible enlargement of the judicial establishment of the United States Government.

The complete letter and extract from Doctor Wilson follow:

BOARD OF TEMPERANCE, PROHIBITION, AND
PUBLIC MORALS OF THE METHODIST EPISCOPAL CHURCH,
Washington, D. C., January 29, 1929.

HON. LOUIS C. CRAMTON,

House of Representatives, Washington, D. C.

DEAR MR. CRAMTON: In reply to your inquiry by telephone will say that the inclosed short comment on the proposal to appropriate twenty-four or twenty-five million dollars for the purpose of prohibition enforcement appeared in the Clip Sheet of January 21. At that time, however, the proposal was to make this available to the Prohibition Unit only, and what we said under those circumstances would not now apply.

It is our judgment that any statement by us at this time would necessarily be subject to such misrepresentation as to be injurious to the board and to the cause. We would like, therefore, to refrain from participating in the discussion.

We take it for granted that the appropriation will not be effectuated either because of disagreement between the two Houses or because of presidential veto, and we trust that as soon as possible Congress can enact well-conceived legislation allocating necessary funds to the various departments on the basis of a thorough understanding of the needs. We take it that such appropriation must necessarily include consideration of a possible enlargement of the judicial establishment of the United States Government.

With best wishes,

Sincerely yours,

CLARENCE TRUE WILSON,
General Secretary.

TWENTY-FIVE MILLION DOLLARS

The suggestion that the appropriation made available to the Prohibition Unit be increased by \$25,000,000 is an evidence of a sincere determination on the part of Congress that the law be enforced.

We do not believe that \$25,000,000 can be wisely used by the Prohibition Unit at the present time. If and when measures are taken to relieve congestion in the Federal courts, substantial additional sums might be used to the advantage of the country.

However, there is no doubt that the funds appropriated for prohibition enforcement are insufficient. Several million dollars, at least, could be used in educational and investigation activities.

Evidently the whole field of law enforcement should be thoroughly studied and a conclusion should be reached with regard to the necessities of the Department of Justice, the Coast Guard, and the Prohibition Unit. Whatever appropriations are necessary for effective coordinated effort should eventually be made and no doubt will be made. Those sums, however, should cover only the legitimate activities of the Federal Government. The insincere proposal of Senator BRUCE to appropriate \$300,000,000 for the enforcement of the prohibition law by the Federal Government was simply a publicity "stunt" in keeping with the fanatical record of that retiring Senator. (Extract from Clip Sheet.)

Not all the dry leadership has gone to rocking the boat. Why should it when for the first time a President has been elected on the platform of preserving and making effective the eighteenth amendment, and in a few weeks he will be inaugurated?

ILL-ADVISED APPROPRIATION WOULD BE DISASTROUS TO DRY CAUSE

The superintendent of the Anti-Saloon League in my State has telegraphed me to support this \$24,000,000. I will not admit that he has any better knowledge of the situation here than I have. I will not yield to him in my devotion to this cause. In my sober judgment, the appropriation of this \$24,000,000, which no official of the Government has asked for and with no program here for its expenditure, would be a setback to the dry cause that would be disastrous on the eve of the dry administration of Herbert Hoover. So I hope that every dry, and I hope that every man who has any idea of good business administration of the Government will support the demand to send this bill to conference without tying the hands of the conferees. [Applause.]

Mr. POU. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. LAGUARDIA]. [Applause.]

Mr. LAGUARDIA. Mr. Speaker, this is an opportunity I have long sought. Now is the time for every man to declare himself on the question of prohibition.

Gentlemen, the last election is over. This question of Raskob and Al Smith is only a red herring which the demoralized dries are now drawing across the path.

Why, the great leader of the prohibition forces in the House of Representatives, the distinguished gentleman from Michigan [Mr. CRAMTON], talks about prohibition in Yugoslavia, in Rumania, and in Ontario, but not one word does he say about the disgraceful conditions in the State of Michigan.

The question here is not on the rule. The question here is not on instructing the conferees. The question now is to demonstrate that prohibition is impossible of enforcement. Whether you appropriate \$24,000,000 to-day or not, you will have to do it eventually, and, as I have stated on the floor of the House so many times in the last 10 years, it will cost you \$200,000,000 and \$300,000,000 a year before you can convince "those honest and sincere women of the Woman's Christian Temperance Union," referred to so solicitously by the gentleman from Michigan [Mr. CRAMTON], that the so-called prohibition leaders and Anti-Saloon League are faking and to whom they are making misrepresentations as to its success, that prohibition enforcement has completely broken down. It is necessary to have additional funds to prove to some who are not yet convinced that prohibition simply can not be enforced.

I believe the only cure for prohibition is prohibition. We have to apply a homeopathic treatment. Will any of the dries stand up to-day and say that we have enforcement? Do you want to countenance the present disgraceful condition?

I admit that my purpose in voting for this appropriation may be different from that of the dry Members of the House. I vote for it because I have taken the stand and the attitude that we must convince the American people that prohibition is a failure, and the only way to do it is by attempting to enforce it.

Do you not see how the dries are being demoralized? Do you not see how we have broken their ranks? Do you believe for a moment that the Anti-Saloon League wants to see this money appropriated? Not at all; McBride did not come out for this appropriation until he was sure that CRAMTON and COOPER and the rest of the dry leaders here had enough votes to vote it down. So McBride will go to one-half the people and say, "Why, we were for it," and the dry leaders will go to the other half and say that they were against it. They are playing the old Anti-Saloon League game.

Why, it was stated we should not embarrass the President elect. It was stated this was intended to embarrass him? Are you afraid to trust Herbert Hoover with \$24,000,000? I am not. I have confidence in the honesty and the ability of Herbert Hoover and I am not afraid to trust him with this \$24,000,000, and I know that Herbert Hoover is big enough that when we give him this money, after he will have tried this "noble experiment," he will come back to the Congress and say, "I can not enforce this law; the law can not be enforced, and the next best thing to do is to deal with it constructively and bring about the necessary modification that will make the law possible of enforcement." [Applause.]

The situation to-day marks a turning point in the history of prohibition. It is a condition that many of us who realize that prohibition as a national proposition was not feasible and was not enforceable anticipated. We opposed it from the first day of its enactment. It can not be said, however, that we opposed it by refusing appropriations or hampering its enforcement. For 10 years I have constantly advised my colleagues that the law was not being enforced. I have repeatedly brought to the attention of Congress case after case, instance after instance of official graft and corruption. I have exposed here on the floor of the House wholesale violations running into millions of dollars. I have brought here facts and figures showing a

universal and general disregard of the law. To-day the proposition is: Are the dries, the supporters of prohibition, the champions of prohibition, ready to admit defeat or are they ready to have or to take one more chance and see what they can do? Oh, gentlemen, you will remember the early days of prohibition up to only a very few months ago, the dry leaders of this House taking the floor and demanding enforcement, asking for appropriations to carry out the mandate of the prohibition law.

You can still remember the applause which followed every statement asking for enforcement. I pointed out so many times, and I repeat at the risk of becoming tiresome, that there is no attempt made by the Federal Government to enforce prohibition in many of the States of the Union. Of the 500 largest cities in the United States, 480 of them have never seen a single, solitary prohibition agent. If this is a national law, it is a law for all of the United States, and not only a law for the city of New York, the city of Chicago, the city of St. Louis, or the city of Philadelphia. It can not be said after 10 years of trial that the department does not know how to spend the increased appropriations. The testimony of General Andrews, Assistant Secretary of the Treasury, still a matter of record, the recent testimony of Doctor Doran, Commissioner of Prohibition, indicate that the present appropriations are insufficient, and not even enough to permit them to scratch the surface.

The dries to-day are demoralized and routed; they are divided. It is the first big defeat that they have encountered; but, gentlemen, they have not yet surrendered. We must go through this costly process of appropriating additional \$24,000,000, and next year perhaps \$50,000,000 more. The present cost of prohibition is in the neighborhood of \$50,000,000 or \$60,000,000. It will soon be, no matter what we do to-day, \$100,000,000 and \$150,000,000 a year. To commence to patrol the Canadian border, the Mexican border, and the semblance of a Coast Guard along the Atlantic and Pacific Oceans will run the appropriations to \$300,000,000. The dry Congressmen know that, the professional dries know that; but there are a great many people in this country—sincere dries—who are being deceived, who are being told that prohibition is a success, who are being told that the law is being enforced—these good people are not yet convinced. Costly as it may be, we must appropriate additional funds. Let the professional dries, let the dry Congressmen, try anything that they will, employ as large a force as they desire, and the conditions will be just as rotten then as they are to-day. There is not a State, a city, county, or village in which liquor is not sold. The consumption is so great that a conservative estimate fixes an amount of \$1,000,000 a day which passes hands in the shape of corruption and graft to Federal, State, and municipal officials. Such a condition is intolerable. Such a state of affairs is disgraceful and demoralizing to established government.

What is the position of the dries to-day? If they should take these funds, the responsibility is upon them in making good or admitting that prohibition is a failure. If they refuse the additional funds, they countenance the existing condition, which stands as a living example and the positive proof that prohibition is a failure. It is either admitting failure to-day or admitting failure to-morrow. Naturally a good many dries run to cover. Their only stock in trade is at stake. If they can delay the day, their political power is extended just so long. They will vote down this appropriation, then return to their home towns and talk about terrible wet New York and talk about only the aliens violating the law, and continue to tell their constituents what a success prohibition is. Given the additional appropriation, responsibility of enforcing the law rests upon them, and I again repeat they must make good or admit failure. I care not whether this additional fund was injected into the bill for political reasons or not. It goes to show the danger of prohibition, its enormous cost, how it will disarrange all budgetary arrangements, how it will make further reduction of taxes impossible, how it will impose unheard of burden on the shoulders of the taxpayers, how it will disrupt organized government. Naturally, the dries are in confusion to-day, and it would behoove the wets to keep the dries agoing, to keep their ranks broken, to press hard now that we have them on the run. Unfortunately, the wets are divided. Naturally, every Member has the right to vote according to his best judgment. I can not see, however, how any wet desirous of bringing about a change by proper legislative or constitutional channels can fail to avail himself of this opportunity. It is true that by voting for these appropriations a Member from a wet district might be misunderstood. It is true that the full meaning and importance of this appropriation may not be generally understood. Every statesman must take the risk of being misunderstood temporarily in the course of bringing about reforms and changes

which he seeks. I know that people will come into my district and misrepresent my attitude. They did that last year, but my constituents are too intelligent to be misled by any misstatement or by deliberate lies, whether the speaker is drunk or sober when he makes those statements. I am not afraid of facing the situation. I am sent here to bring about a modification of prohibition, and I may properly use every technical, parliamentary, legislative, and lawful means available to bring about that change.

The people that I represent want law reform, not law violations. So the wets to-day have this opportunity presented to themselves. As we divide, we take that course which will hereafter classify us in this great fight. By voting for this appropriation, we act as statesmen bent upon bringing about a change in the existing intolerable conditions. By voting against it, one is willing to be classified as a congressional gigolo willing to dance at the snap of a bootlegger's fingers. [Laughter.]

There is a difference in being a wet seeking to bring about a modification of prohibition, and simply being a wet willing to make things easier for the unlawful sale and consumption of poison alcohol.

The letter from the Secretary of the Treasury either to Senator WARREN or to the gentleman from Kansas [Mr. ANTHONY, the chairman of the Committee on Appropriations of the House] was anything but convincing. If after 10 years he does not know how to use additional funds, then he should come out and say frankly that prohibition is a failure, and as part of the administration ask the President of the United States to inform Congress of the entire breakdown of prohibition, the impossibility of its enforcement, and for legislative action to remedy the existing condition by bringing about a safe and sane policy of liquor control which will permit the sale of wines and beer and stop the present wholesale consumption of hard liquor and poison alcohol. If he is not willing to take that stand at the present time, then, as I pointed out in my remarks of January 23, 1929, he can use every penny of the additional \$24,000,000 in an attempt to enforce the law, or he can use \$3,000,000 of this appropriation right in the city of Washington without in the slightest creating inconvenience to "official" Washington. He can use several million dollars in the city of Detroit, whose Representatives in Congress, known as dry leaders, to-day are opposing this appropriation. He can use several million dollars in denaturing plants and supervision of permittees using poison alcohol and prevent hundreds of thousands of gallons—yes, millions of gallons—of poison alcohol being diverted into beverages.

As a wet who is convinced that the present prohibition law is a failure, I shall vote for this appropriation in the course of trying out this so-called experiment and convincing the American people that, regardless of the millions of dollars that are being spent, it can not be enforced, and that a modification of the law is not only necessary but inevitable. [Applause.]

Mr. MICHENER. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. O'CONNOR].

Mr. O'CONNOR from New York. Mr. Speaker, it has not been necessary for me to consult with Doctor McBride, or the Women's Christian Temperance Union, or Doctor Wilson and his board of Methodist "moralists," or with anybody else as to how I should vote. I could not very well consult with any bootlegger because all the bootleggers are in the Republican Party. They constitute the nucleus of the Republican organization in my city of New York. Every bootlegger voted for Herbert Hoover. [Laughter and applause.]

The chairman of the Rules Committee, of which I am a member, has said that there are four classes of people who favor this amendment. He said the first class is composed of the hysterical "dries." If I am hysterical at all I certainly am not aridly so. [Laughter.] I think he meant the Members who are afraid of Doctor McBride—I do not know what kind of a "doctor" he is, but he certainly has a lot of sick patients on his hands to-day. [Laughter.] Then the distinguished chairman said the second class are the bitter wets, who tried the other day to adopt the amendment for \$250,000,000 more to enforce prohibition. As you all know, I have been somewhat opposed to prohibition. I voted and spoke against that \$250,000,000 appropriation, as I am going to vote to-day for the rule and against this \$24,000,000 appropriation. [Applause.]

The gentleman from New York [Mr. SNELL] said the third class was composed of Members who wanted to rehabilitate themselves in their districts. That can not possibly include me.

Then he said the fourth class were those who wanted to embarrass the new President. I can assure him I would not do that. The leaders of my party have no intentions of doing so. We wish him success and hope he brings to this Government the best administration—and God knows we need it—that the country has ever had. [Applause.]

Now, there is a certain atmosphere here in which men are struggling between fear and doubt—fear of the lash, fear of this McBride, who, in Collier's of last week, said to Herbert Hoover: "If you do not do as we tell you to do, four years from now you are going to be greatly embarrassed"; a common, vulgar person threatening the head of the Government of the United States!

My position now is and always has been that I do not believe the American people want this law enforced. I do not know of a solitary individual who wants it enforced against himself or his friends. I do not believe that any amount of money will enforce it. I want Members of the Eightieth Congress to read the debates in the Seventieth Congress, and they will, I am sure, look back and say, "How could they ever think of it?" Because I am confident that in the Eightieth Congress not a single dollar will be appropriated to enforce the prohibition law. I am sure that is the way this law is going to be "repealed" and "modified."

There is much talk of figures. Somebody has said here to-day that only 15 per cent of the people of this country are wet. Let me say that no law passed by this legislative body or any other legislature can be enforced if 15 per cent of the people are opposed to it—or even 10 per cent. Assume you have ten or fifteen million people—I think the more exact figures will be fifty or sixty million people—but let us assume there are only 10,000,000 people opposed to it. You can not enforce it, because there must be something fundamentally wrong with any law when any considerable number of people are opposed to it. You do not have that trouble with any other laws. You do not have to appropriate \$35,000,000 to enforce any other law. I would not vote for \$24,000,000 to enforce any law, no matter what it provided, because I know that the mere fact that you require that much money to enforce it is proof positive that your law is fundamentally wrong and not consonant with the wishes of the American people. [Applause.]

Mr. POUL. Mr. Speaker, I yield 10 minutes to the gentleman from North Carolina [Mr. DOUGHTON].

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and in that connection I also ask unanimous consent to incorporate as a part of my remarks a telegram from Judge Johnson J. Hays, of the middle district of North Carolina, bearing on this question.

The SPEAKER pro tempore (Mr. RAMSEYER). The gentleman from North Carolina asks unanimous consent to revise and extend his remarks and in that connection incorporate a telegram. Is there objection?

There was no objection.

Mr. DOUGHTON. Mr. Speaker and gentlemen of the House, no question now before the American people is of greater importance than that of prohibition. It affects the moral, social, and industrial life of the Nation to a greater degree perhaps than any other subject.

In the recent national campaign, while both parties endeavored to prevent the prohibition issue being made paramount, yet it was perhaps more widely discussed and had a greater bearing upon the result than any other one issue.

The subject under consideration to-day is whether or not the Congress will take a forward step toward better enforcement of this much-discussed law—whether or not it will provide additional funds for its effective enforcement. While there are honest differences of opinion as to the success or failure of the prohibition law, every fair-minded person must admit that up to the present time it has never had a fair trial. Those who have opposed the law from its inception—and I do not question their honesty—stoutly maintain that the law can not be enforced and that it is a loss of effort and waste of money to make further attempts in the direction of enforcement. But in my judgment a great majority of the American people believe in the law. They believe with partial enforcement it has accomplished much good, and with better enforcement the benefits of the law will be much greater and more fully realized.

If the law is ever to succeed and its ordained purpose to be accomplished, violators of the law must be apprehended, tried, and punished. Probable apprehension, speedy trial, and severe punishment must stare violators in the face before the law will ever succeed and accomplish the results for which it was enacted.

It is the duty of Congress to provide adequate funds whereby those who willfully and persistently violate this law can and will be apprehended. It is then the duty of the executive department of the Government to carry out the will of Congress, and in so far as it is humanly possible and reasonable bring the violators into court, and if this is done I am certain within a very short time the merits of the law will be fully established and its purpose and intention vindicated.

If the Congress provides the machinery by placing at the disposal of the Treasury Department the necessary funds for the effective enforcement of the law, I have no doubt whatever but that the judicial arm of the Government—the Federal courts—will administer sufficient punishment to make the law the same success and give it the same dignity and standing as other laws.

In the State of North Carolina, which I have the honor in part to represent, the alibi of those in charge of enforcement, and I believe it is a just one, is that the force is not sufficient to cope with those who violate the law. With 100 counties in our State there are only about 30 men employed to enforce the prohibition law. Everyone knows who is at all familiar with the subject that this force can not, no matter how diligently and honestly it strives to do so, bring to the bar of justice any considerable number of those who make it a business and earn their livelihood by the illicit manufacture of and traffic in intoxicating liquors. Certainly not fewer than two men on the average to each county can make any reasonable progress whatever toward the enforcement of the law, as the Government enforcement officers have to contend with a highly organized, intelligent, and well-financed group of offenders.

It is frequently charged by those who oppose prohibition that further appropriations should not be made for the reason that those employed in the enforcement of this law are unfaithful, dishonest, and do not seriously attempt to enforce the law. In other words, that they accept bribes and close their eyes to the flagrant violations.

My knowledge of those who are engaged in the very difficult work of apprehending and bringing to trial the professional moonshiners and bootleggers is that this wholesale denunciation and criticism is unwarranted. They certainly have a very difficult position to fill, and in my State, I believe, as a whole they are as faithful and honest as other enforcement officers.

If the executive department of the Government will strengthen its force, capture those who are violating the prohibition law, the courts in our State will adequately punish the guilty. When this is done the violations will not be so frequent, and fewer men will take the risk of engaging in the business.

Judge Johnson J. Hays, of the middle district of North Carolina, a very able and upright judge, has wired Senator OVERMAN urging that this amendment be adopted and that the appropriation of \$24,000,000 be made. Judge Hays was for a considerable time solicitor in the State of North Carolina, and it was his duty to prosecute all those who were charged with criminal offenses. In the prosecution of the State docket he became acquainted with the violators of our State prohibition law, and is perhaps as familiar with the prohibition subject in all its relations and aspects as any man in the United States, and he maintains the one great need is larger appropriations and more men with which to run down and bring to justice those who are professional violators of the national prohibition law.

Judge Hayes's telegram to Senator OVERMAN:

Trust you will use your influence to secure passage of the Harris prohibition appropriation. This amount should treble the present number of agents. In my opinion, this is wise legislation and will meet the necessities in rural communities such as our district.

Those who oppose this amendment do so under the pretense that the money can not be successfully and effectively used until greater knowledge is gained of the real situation. However, if they have not within the past eight years become familiar with the true situation, they certainly never will do so. There are many who believe prohibition will not be enforced successfully while left in the Treasury Department. A recent communication by the Secretary of the Treasury to Congress has confirmed many in that belief. The American people are determined, however, that the prohibition law shall be enforced and that those in authority must be left with no excuse for half-hearted, insincere efforts in the direction of law enforcement.

Mr. Speaker, it is the old subterfuge of those who try to conceal their own duplicity to allege that those differing with them are insincere. There has been an obvious manifestation of that spirit here to-day. Those opposing this appropriation are inconsistent when they hypocritically profess that they are sincere in their desire to see the prohibition law enforced and that those who differ with them are trying to play politics. It is always good politics for any party or any individual to do right.

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

Mr. DOUGHTON. Yes. I gladly yield to my friend Judge CRISP.

Mr. CRISP. The country manifested its approval of Mr. Hoover, and I have confidence in him. If this amendment should be carried and the \$24,000,000 appropriated, will this not be the effect of it: If Mr. Hoover, as President, desires the money

to enforce the law and he sees where he can advantageously use it, he will use it. If he does not, he will not use it and it will remain in the Treasury and none of it will be expended. But it will simply evidence to him and the country that Congress desires to give him all the money he may need to enforce the law.

Mr. DOUGHTON. Mr. Speaker, I thank my colleague for his very illuminating and timely statement. There is not any doubt but what Mr. Hoover, the incoming President, can use this money if he sees fit to do so. If not, it can remain in the Treasury.

While there is nothing in the record of Mr. Hoover up to the time he became a candidate for the Presidency to indicate that he is a real prohibitionist, yet from the declarations he made during the campaign one would infer he is in sympathy with the law and will endeavor to have it enforced. Up to the time he became a candidate, so far as I have been able to ascertain, he had never identified himself with the prohibition cause, never made a prohibition speech, or written a magazine article on the subject of prohibition. He had no record whatever as to prohibition. He had been connected with the present administration, and so far as is known was in sympathy with all its policies. In fact, he so expressed himself in his campaign utterances, and everyone knows that the present administration has made no earnest, determined effort to enforce the prohibition law. I will not say it has not been honest, as charged by some, as I do not question a man's honesty unless I have the greatest and gravest provocation to do so.

In my judgment a great majority of the American people are determined that the prohibition law shall have a fair trial and that a much greater effort shall be made in the future than in the past to have the law enforced, and everyone at all familiar with the subject knows that the first step essential in a campaign for better enforcement is an adequate appropriation to carry forward the work in a determined and successful manner.

Doctor Doran, Commissioner of Prohibition, has said that more money is necessary for the better enforcement of the law. Those in charge of the Coast Guard and who are endeavoring to prevent the smuggling of intoxicating liquors in this country plead as an excuse for their failure that they do not have sufficient boats at their command with which to run down those who are engaged in the violation of the law along the Atlantic coast. I would much rather have the word of Doctor Doran, Admiral Willard, and Judge Johnson J. Hayes, who know by actual experience and by direct contact what is needed for the proper administration of the law, than the honorable Secretary of the Treasury, a man whose time and attention is occupied by numerous other duties and responsibilities and who gives little or no attention to the enforcement of prohibition. In fact, Mr. Mellon, before he became Secretary of the Treasury, is reputed to have been the largest distiller in the world, and his heart has never been in the work so far as enforcement of this law is concerned.

If this appropriation is not made now, Mr. Hoover, when he becomes President on the 4th of March, will find himself without sufficient funds to proceed with the enforcement of prohibition. It is understood that an extra session of Congress, if one is called, will deal only with the matters of tariff and farm relief, therefore, the question of prohibition will not receive consideration and no appropriation will be made before Congress meets next December in regular session. Of course, it will be several months after that before anything will be done. If the money is provided now the new administration will have no excuse. If a survey is needed or a committee is to be appointed to look into the matter and make a report to Congress, it can be done during the summer, so when Congress meets in December all the information will be at hand, and the President can make his recommendation and Congress can proceed in the light of the facts that have been adduced. There is everything to gain and nothing to lose by making the appropriation now and those who are trying to prevent the passage of this bill, whether intentionally or unintentionally, are playing into the hands and strengthening the arms of those trying to discredit the law and making it harder and more difficult as the days go by for it to ever be enforced.

The issue will not down. It must be squarely met and in my opinion the great body of the American people who believe in prohibition and believe it can be enforced will hold in disgust and contempt any further half-hearted sham battles with respect to the enforcement of this most important law.

Mr. MICHENER. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. TEMPLE].

Mr. TEMPLE. Mr. Speaker, my own attitude toward this prohibition question is I think fairly well known. I was a Member of the House in 1913, when an attempt was made to

send the prohibition amendments to the States. We had a majority, but not two-thirds, and it went no further. I voted for prohibition at that time. I voted for the present eighteenth amendment when it was sent to the States. I voted for the Volstead law for the enforcement of that amendment. I have voted and expect to vote for every appropriation for the enforcement of that law, but I shall not vote for the \$24,000,000 proposed in the present amendment. [Applause.]

No estimates have been made as to any amount needed that would include this appropriation. At the beginning of this session of Congress, after the President had sent us his annual message, he did send a separate message giving estimates of the amount needed for the whole executive branch of the Government, including the Prohibition Bureau. For that bureau the estimate was \$13,400,000. Including the amount used in prohibition work by other organizations, such as the Coast Guard, the customs officers, the border patrol, the Federal courts, apportioning the amount spent by each of them in prohibition cases, the total amount spent for prohibition is something like \$30,000,000 or \$35,000,000 a year. That is not a staggering sum. It would not appall me if we appropriated twice as much.

If no estimates have come to us from the executive branch of the Government, which is the recognized mode of bringing appropriation questions before the House, the only approved mode since we adopted the Budget system, how did this proposal originate?

Mr. Doran, when he appeared before the Appropriations Committee, was asked whether he could enforce prohibition, whether the work of the Prohibition Bureau could be effectively done with the amount the Budget Bureau estimated to be necessary, \$13,400,000. He said, "Yes." When he was further inquired of, he did say that if Congress wanted to change its whole policy and go into general police work, it would take \$300,000,000 and a network of United States courts. Everybody knows that the general police work of the country is not administered by the National Government but by the States and municipalities; and the National Government has no authority to do it except as the eighteenth amendment gives it police power in the one matter of prohibition. Some one seized on that statement that \$300,000,000 would be necessary for the general police work of the country, with a great network of United States courts, and, whether intentionally or otherwise, misrepresented the statement of Mr. Doran. When the Treasury appropriation bill came back to the House from the Senate it had in it an amendment increasing the amount for prohibition to \$270,000,000, if my memory is correct. The rules of the House forbid me to say that that amendment was offered in the Senate in a spirit of sarcasm, and therefore I shall not say it. The amendment disappeared in the conference committee. Now, we have a proposal in the deficiency appropriation bill for \$24,000,000, in addition to the \$13,400,000 asked for by the President, and for this additional sum no estimate has been made, no information has been given as to how it might be expended, and the head of the prohibition enforcement bureau says, I am told, that he would not know how to spend it. It would provide no additional judges, because the number of Federal judges is fixed by law. It would not increase the number of courts and it is in the courts that the congestion is found. The number of officers appointed in the various divisions and departments and bureaus of the executive branch of the Government is fixed by law, and no legislation is proposed by which the number would be increased.

It is proposed simply to throw \$24,000,000 out into the dark in the hope that it may somehow hit the bootlegger and inflict a deadly wound on his unlawful traffic. I do not propose to throw money away in that fashion. I will vote for another proposal among the Senate amendments to this bill if I have a chance. It asks for \$250,000 to pay the expenses of a commission of inquiry which it is expected Mr. Hoover will appoint for the purpose of investigating the whole question and proposing the best methods of enforcing the eighteenth amendment. When the investigation is made, if it is shown that twenty-four millions or twice that sum would be necessary to enforce prohibition, I shall vote for it. As I have said, my own attitude on the question is well known. People have told me that if I vote against the appropriation that my dry friends will misunderstand it. For two reasons, my dry friends will not misunderstand it. Those people have confidence in me and will not misunderstand my attitude. Secondly, if they had no confidence in me, they are intelligent people and will understand the situation when they know the facts. Being on the ground and in closer contact with the legislative situation in Congress, I know the facts just now better than they do, and I vote according to my own judgment. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BANKHEAD. Mr. Speaker, the gentleman from North Carolina requested me to take charge of the time, and I yield 10 minutes to the gentleman from Tennessee [Mr. BYRNS]. [Applause.]

Mr. BYRNS. Mr. Speaker, I regret very much that some of those who have discussed this question have sought to give it a political turn. [Laughter.] I am particularly surprised at the remarkable speech of the gentleman from Michigan [Mr. CRAMTON], my friend and a gentleman for whom I have a very great respect. Really after all, it was the only kind of a speech the gentleman from Michigan could make on the subject, because heretofore he has assumed the leadership of the dry forces in the Congress. But the gentleman in his remarks put himself in the rather unfortunate position of voting to refuse to trust the President, in whose election he was very largely influential, with \$24,000,000 if he needs it in order to carry out the promise that he made to the people that he would enforce this law if he was elected President of the United States. [Applause.] The gentleman from Michigan says that there are some at the other end of the Capitol, and possibly some in the House who are seeking to rehabilitate the Democratic party by supporting this amendment. The gentleman referred to a number at the other end of the Capitol who had supported this amendment, but he failed to refer to his own two distinguished Republican United States Senators from the State of Michigan who heartily supported it as the RECORD shows, and I wondered if those gentlemen are to be accused of endeavoring to rehabilitate the party to which they do not belong. You can not throw dust in the eyes of the people of this country and those who believe in honest enforcement of this law whether they are wet or dry by statements of that kind. This is a plain, simple proposition. It has been testified before your committee that the enforcement bureaus have not sufficient funds to enforce the law.

Doctor Doran stated that he needed more money to properly enforce it. Admiral Billard, head of the Coast Guard, an honest and highly efficient officer of the Government, charged with preventing the smuggling of intoxicating liquor on the seas into this country, declared that he was not able effectively to prevent the smuggling of liquors on the Atlantic coast, and that, as a matter of fact, he was not doing anything upon the Pacific coast. He said he was not able to do so because he did not have sufficient boats and a sufficient force at his command. And that is not all. The Secretary of the Treasury wrote a letter on January 21, 1929, which was widely published over the country. The Secretary of the Treasury for eight years has been at the head of that department charged with the enforcement of this law, and, if rumor is true, is going to be at the head of it for the next four years. He said among other things in this letter:

As I pointed out in my letter of January 12 to Senator WARREN, prohibition enforcement does not rest solely upon the Bureau of Prohibition but its success depends largely on the cooperation afforded by the Coast Guard, the Customs Service, and the border patrol, and, what is even of more vital importance, on the possibility of bringing to trial cases prepared by the Prohibition Bureau and ready for trial. What I endeavored to point out in my letter to Senator WARREN is that the Harris amendment makes the additional funds available to the Prohibition Bureau only and restricts the uses by that bureau with no discretion in the Secretary of the Treasury. There are now 21,000 liquor cases pending in the Federal courts and causing congestion, with no relief in sight. The Customs Service needs additional guards in the principal ports and the border patrol needs strengthening, while in so far as the Coast Guard is concerned, Admiral Billard is at present undertaking a survey as to the ships needed to replace a number of destroyers whose usefulness has been pretty nearly exhausted, and is prepared to recommend an increase in the commissioned personnel of the Coast Guard. The Harris amendment would not make funds available for any of these purposes, nor could the additional money provided for be used for the educational purposes which you emphasize in your telegram.

Thereupon in order to meet the objections of the Secretary of the Treasury the Senator from Georgia changed his amendment so as to place this fund in the hands of the President himself, who is at the head of all the departments, with full power to allocate all or any part of it to any department or bureau charged with the enforcement of the national prohibition act. It was passed by the Senate in that form, and that is the amendment which is pending before the House at this time. In the face of these plain admissions how are you Republicans going to justify your refusal to put this sum at the disposal of Mr. Hoover, whom you supported last November?

If he needs this sum to enforce the law and make good his pledges to the people, then he should have it, and as a Democrat I am willing to vote it. If he does not need it, he will not have to expend it; and I, for one, am willing to trust him,

whatever may be your opinion of him. And yet distinguished gentlemen like the gentleman from Ohio [Mr. COOPER] and the gentleman from Pennsylvania [Mr. TEMPLE] and the gentleman from Michigan [Mr. CRAMTON], who are dry, who have always heretofore earnestly advocated the enforcement of this law, ask Congress, in the face of these statements of the Secretary of the Treasury, Admiral Billard, and Doctor Doran, who are charged with the enforcement of this law to wait six or eight months, or possibly a year and a half, in order that a survey may be made.

Mr. TEMPLE. Mr. Speaker, will the gentleman yield there? Mr. BYRNS. Yes.

Mr. TEMPLE. Would the passage of this \$24,000,000 amendment permit Admiral Billard to increase the commissioned personnel of the Coast Guard?

Mr. BYRNS. Undoubtedly it would, because this amendment provides that the \$24,000,000 shall not be placed in the hands of the Secretary of the Treasury but in the hands of the President himself, with power to allocate it to any department where he may think it is necessary.

Mr. TEMPLE. Could that be done without legislation?

Mr. BYRNS. Yes; so far as the border patrol and the Coast Guard are concerned. I regret that I have not the time to yield further. Let me say this to the gentleman from Pennsylvania, and also to the gentleman from Michigan, who said that this amendment as passed by the Senate would not permit the money to be used anywhere except by the Prohibition Bureau in the Treasury Department. I differ with these gentlemen, because, as I have stated, it provides that it shall be placed in the hands of the President, who will be Mr. Hoover after March 4, with power to allocate it to any department over which he has charge.

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

Mr. BYRNS. In a moment. In order to satisfy the gentleman from Michigan I want to tell him and those who profess to be in favor of the enforcement of this law that if he will join those who are seeking to give the President of the United States the money which he needs to carry out the promises made to the people and if he will help to vote down the motion for the previous question on this rule, he will have an opportunity to vote for an amendment which I will offer if I can secure recognition and which will remove every element of doubt which may exist in the mind of the gentleman as to the power of the President to use this appropriation in any department where he may think it is needed. The amendment I propose to offer reads as follows:

For the enforcement of the eighteenth amendment, the national prohibition act and supplemental acts, the tariff acts, and all laws pertaining to the traffic in intoxicating liquors and narcotics, the sum of \$24,000,000 or such portion thereof as the President may deem useful, to be expended in the discretion of the President through the Department of Justice, Coast Guard, Customs Bureau, Prohibition Bureau; and he may allot a sufficient sum or amount to the Civil Service Commission for the examination and investigation of eligibles for employment in the enforcement of such laws in the various agencies above mentioned, in accordance with existing law, and to remain available until June 30, 1930.

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

Mr. BYRNS. I can not. Certainly that will satisfy the objection which the gentleman from Michigan raises to the amendment adopted by the Senate and I appeal to him to help vote down the motion for the previous question so that there may be an opportunity to offer it.

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

Mr. BYRNS. In a moment. The gentleman did not yield when he was on the floor, and I greatly regret that I have not time.

Certainly that will satisfy the objection raised by the gentleman from Michigan with reference to the power of the President of the United States to allocate this fund to those agencies which have charge of the enforcement of the eighteenth amendment and the prohibition laws passed thereunder.

Why, my distinguished friend, for whom I have a high regard—the gentleman from Pennsylvania [Mr. TEMPLE]—says we have no estimate. For eight years this condition of non law enforcement has continued. The excuse is now given that there has not been sufficient money provided to enforce this law.

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. BANKHEAD. Mr. Speaker, I yield to the gentleman three minutes. That is all I can yield.

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for three minutes more.

Mr. BYRNS. For eight years they have not had sufficient money, according to Admiral Billard and Mr. Doran, and yet

year after year the Secretary of the Treasury and the President have come to Congress asking for the same amount they had the year before. How are you, whether you are wet or dry, but who believe in the enforcement of the law—how are you going to vote the money which they say is required if you are to follow the suggestion of the gentleman from Pennsylvania [Mr. Temple], and wait until an estimate is submitted? [Applause.] We who are charged with some responsibility in this matter can not hide behind such a suggestion as that, when the facts are before us. In view of these facts, why has not the Secretary of the Treasury and the President asked for more funds?

This is not unusual. Congress appropriates \$10,000,000 to be used as a defense fund by the Shipping Board in the discretion of the President; Congress appropriates \$58,000,000 for rivers and harbors, to be expended under the direction of the Secretary of War, and in the last analysis by the President of the United States; Congress authorized an appropriation of \$325,000,000 for flood control, which is to be expended by the Chief of Engineers under the authority and direction of the President of the United States; Congress places \$200,000,000 in the hands of the Secretary of the Treasury for public buildings without power to say where it shall be expended. Why, then, can we not put \$24,000,000 in the hands of the President for the better enforcement of the Volstead law if he needs it? Is there anything so peculiar about this appropriation as to distinguish it from these other appropriations, which these gentlemen, now so strenuously objecting because there are no requests or estimates, supported without question? The appropriation carried in this bill for the Prohibition Unit is \$13,000,000.

True, we had a statement before the Committee on Appropriations as to how they expected to spend it. But we all know they are not bound by that statement. This is simply giving this power to the President of the United States. We Democrats who voted for another candidate last year are willing to trust him, and I want to ask you Republicans on this side of the Chamber why are you unwilling to trust him with the expenditure of this money in such manner as he may think wise? If he does not need it, I have confidence enough in him, and you should have confidence enough in him, to know that he will not spend it; but if you do not pass it now and wait for a survey there will be no appropriation until the next annual bill, and that bill will not go into effect until July 1, 1930. It is already known, according to the statement of the Secretary of the Treasury, that something is needed for the Coast Guard and the border patrol, and it should not take 48 hours to determine what amount is needed. If you favor the enforcement of this law, why wait until July, 1930, to meet the positive needs of the present hour?

Let us vote this appropriation for the President in the interest of the enforcement of this law which is on the statute books. [Applause.]

Mr. MICHENER. Mr. Speaker, I yield five minutes to the gentleman from Minnesota [Mr. Newton]. [Applause.]

Mr. NEWTON. Mr. Speaker, the remarks just made by the gentleman from Tennessee afford ample confirmation of the claim made at the start of this debate that politics rather than law enforcement was the moving spirit behind this \$24,000,000 provision. The approval with which the gentleman's plea was received on my right clearly indicates the popularity of the cause of political rehabilitation of certain Democratic leaders in Tennessee, Oklahoma, Texas, North Carolina, Virginia, and Florida. I might also add, in view of the very close results last election, in both Georgia and Alabama.

Mr. GREEN. What about Massachusetts and Rhode Island?

Mr. NEWTON. In any event, on the exchange we got more electoral votes than we lost.

Mr. GREEN. And more than you will ever get again.

Mr. NEWTON. Yes; if we follow your lead and play your game, which we are not going to do.

Mr. Speaker, just what is the situation? Here it is in brief: When we convened in December the estimates were received from the Treasury Department, including the prohibition service for prohibition enforcement. These estimates went to the Committee on Appropriations, of which the gentleman from Tennessee [Mr. Byrns] is a very distinguished member. That committee reported to the House. There was no substantial change in the estimates for prohibition enforcement. The bill was debated and considered; possibly there was the usual talk against prohibition from some of our New York City colleagues. The bill passed without any request from the gentleman from Tennessee that it be increased to the extent of \$24,000,000. If there had been need of this additional amount, certainly we would then have heard from the gentleman from Tennessee.

This bill then went over to the other end of the Capitol, where without debate \$250,000,000 was added for prohibition

enforcement. As I recall it, this was stricken out in conference.

Shortly after the first of the year, the urgent deficiency bill, this measure, was considered in the House. So far as I can recall, there was no suggestion on the part of anyone of adding \$24,000,000 to enforce the prohibition laws. It went over to the other end of the Capitol, where, on the floor of that body, an amendment was offered and agreed to appropriating \$24,000,000 more for "increasing the enforcement force." In the meantime there had been no request on the part of the Executive branch of the Government for more money, neither had there been any additional estimates furnished. Twenty-four million dollars is a large sum of money. The universal practice is for Congress not to appropriate even a small sum of money unless the need therefor is substantiated by appropriate estimates or detailed requests from responsible administrative officials. How often has the gentleman from Tennessee admonished us to stand by the Budget and to wait for departmental estimates even upon amendments involving \$100,000? Twenty-nine other amendments were put on this measure at the other end of the Capitol, further substantially increasing the amount appropriated by this deficiency bill.

Under those circumstances, the universal practice in this House is to go to conference where each and every item that was changed in the other body can be thoroughly discussed and either eliminated or agreed to, with a recommendation to that effect to both House and Senate. It is almost the universal practice to do so. The gentleman in charge of this bill endeavored to do so day before yesterday. If there is any need of this appropriation, surely it would not be jeopardized in the usual conference between House and Senate. This course of procedure was deliberately stopped and prevented by objection from the minority. It, therefore, became necessary for us to ask the Rules Committee to bring in a rule which would permit this bill with the Senate amendments to go to the conference which the Senate has requested.

In brief, that is the situation. Why then so much debate about a proposition so obvious? The answer is not in a desire for prohibition enforcement, but to politically rehabilitate the fast-fading fortunes of the Democratic Party and some of its leaders in the South, and that, Mr. Speaker, is the reason and the only reason. The political fortunes of some of these leaders of the minority, because of the position they took before the action of the convention at Houston, and possibly later, are in a bad way. They need immediate relief.

Mr. HUDSPETH. Will the gentleman yield?

Mr. NEWTON. I am sorry I can not, because the gentleman from Texas needs no rehabilitation.

Mr. HUDSPETH. When the gentleman speaks of rehabilitation in Texas, who needs rehabilitation in Texas? There are 18 Democratic Congressmen who came here from that State with the usual Democratic majorities. That being so, who needs rehabilitation down there?

Mr. NEWTON. The party which carried the electoral vote and its leaders in the gentleman's State, and in these other States, needs no rehabilitation.

Furthermore, if there was a real earnest desire to appropriate this money for the enforcement of the prohibition laws, it would have been drawn so as to make the money available for each and every one of the various agencies of the Government that are engaged in the work of prohibition-law enforcement. As it is drawn it can be used by the Prohibition Bureau to increase its present force. However, as I read it, it could not be used by the United States Coast Guard for increasing its ships, nor for adding to its personnel, yet the Coast Guard is one of our most important agencies in enforcing the laws of the land. This is likewise true of the Department of Justice and the Customs Service. All of this indicates haste and lack of consideration of real enforcement. In addition, it lends further confirmation of what has been claimed is the main purpose of this amendment—that is, political rehabilitation of the minority and certain of its leaders in the South. Some of these leaders advocated nominating a man as their candidate for President long before the convention was called to order at Houston. They knew that this leader who was later nominated was wet. They knew that he was against the enforcement of the eighteenth amendment, and that he had personally advocated and secured a repeal of all prohibition enforcement laws in New York State. Governor Smith was nominated. Immediately thereafter he personally repudiated the dry platform upon which he was nominated. This was followed by the appointment of a national chairman, Mr. Raskob, who likewise was militantly wet, opposed to the eighteenth amendment and the enforcement act, and who likewise repudiated his party's stand on this question.

Mr. Speaker, this sort of leadership was naturally repudiated. There is a fear that if something is not done some of these leaders who were responsible for this will likewise be repudiated in the next two or four years. How can that be prevented, is the question that has been troubling them. How can these fading political fortunes be rehabilitated? How Raskob was called to rehabilitate financially during the campaign. Apparently these leaders now demand that the aid of the Treasury and the cause of prohibition be enlisted to rehabilitate them.

Almost four-fifths of the votes for this amendment over in another body came from the minority party.

Gentlemen, there are those of us here who have a consistent record in support of the eighteenth amendment and the enforcement act. Personally, if those charged with the responsibility of enforcing the laws of the land need more money and will give me some idea as to how it is to be spent, I stand ready to vote any reasonable additional sum. If after the 4th of March the new President feels that he should have additional moneys for this purpose and will so advise us, I stand ready to vote any reasonable additional appropriation. But, Mr. Speaker, I am not willing, under the guise of law enforcement, to appropriate \$24,000,000 or any part thereof for the purpose of rehabilitating the political fortunes of any man. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

Mr. BANKHEAD. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. QUIN]. [Applause.]

Mr. QUIN. Mr. Speaker, let there be no misunderstanding here this afternoon. Gentlemen of the House, the people of the United States selected by a great vote and a great majority a distinguished citizen to be President. Now, the prohibition forces of the United States come up in an orderly, decent way and ask that in addition to the \$35,000,000 that is carried in the bill, that \$24,000,000 be placed in the hands of this new President of the United States to use as the exigencies or the emergencies may demand throughout the next fiscal year for the purpose of enforcing the prohibition law of this Republic.

All this Dolly Varden argument that is made here against it fools no one. [Laughter.]

These gentlemen that have been traveling all these years under the cloak of prohibition raiment, appearing this afternoon as false prophets in sheep's clothing, are ravening wolves and are against the very forces that put your party in power for the next four years.

You understand, gentlemen, that this talk about the people of the United States who happened to support the Democratic nominee for President does not appease the wrath of an outraged public. You are the people who are responsible for the enforcement of this law and the attempted ridicule that you place upon distinguished gentlemen on the Democratic side of this House, impugn their motives, and one distinguished gentleman, for whom I have the utmost respect, even said it was political business, when on your side I heard an able, distinguished, higher-college man, a minister of the Gospel, stand right here in this wellhole and say he would not vote for this additional \$24,000,000 to enforce this law. With that in your mouths, with that going into the CONGRESSIONAL RECORD as publicity to be carried throughout this country from one end of the Republic to the other, is it possible that you can get away with such knavery? [Laughter and applause.]

This is an honest Congress. This amendment is put up here with honest intention. Can you stand before the American people and say that you are afraid to place \$24,000,000 in the hands of the President of the United States to enforce the prohibition law?

Mr. SCHAFER. Will the gentleman yield?

Mr. QUIN. I have not time to yield.

You know you are not fooling yourselves and you do not fool a man on this side of the House; and I trust that none of your constituencies is so ignorant as to be fooled by such statements and such arguments as have passed the lips of gentlemen here this afternoon.

Men, it is time to have some good faith. If you are a prohibitionist, stand up with your votes and say so. Do not be double-crossing around in an endeavor to fool anybody. The gentleman from New York [Mr. LA GUARDIA] said he is going to vote with the prohibitionists here, but that his motives were not in accord with the motives of the prohibitionists. He goes out and says that he wants to tear the law down by putting up this \$24,000,000. He goes out and attacks the Anti-Saloon League. There may be some errors made by the Anti-Saloon League, but we know they are engaged in a great moral work. We know the purpose of the Anti-Saloon League and of all the people who are endeavoring to do away with the liquor traffic

in the United States. We know they are engaged in a most holy cause; and as one man representing an honest constituency, I am going to vote for every dollar of money that is necessary to carry out the eighteenth amendment and the enabling act passed thereunder.

We can not afford to pussyfoot around and endeavor to fool somebody. We have just had a great campaign in this country, where all the Republicans enticed and seduced a great many good, honest Democrats to go and vote for a Republican for President on the ground that he is a prohibitionist and is going to enforce the prohibition law. [Applause.]

That distinguished gentleman has declared that prohibition is a noble experiment. Then, put this \$24,000,000 in his hands and let him carry this experiment on to a successful conclusion. [Applause.]

Mr. MICHENER. Mr. Speaker, I give three minutes to the gentleman from Maine [Mr. HERSEY].

Mr. HERSEY. Mr. Speaker and gentlemen, day before yesterday, when this matter first came up in the House, I received from my State the following telegram:

The Christian Civic League, representing the churches of Maine, asks your support for bill for larger prohibition-enforcement appropriation.
FREDERICK W. SMITH.

I replied as follows:

MY DEAR SIR: I duly received your telegram of yesterday and note the churches of Maine, through the Christian Civic League, urge me to vote for the Harris amendment to the appropriation bill for greater prohibition enforcement, etc.

I fear the churches of my State do not fully understand the legislative situation relative to this amendment. To vote for an appropriation of millions of dollars of the people's money for any purpose against the recommendation of the Bureau of the Budget, the Treasury Department, and the President is, to my mind, wholly unsound and not in accordance with the idea creating the Bureau of the Budget. Beneath this there is also a lot of politics, and I do not propose in the few days before I am to retire from Congress to play into the hands of friends of the liquor traffic under such a guise. I regret I can not support your request.

Forty years in town, county, State, State legislature, and Congress I have given my support to prohibition—to the eighteenth amendment and to the laws passed for its enforcement. I have stood for national prohibition and its enforcement against the unlawful liquor traffic, and I have during all these years had just one rule—find out where the unlawful liquor traffic stands and then vote and work for the opposite. [Applause.]

The present \$24,000,000 item is put on by a combination of wets and drys, the wets united and the drys divided.

We have a strange situation in this House in the discussion of this rule. The time has come when "the lion and the lamb shall lie down together." The wet roaring lion, the gentleman from New York [Mr. LA GUARDIA], is lying down with the dry, innocent lamb, Doctor McBride, of the Anti-Saloon League. My observation has been that when at the close of a perfect day the lion and the lamb lie down together, in the morning the lamb turns up missing. [Laughter and applause.]

The day that Pilate and Herod became friends Christ was crucified. [Applause.]

Mr. BANKHEAD. Mr. Speaker, I yield five minutes to the gentleman from Maryland [Mr. PALMISANO].

Mr. PALMISANO. Mr. Speaker, I am in somewhat of a peculiar position. I am ranked here as a "wringing wet," so to speak, and listening to the gentleman from Maine, who just preceded me, he wants to know how the wets are going to vote, and then he knows that he ought to vote on the other side.

I have prepared a statement which I want to read into the RECORD. I am going to vote against the amendment, but I am not doing it for the same reason as are the wets and drys. I am voting against the amendment because my stand from the beginning in this House has been that I want to dispose of the criminals in the Prohibition Department. I am opposed to the Federal Government protecting the criminal agents against the wishes of the State. [Applause.]

The question of permitting the Prohibition Department to have an additional \$24,000,000, about one-twelfth of the amount claimed by the administrator necessary to enforce the law, has somewhat divided the wets and the drys of this House. Some of the drys contend that the money is not sufficient and against the advice of the Secretary of the Treasury, who claims that it is not necessary at this time. Some of the wets are supporting it because they feel that the Government should make an honest effort to enforce the law. However, Mr. Speaker, I do not intend to vote against this amendment because of the statement of the Secretary of the Treasury, nor am I voting against it because I do not want to see an honest effort made to enforce the law, but I intend to vote against this measure because the

Federal Government and the Members of this House have positively refused to get rid of the criminals in the Prohibition Department, and for the further reason that when a prohibition agent is indicted by a local grand jury, whether it is for a misdemeanor or a felony, they not only refuse to suspend that agent pending the trial but they place no faith in the State judiciary by permitting the agent to be tried before the State tribunal, but invariably the district attorney files a petition to have the case transferred to the Federal court and there lets it die without a trial. When the Government makes an effort to dispose of the criminals and suspends agents who have been indicted for alleged crimes, I will then vote to permit the Government a fair trial in enforcing this law, but that I know the Government can not do because the sentiment is against them, and you can not enforce any law that the people themselves do not sanction.

Mr. BANKHEAD. Mr. Speaker, I yield eight minutes to the gentleman from Colorado [Mr. WHITE].

Mr. WHITE of Colorado. Mr. Speaker, the attitude of some of the gentlemen who are in favor of this rule, and who are opposed to the proposed \$24,000,000 appropriation, makes it somewhat difficult for me to vote as I am going to vote, notwithstanding their attitude.

The gentleman from Michigan [Mr. CRAMTON] taunts the Democratic Party with the jokes of the greatest humorist of America, and says that my party ought to follow the humorist's suggestion and take a million and one-half dollars from this proposed appropriation and pay the deficit in its campaign expenditures.

I reply and inform the gentleman that the Democratic Party will never follow the practices of the Republican Party, to which he belongs, and pay its deficiencies as his party has done. [Applause.]

The Democratic Party has never been, and I am quite sure will never be, in a position or have the disposition to follow the course of the gentleman's party in that behalf. The Democratic Party has no Teapot Dome, no Fall, no Daugherty, no Sinclair, no Will Hays. [Applause.]

The gentleman is also far off the course when he claims that the recent election was a test between the "drys" and the "wets." If that were true, how does he explain the great vote by which the proposed prohibition laws submitted to the voters of Montana at the recent election was defeated and the majority given Mr. Hoover in the same State at the same election?

But I am almost amused by these earnest souls that never see any good in any party except their own or that with which they are associated. An example was furnished in the late election by the action of those who were choked and nauseated by the local stench that came from the corruption of Tammany a half a century ago, and then turned with open mouths and extended nostrils and drank in and seemingly enjoyed the awful national stench emanating from the cesspool of corruption made by members of the Republican Party in high office.

The gentleman from Michigan [Mr. CRAMTON] and the gentleman from Minnesota [Mr. NEWTON] stand on the floor of this House, with others, and boast of their dryness and of their loyalty to the prohibition cause, and charge that Members on this side of the House who oppose the appropriation are actuated in that behalf by their desire to rehabilitate the Democratic Party, and otherwise impugn their good faith; and the gentleman from Maine [Mr. HERSEY] charges that the wets and the drys stand united in favor of this proposed appropriation, and are doing so because of the desire of the former to discredit prohibition and of the latter to handicap the President elect. Such attacks and attitude are almost sufficient to cause any Democrat or a so-called wet to subordinate his own judgment as to the merits of the matter in question and vote in favor of the appropriation. However, I shall not do so. On the contrary, I shall perform my duty as I think becomes a Congressman. I am classed as a wet, and my best judgment is that this appropriation should not be made, and I am going to vote against it. [Applause.]

I am going to vote against it not for the reasons assigned by the gentlemen from Minnesota and Michigan and some others that oppose the appropriation. I shall vote against the item because, in my judgment, the prohibition law can not be enforced, and I do not propose to assist in making a useless expenditure of the taxpayers' money.

I am not actuated in this behalf by the promises of the gentleman from Michigan that the incoming administration will be any more efficient in the enforcement of the prohibition law than the present administration.

In fact, I am reminded by the assurances of the gentleman of the many past promises of his party. It promised time after time, for eight long years, while in full control of every department of the Government, that it would provide farm relief, in

answer to the continuous demand for the same; and upon such unfulfilled promises won every intervening election. This was inevitable for the simple reason that the farmers and the northern elements of the Anti-Saloon League are always Republicans before they are economists or prohibitionists.

Mr. SCHAFER. Will the gentleman yield?

Mr. WHITE of Colorado. I regret to decline, but I have only a few minutes.

Now, what is the situation here? We have a rule which the majority are seeking to force through this House, and what do they say? Why, the gentleman from Michigan [Mr. CRAMTON] claims and asserts, in substance, that the country is standing on the eve of a dry administration, lead by Mr. Hoover, President elect, and that the wet and dry Democrats are seeking to handicap Mr. Hoover in that behalf and discredit his administration.

Does the gentleman mean to cast reflection upon the good faith of the present Republican administration? Does he imply or charge or claim that the present administration, with its many enforcement agents and its thousands of officeholders, has been and is hypocritical and not honestly in favor of the enforcement of the prohibition laws?

His party has been in power continuously since March 4, 1921, and I am informed, through personal investigation and otherwise, that substantially every prohibition enforcement agent and director has been appointed at the behest of the Anti-Saloon League or some of its associated organizations.

Is it not obvious that if prohibition is enforceable the Republican Party has not been honest in its pretensions and promises, or the country would now be dry? That party has followed the leadership and submitted to the domination of the Anti-Saloon League for many years past. It has permitted that organization to select agents of its own choosing to enforce this law, and along with that organization it now admits egregious failure of the whole thing and comes before this House to-day with new promises.

But what else do they do? They came to this Congress and asked that the prohibition-enforcement agents be placed under civil service and urged that if this were done prohibition could be successfully enforced. The Congress complied with the request, and then what happened? Immediately there came a great protest from the Anti-Saloon League and its associated organizations that the prohibition agents who had failed to pass the civil-service examination be not discharged, but continued in the service. Moreover, when the Civil Service Commission adhered to its findings the President of the United States, by Executive order, complied with the demands of the Anti-Saloon League and reinstated most all of those that had failed to pass the examination.

I can not characterize this action of the Anti-Saloon League other than a camouflage. In my judgment, there may be one way in which prohibition might be enforced, and that is to kill everyone who violates that law. And in that case, Mr. Speaker, I apprehend that on both sides of the dividing aisle of this Chamber there would be an awful lonesomeness.

However, even Mr. Hoover is not certain in regard to what can or may be done in the enforcement of this law. He has never said that he approves the prohibition law. He has declared that he is in favor of the enforcement of the eighteenth amendment, and every other right-thinking person is in favor of doing the same thing as long as it is a part of the Constitution. He has never even said that prohibition is a noble experiment. On the contrary, he simply said that "prohibition is an experiment, noble in purpose," and that a correct solution of its enforcement could only be ascertained after a thorough investigation and survey of the whole subject. Our Republican friends, both wet and dry, seized upon this statement and played it up 100 per cent during the late campaign.

They manifested, however, quite a different attitude when, on the 21st of last May, I introduced in this House a resolution to appoint a committee to make a broad and thorough investigation and survey of the entire subject of prohibition and its enforcement, or the modification thereof. But these gentlemen that are now so ardent in their desire to "let Mr. Hoover do it" remained silent and my resolution got no further than the Committee on Rules.

However, my own view is that a survey, by whomsoever made or initiated, will avail little, if anything, for the simple reason that it is based on a misconception of human nature. You cannot enforce any criminal law successfully unless the crime facts, the things which constitute the crime, embody in themselves an element of evil to such an extent that it automatically shocks the conscience of most people. [Applause.]

There is no such element of evil in the facts of crimes created by the Volstead Act. In such crimes as murder, robbery, burglary, arson, rape, theft, embezzlement, and like crimes,

there is an element of inherent evil in the crime facts that shocks the conscience of most everyone, and renders the laws creating such crimes enforceable. The result is that most all people respect those laws in which there is an inherent evil in the crime facts, and exert themselves to see that such laws are obeyed and enforced. But this is not so with the crimes under the Volstead Act.

Should you see a burglar attempting to enter your neighbor's house you would, however indisposed or sleepy, immediately give the alarm. But should you happen to glance in your neighbor's home and see him preparing a highball, or other intoxicating drink, what you would do is perhaps conjectural, but it is safe to assert that you would not exert yourself in preventing its preparation.

The SPEAKER pro tempore. The time of the gentleman from Colorado has expired.

Mr. SNELL. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. BLACK].

Mr. BLACK of New York. Mr. Speaker, answering my friend, the major, I would rather dance with the bootlegger than be the cream in Bishop Cannon's coffee. Moreover, if I do dance, I do not intend to dance the Virginia reel. I want to congratulate my friends Mr. CRAMTON and Mr. COOPER of Ohio on the recovery of their God-given conscience from the Anti-Saloon League. It was worth \$24,000,000 of the Government's money to hear the speeches of those two gentlemen here to-day.

Washington is confronted by the unholy spectacle of the racketeers of reform trying to browbeat the Congress into dissipating \$24,000,000 of the public funds on prohibition.

Over the heads of legislators they are holding the threat of church opposition in the primaries. They want to separate not church and state, but they want to separate millions from the State for propagation of prohibition bigotry.

Such is their impatience that they can not wait until March 4 to claim their share of the loot of victory. They tasted blood on last election day and they must now poke their snouts into the Treasury. The whirlwind of the Lord is under way and going into high.

The ghostly commander of the fanatics, Bishop Cannon, has been flitting in and out of the District giving his commands. He has been of low visibility.

What they lost in brains when Wheeler died they gained in impertinence under McBride. He has issued written orders to Congress under penalty of political death warrant in case they are not obeyed and without benefit of clergy.

Congress should not only refuse the appropriation but should pass legislation to exterminate the plague of prohibition pests. It should not be called an appropriation, but an embezzlement featured by political hi-jacking.

The Government has been challenged by the church—the prohibition creed opposes itself to the rest of the Constitution and orderly government. The uncanny shadow of Bishop Cannon, with its sinister implication of a church-controlled Government, is across the Capitol. I trust that the shadow will be forever removed and that clear thinking will take the place of moral epilepsy in America.

I believe that Secretary Mellon owes it to the country to state whether or not prohibition can be enforced. All the money in the Treasury is not more powerful than the will and appetite of the American people.

Congress will lose more power by passing this discretionary appropriation. The legislative branch of Government is fading. The best proof of that is found in the scandals of the executive and judicial branches. We are becoming powerless and pure.

Ex-Sheriff Foley, of New York, once said that there were two classes of men—A, the fellow who digs a hole for his neighbor to fall in, and B, the samaritan, who pulls his neighbor out of the hole. To-day we must add a third and more altruistic class—the Democratic intelligentsia, who dig a hole for Andy Mellon to fall in and then fall in it themselves so that he may climb over their dead bodies to greater heights. Now when Cabinet appointments are problematical our Democratic leadership have responded nobly to the cartoonist's philosophy—"When a feller needs a friend."

I am glad that Republicans have taken a run-out powder on the fanatics. I congratulate the G. O. P. elephant on not being terrified by the mice of prohibition.

Mr. BANKHEAD. Mr. Speaker, I yield now to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Speaker, I am in favor of the Harris amendment and will vote for it if I have an opportunity.

The incoming President, Mr. Hoover, said during the recent campaign that if he was elected that he would undertake to enforce the prohibition law. All agree that it has not been enforced, the chief excuse given was the want of sufficient money

for this purpose. I am in favor of placing this large amount in the hands of the President, with the power and discretion to use it in such way as he thinks will accomplish the most good, so that it can not be claimed hereafter nonenforcement of this law is due to the want of sufficient funds. Let us do our duty, furnish the necessary money and put the responsibility for enforcement where it properly belongs. I will vote against the motion for the previous question, so that we can have a direct vote on the Harris amendment. The motion for the previous question is intended to deprive us of that right and privilege. I will also vote against the pending rule. We need no request from the Bureau of the Budget for this increase of appropriation for prohibition enforcement. If it should be more than is needed the President would not be required to spend it.

Mr. BANKHEAD. Mr. Speaker, I yield three minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Speaker, some years ago I was stopping in Saratoga Springs, N. Y., a place well known to thousands of people of this country. Mrs. Linthicum and I attended the Episcopal Church one Sunday evening in that city. The pastor, the Rev. Joseph Cary, announced that after the services he would conduct another service for the colored people, so that the waiters and maids of the hotels and the colored residents of the city might attend. I noticed during the services a man in the seat in front of me, who had gone to sleep, apparently very soundly asleep. He did not hear what was going on. After the white service was over we concluded we would remain for the colored service, especially so because I have always enjoyed the musical singing of the colored people in my southern Maryland home. The man in front was still sound asleep when the white congregation passed out and the colored congregation came in. They were seated in the same pew with this man, in front of him, all about him. The church was crowded with colored people, and when the man awoke he looked at those beside him, those in front of him, to the right and to the left, and quietly taking up his hat sneaked out of the church, a most astonished man, who had gone to sleep among the white folks and had awakened among the colored folks. [Applause.]

When I think of my position, having all these dregs on the Republican side, including that stalwart leader, Mr. CRAMTON, the gentleman from Michigan; that hero of prohibition from Michigan, Mr. HUDSON; the staunch prohibitionist from Ohio, Mr. COOPER; and all their friends who have heretofore advocated everything in favor of prohibition, when I see them voting with me and with my friends of the "antiprohibition committee," I am not less astonished than was the man in Doctor Cary's church.

This amendment introduced by Senator HARRIS to the first deficiency bill and adopted by the Senate, proposes to give to the President the vast sum of \$24,000,000—to be distributed by him for the enforcement of the eighteenth amendment and the Volstead Act. In the first place, this is a great sum to give to any one official to be disposed of in this manner. If I believed that this sum could be used to advantage, I should not object to it, because it would merely demonstrate that prohibition can not be enforced. I know so long as a grain of wheat or a grain of corn properly treated will, according to the laws of nature, produce alcohol, that prohibition can not be enforced. Not alone have we humanity to contend with, but we have the laws of nature and the frailty of mankind.

We learn from the Prohibition Unit that 75 per cent of their employees who took the civil-service examination were unable to pass the efficiency test; and now to-day, much to my surprise, the gentleman from Michigan [Mr. CRAMTON] tells us that not over 6 per cent of the men in the Prohibition Unit are under civil service. That graft, bribery, and corruption exist in the prohibition enforcement personnel is a matter of official declaration. It was Assistant Secretary of the Treasury Lowman, who is quoted as saying:

There are many incompetent and crooked men in the service; bribery is rampant; there are many men in sheep's clothing; some days my arm gets tired signing orders dismissing crooks and incompetents.

The Prohibition Unit has even gone so far as to poison alcohol to prevent its use as a beverage, and yet arrests for drunkenness increase, the whole country is permeated with liquor, and conditions are far worse than they were under the old system. I should like to vote for \$24,000,000, a part to be used for the establishment of a system similar to that in the Province of Quebec, Dominion of Canada. I should like to see light wines and beer permitted, not to be drunk on the premises. I think it is generally conceded that none of us want the old saloon back.

If you will adopt the system I suggest, I verily believe that drinking of intoxicants will become largely a thing of the past. I should like to see a part of the money used in the education

of the youth of the land, and of the adults as well, showing to them the effects of alcohol and the effects of drinking generally. Education had almost eradicated it before the eighteenth amendment was adopted.

I have not to my knowledge ever voted against an appropriation asked for the enforcement of the eighteenth amendment, a part of our Constitution, the prohibition act, even though I knew it was money wasted; but I can not vote for \$24,000,000 which is not asked for by the Treasury Department, nor recommended by the President, and which I know if used will merely place more snoopers, snipers, and smellers in the prohibition-enforcement service to the detriment of the comfort and happiness of the people and a waste of the taxpayers' money. Some feel that Uncle Sam is very rich, that his resources can not be impaired, but let me ask you to keep in mind always the fact that the Treasury of the United States has only in its coffers money taken from the people as taxation, that every dollar wasted by such useless appropriations simply means more for the taxpayers to contribute.

Let me further remind you that everybody in this Nation is a taxpayer, either through the high protective tariff which the Republican Party has placed upon us, through the income tax, or through some indirect manner in which everybody must contribute to the support of the Government. It would mean simply \$24,000,000 poured down a rat hole which can not be filled. [Applause.]

When we realize the vast sums already being expended for enforcement it is astounding. Observe these expenditures for 1926-27 which are still mounting, and ask yourself should not more have been achieved, to wit:

1926-27 appropriation for Coast Guard, \$24,213,140, of which amount there was included for prohibition----- \$14,560,011
 Treasury Department for enforcement of prohibition----- 10,635,685
 Department of Justice, according to Mr. Harris, one-third of the total appropriation used for prohibition----- 8,000,000

Total----- 33,195,696

Investment for prohibition enforcement:
 1925-26 appropriation for new vessels and repairs for Coast Guard----- 19,194,900
 1926-27 additional for repairs and ships----- 3,900,000
 Taken over from the Navy 25 torpedo boats, which cost the Government \$1,500,000 each----- 37,500,000

Total----- 53,594,900

Mr. SNELL. Mr. Speaker, I yield three minutes to the gentleman from Michigan [Mr. CLANCY].

Mr. CLANCY. Mr. Speaker, I am opposed to the House granting this additional \$24,000,000 appropriation for prohibition enforcement. The Senate should have been satisfied with the large sum for prohibition already passed by the House and included in this deficiency bill when it was sent to the Senate some weeks ago. The Treasury Department is opposed to this \$24,000,000 appropriation and until they were whipped into line by methods peculiar to the Anti-Saloon League some of the leading Anti-Saloon League officials were opposed to the \$24,000,000.

A few days ago, and to-day also, the gentleman from New York [Mr. LaGUARDIA], who not only admits, but proudly declares from time to time that he is opposed to the eighteenth amendment, graciously advised the House that he is in favor of giving the prohibitionists this \$24,000,000, and also offers gratuitous and detailed advice that much of it could be spent to good advantage in Detroit. If the case for this reckless expenditure of \$24,000,000 of the people's money depends upon the Detroit situation, then the taxpayers can be saved this amount or it can be spent for purposes which are more fitting for the general welfare.

PROHIBITION AGENTS UNDESIRABLE

No fair or reasonable man, after a careful study of prohibition enforcement in Detroit by Federal agents would say that it has been a success, or that it has promoted the general welfare. He would also be compelled to admit that the more prohibition agents sent to Detroit the worse conditions became.

The peculiar iniquity of this amendment is its chief aim to produce additional hordes of prohibition agents. The Treasury Department through Secretary Mellon issued an official statement to that effect yesterday.

Six days ago in Detroit the trial opened in the Federal court of 23 prohibition agents charged with graft, corruption, and extortion, running into millions of dollars. Only within the very recent past the superintendent in charge of the Detroit River prohibition agents summarily quit his job and left for the East. For reasons best known to themselves and which are as yet a mystery to Detroit, 12 of his agents quit with him.

THE BLACK SHEEP OF THE AGENTS

For many months before the trap was sprung on the Detroit prohibition agents it was an open and notorious fact in the Detroit district that informed persons were freely declaring that there was only one honest, zealous prohibition agent in the Detroit border force.

At that time and before wholesale arrests and resignations threw slaughter into their ranks, there were scores of prohibition agents in the Detroit district.

After United States Secret Service men were imported into Detroit from Washington and wholesale arrests of prohibition agents followed, widespread publicity was given to the testimony that out of all the army of prohibition-enforcement agents in the Detroit district there was "only one honest, zealous man" and that he had been forced by hostility of prohibition agents and of beer and liquor-running agencies to quit the Federal prohibition squad and take refuge in the Detroit police force, walking a beat.

PROHIBITION KILLS TEMPERANCE

Before the Anti-Saloon League got busy and put over the eighteenth amendment in 1918, Detroit was rapidly becoming a temperance city. We had about 1,907 saloons in 1918. They were well regulated; none of them were open after 10 o'clock in the evening and none of them were within 400 feet of a church, school, or first-class residence section. Now, the intemperance of the eighteenth amendment has produced over 20,000 saloons; they are not regulated at all, most of them stay open until 2 o'clock in the morning, and some stay open all night. They are sometimes found in close proximity to churches and schools, and they spring up in the finest of our residential sections.

That the growth of intemperance and lawlessness and unregulated saloons under the eighteenth amendment is not peculiar to Detroit, but extends to practically all cities in the United States, is a fact quite easily proved. Prohibition Commissioner James M. Doran admitted just the other day that there are "only about 3,000 bootleggers in Washington now." This is right under the nose of Doctor Doran and his Prohibition Bureau and of a House and Senate preponderantly dry. Just before the Volstead Act went into effect there were 300 saloons in Washington, well regulated and disciplined and limited by law to 300 in number. Now we have 3,000 two-legged traveling saloons in the persons of the ever-present enterprising bootleggers.

MESSRS. HOLSAPLE AND KRESGE

Some of the leading lights of the Anti-Saloon League live in Detroit. One of our respected citizens is now president of the Anti-Saloon League of the United States. We have also as State superintendent of the Michigan Anti-Saloon League former Rev. R. N. Holsaple, who is recognized as one of the most extreme prohibition fanatics in the world. It is Mr. Holsaple who has been so lustily "crowing" about the great victory of the prohibitionists in sending to prison for a life term at hard labor the poverty-stricken mother of 10 children only because she violated the eighteenth amendment. What the average good Michigander considers to be Michigan's shame, Mr. Holsaple considers Michigan's crowning glory! Yet, when Mr. Holsaple's own brother-in-law was sent to jail for bootlegging, Mr. Holsaple was accused of using his great influence as head of the Michigan Anti-Saloon League and bringing pressure to bear on the State pardon and parole commissioner to secure leniency for the brother-in-law.

Detroit harbors the "angel" of the Anti-Saloon League, America's driest, most persistent lover, Sebastian S. Kresge, who is still going strong at 60, and who devotes all his spare time when he is not engaged in amours and dalliances, illicit and otherwise, in crying out that the people of Detroit, the people of America and of Europe, and other parts of the world must not be allowed to drink beer, light wines, and other beverages of which he does not approve.

For instance, Mr. Kresge thinks that 50,000,000 Frenchmen must be wrong in drinking light wines. He is certain that over 70,000,000 Germans lose their value as workers and as scientists in sticking to their beer all these ages, and that 45,000,000 of Englishmen are rapidly degenerating through their devotion to ale and porter.

It was Mr. Kresge who was wildly applauded recently at a prohibition gathering when he said he would give \$500,000 to the Anti-Saloon League. Mr. Upshaw, a distinguished former Member of this House, did the proper thing by enthusiastically applauding my fellow townsman, Mr. Kresge, and pointing his finger at him demanded that the audience sing "Praise God from Whom all Blessings Flow."

What has been done with Mr. Kresge's \$500,000 gift to the Anti-Saloon League? The league has been forced finally to file statements under the law as to its receipts and expenditures and in the 1928 report recently filed with the Clerk of the House, William Tyler Page, the Anti-Saloon League stated it received \$86,404.82 and expended \$83,863.11. Stanley S. Kresge is listed among the contributors in this statement as giving \$10,000 on September 10, 1928, and Stanley is the son of Sebastian S. Kresge, the "angel," Anna S. Kresge, of Michigan, gave \$100 on September 10, 1928.

But where and how does the Anti-Saloon League account for the receipt of the \$500,000 donation, and what is just as important, how did the league spend this money? I have a personal interest in asking because the Anti-Saloon League has always actively tried to defeat me in primaries and in elections for Congress. I would like to know whether I have had the honor of having a portion of this \$500,000 spent against me.

AGENTS BREED CRIME

It is superfluous for the gentleman from New York [Mr. LA GUARDIA] to point the finger of suspicion at Detroit and to hustle the Federal prohibition force to that city. Mr. Kresge and other distinguished drys of our State have already performed that service for Detroit and for the country. Prohibition agents have been sent in droves to Detroit.

The more prohibition agents they sent to Detroit, the worse conditions grew. To Detroiters many prohibition agents have been teachers of all sorts of crimes; among these are high-jacking, racketeering, grafting, bribery, corruption, slaying of innocent citizens by gunmen methods, drunken driving of automobiles, illegal seizure of motor boats and other water craft, invasion of the neutrality of Canada by wilfully sending armed patrols into Canadian waters for which official apologies were made to Canada, and various other offenses.

It was proved in the recent Philadelphia scandals which are a stench in the nostrils of decent Americans that Gen. Smedley Butler's prohibition squad of selected agents were generally teachers—yes, professors—of crime who corrupted the rest of the police department and practically everyone to whom their influence extended. That has been true in Detroit. This experience in Philadelphia with prohibition agents and raiding squads has been proved over and over again in Detroit.

THE DRY'S REIGN OF TERROR

Probably through the influence of Michigan drys, whose names are a household word in the Nation, about three years ago Detroit was selected for a punitive exhibition by dry terrorists which was to prove an example and a warning to other communities in the United States. Col. A. J. Hanlon, a hard-boiled Army officer, who was to do "whatever should be necessary," was in charge. Another of the officials was Maj. Maurice Campbell, known now as the Broadway night-club raider. They opened the "reign of terror" by instructing their men to "get rough"; to discard the heavy revolvers in use, which were contemptuously called "pea shooters" by Colonel Hanlon, and get extra large revolvers, sawed-off shotguns, and rifles.

The campaign of terrorism was promptly inaugurated by the murder of an old letter carrier, named Neidermeier, who was entirely innocent of any wrongdoing and who had been hunting ducks with a companion on the Detroit River, and was returning in a skiff through a small creek without a drop of liquor in his boat. Two roughly dressed prohibition agents without uniforms hailed him from the bank of the creek as he passed close to it, and when he did not stop, either because he did not hear the hail through noise made by his outboard motor or because he was suspicious of the men on the bank being bandits, they opened fire on him at a distance of but a few yards with a large revolver and high-powered rifle, and while his back was turned, shot him through the back. He lingered in terrible agony for several days and then died. This was not the only act of violence by prohibition agents. There were many more.

I saw Colonel Hanlon and Major Campbell the next morning to get the details of the shooting, and was astounded to find that, while they knew the agents had mortally wounded an honest and harmless old man, a public official in the Federal service with great honor and credit for many years, they expressed no regret nor sympathy, but told me belligerently that more people were going to be killed in Detroit, whether innocent or violating the prohibition law, if they did not halt when yelled at by prohibition agents, even though roughly dressed and without uniforms. Colonel Hanlon said that a state of war existed between Detroit and the prohibition squad and that he was prepared to recognize it as such. Yet no prohibition agent was ever injured in Detroit except by due process of law. I called his attention to the fact that President Coolidge had said in his message to Congress about a month or so before that, happily the United

States is at peace, but Colonel Hanlon replied that that did not matter to him.

I called attention to the numerous holdups and prevalence of stick-up men in Detroit largely due to the eighteenth amendment, and that innocent Detroit citizens were justified in running or trying to get away if roughly dressed men without uniforms ordered them to "throw up their hands." This made no impression on the colonel nor the major.

I then told these two that undoubtedly they were guilty as accessories before the fact, in inciting their agents to the murder of the old letter carrier, and that they were accessories after the fact in justifying the murder and in trying to save the two prohibition agents from due process of law.

GUILTY AS ACCESSORIES

I informed Hanlon and Campbell that if another murder of an innocent Detroit man, woman, or child took place that I would take steps to have them arrested as accessories to murder. I also declared that I was sure that our local institutions of self-government and our courts of justice would bring the slayer of old man Neidermeier to trial and to justice.

Although the Anti-Saloon League and the prohibition agents strained every nerve to save Benway, the slayer of Neidermeier, from justice, he was convicted and is now serving his six months in prison.

The prohibition squad sent a special attorney from the Department of Justice to Detroit to aid the local district attorney's office. Seven women were placed on the jury, and the need of rigorously enforcing the eighteenth amendment was argued to the jury; yet Benway was convicted of felonious assault with intent to kill. The penalty was six months to three years, and the judge gave him six months. He appealed to superior Federal courts, but is now serving his time.

I am happy to report that as the result of the cruel and unjustified murder of the old letter carrier by prohibition agents Colonel Hanlon was compelled to withdraw his orders to the prohibition agents to be "rough" and to "shoot quick and to shoot to kill." Instead he was forced by public sentiment to order his men to be extremely careful with their firearms and to shoot only in self-defense and when their own lives were in danger. Not only that, but the immigration officials on the Detroit border were also doing some high, wide, and handsome shooting.

I protested their lawlessness and they were given even more strict orders than the prohibition agents. The outburst of public indignation in Detroit compelled the transfer of Colonel Hanlon to the New Jersey district. Maj. Maurice Campbell was transferred to the New York district. Thus was Detroit given a brief breathing spell from the "reign of terror" through the sacrifice of the old letter carrier's life and other outrages.

GRAFT AND CORRUPTION

However, it was not long before an orgy of graft, corruption, and drunk-driving of automobiles was instituted by Federal prohibition agents foisted upon Detroit. As one indication of the general condition, I may inform the House that a year ago this past Christmas drunken prohibition agents in Detroit injured or wrecked 13 automobiles which they were driving or which they hit during their holiday drinking carnival.

Their graft and corruption on a large scale have occupied a prominent place in Detroit papers for the past several months, and the trial of these 23 prohibition agents who are now in the toils will give Detroiters and, in fact, all Americans further insight into the method of prohibition agents.

If Mr. LA GUARDIA and the sponsors of this wasteful and thoroughly unjustifiable expenditure of \$24,000,000 have their way and send more prohibition agents into Detroit, they will further prove and demonstrate the axiom of the past few years: "The more prohibition agents in Detroit the more crime and menace to good government and the ideals of the Republic."

Figures which I have obtained from the Prohibition Bureau show that from January 16, 1920, to November 1, 1928, 177 persons connected with the Prohibition Bureau, excepting narcotic employees, were charged and convicted with drunkenness and disorderly conduct and other nonindictable offenses. The number separated for cause from January 16, 1920, to October 1, 1928, totals 1,291. This does not include the great number of agents in the Detroit district who were recently arrested and are now awaiting trial nor the considerable number who recently quit the service when their associates were arrested. Nor does it include the great number of crooks and near crooks who are still embedded in the prohibition service without charges pending against them. [Applause.]

Mr. SNELL. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker and gentlemen of the House, I do not propose to discuss the merits or demerits of the pending

resolution. I had expected to introduce an amendment, if the deficiency bill had come before the House for the purpose of amendments, by adding the words, after "prohibition enforcement," "narcotic enforcement." I believe the House will agree with me very largely that it would be perfectly proper to permit the use of part of the \$24,000,000 provided to enforce the prohibition law for the enforcement of the narcotic laws. I do not know how many Members of the House have studied the narcotic situation in America at the present time; but due to the recent murder of Arnold Rothstein, the New York gambler, and his alleged connection with the international drug ring, public sentiment has been aroused and caused a demand to be made upon Congress for increased appropriations to facilitate securing evidence against the big dope rings. From the disclosures made at that time it was proved that in excess of \$25,000,000 of illegal narcotics were smuggled within the last year into the port of New York and that the so-called crime wave in Chicago and New York and throughout this country can be directly traced back to the use of these smuggled drugs. One-third of the Federal prisoners are known to be addicts. Fifty per cent of all our crimes can be traced to the use of dope. Colonel Nutt, head of the narcotic bureau, told me that if he had an opportunity to use any substantial amount of Government money to buy information, he could pretty nearly put an end to the smuggling of these drugs. For instance, he said if he had \$20,000 to give for information that he could stop 2 tons of morphine from coming into the United States of America, and that no money was to be paid out until the seizure was made. I think the Congress of the United States has a very distinct duty to provide sufficient funds to rigidly enforce the narcotic laws. The Congress provided for no additional appropriation this year in spite of the fact that the smuggling of drugs has become a national scandal. An alarming traffic in illicit drugs exists in the United States to-day and is eating into the lifeblood of the people and even seeping into the public schools. Only recently a trunk containing \$2,000,000 worth of drugs was seized by Government officials. Think of the misery and deadly poison contained in that trunk alone! The Congress is not economizing when it stints on appropriations to enforce the narcotic laws. The total appropriation is only \$1,411,260, about half of which is returned to the United States Treasury from registration fees and fines. It is the distinct duty of Congress to try to protect the American people from the greed of these smugglers who are to-day bringing all forms of narcotics into the ports of New York, San Francisco, New Orleans, and Florida; and unless Congress appropriates additional funds to enable agents to make large purchases of narcotics and thereby apprehend the big dealers and the higher-ups in the dope rings, why the situation will remain hopeless and their hands will be tied.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BANKHEAD. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

The SPEAKER pro tempore. The gentleman from Texas is recognized for five minutes.

Mr. BLANTON. Mr. Speaker, after to-day's vote the good ministers of my State will understand why the 17 Democratic Congressmen and the 2 Democratic Senators from Texas could not vote for the Hoover-Mellon combination. We knew that it does not stand for prohibition.

We know something about the situation here that our good minister friends in Texas do not know. We know about the Green-Mellon bill, the gigantic liquor combine bill which our former Chairman Green, of the Committee on Ways and Means, introduced here last session, and which was prepared by Secretary Mellon, to create the greatest liquor combine ever dreamed of, and which authorized such a tremendous liquor combine that the Committee on Ways and Means turned it down.

And then we know about the Hawley liquor combine bill which Mr. Mellon immediately drew up and sent for Mr. HAWLEY to introduce as a substitute, which likewise would have created the greatest liquor monopoly ever known to the country, and over the strenuous protest made by myself and other prohibitionists this House passed it, but before it could get through the Senate, thank God, the people spoke through Bishop Cannon and others, and when Bishop Cannon speaks the people act upon his advice, and justly, and it died in the Senate.

I am not criticizing the preachers of my State, because from their standpoint they justly rebuked us, as they really thought Hoover would enforce and that Smith would not, because in rebuking us they rebuked the liquor traffic in my State and in the Nation; but they will find out to-day when this vote is over that they were mistaken on the proposition. They will find out that they can not expect any liquor enforcement from Mr. Hoover as long as Mr. Mellon has strings on the adminis-

tration, and they will find that they can not expect it from the Republican administration in Congress.

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

Mr. BLANTON. I am sorry I can not.

My friend from Maine [Mr. HERSEY], who has been a strong prohibitionist, and whose dry stand on many occasions I have admired, said he always found out where the liquor crowd was and it was a safe policy to vote against that crowd. He is here to-day following the rider of the great white charger from Baltimore, sitting in his place here, to add encouragement to his crowd and take them down the line. Call the roll and you will find every one of the real fundamental wets of the House lined up with the gentleman from Maine, and with the gentleman from Michigan [Mr. CRAMTON], and with the other gentleman from Michigan [Mr. HUDSON], and with that great stalwart prohibitionist from Ohio, my good friend JOHN G. COOPER, and other Republican dries backing Mellon. Unfortunately they are obeying orders from the Treasury Department; they are obeying orders from the White House; they are obeying orders from the great influence that controls their party.

Oh, they say that I obeyed orders, possibly, in the last campaign. I say no. [Laughter.] Having no better alternative, through party loyalty to Democracy I supported a ticket that was repulsive to me. I supported a ticket and made speeches which embarrassed me, every one of them, when I made them. [Laughter.] But I want to say this: I told my people in every audience in Texas that I addressed that it was a choice between two evils; it was a choice for the American people to make, from which of the candidates could they expect the most of prohibition enforcement, and I knew they could not expect anything from Hoover and his Republican organization. [Applause.]

Mr. MICHENER. Mr. Speaker, I yield three minutes to the gentleman from Kentucky [Mr. ROBSION].

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for three minutes.

Mr. ROBSION of Kentucky. Mr. Speaker, ladies, and gentlemen of the House, I might say that I have always been dry, politically and personally. [Applause.]

I come from a town that voted out the saloons 50 years ago. In this same town is Union College. The Kentucky Legislature 48 years ago passed an act making it unlawful to sell intoxicating liquors within 5 miles of this college.

I have always been an active supporter of the cause of prohibition in Congress and out of Congress. I favored the eighteenth amendment, voted for the Volstead Act, and every measure that has been before Congress since that time that would strengthen these measures. I stand foursquare for the honest and effective enforcement of our dry laws, as well as the other parts of the Constitution, but I can not support, ladies and gentlemen, this unsound and impracticable amendment. [Applause.]

What is the proposition now before us? As a general rule, this bill would be referred as a matter of course to the conferees of the House and Senate, and they would take up this matter and investigate it and report to the House and Senate. If we pass this rule that is now up for consideration, it will send this matter to conference. This amendment proposes to appropriate an additional \$24,000,000. The need of this additional sum of money has not been investigated by any committee of the House or Senate.

After the conferees of the House and Senate have investigated this whole matter carefully, they will make report to the House and Senate, and then we will be better able to determine the best course to pursue. This \$24,000,000 would not become available, anyhow, until July 1, 1929.

We must bear in mind, ladies and gentlemen, that this House has already appropriated millions and millions of dollars for this same purpose for the fiscal year beginning July 1, 1929. We have appropriated every dollar that has been asked for by the President, by the Director of the Budget, by the Treasury Department, and by the Department of Justice.

The President, the Director of the Budget, the Treasury Department, and the Department of Justice have not asked for this additional sum of \$24,000,000, but on the contrary have declared their opposition to it. They say that Congress has provided all the money that can be used by the organization that we now have and can have by July 1 for this purpose, in a judicious and effective manner.

Since this matter was passed by the Senate, I have taken a thousand-mile trip through several States. On trains and everywhere, men and women were talking about this \$24,000,000, and their expressions almost unanimously were along the lines of the editorial read to the House a few minutes ago by Mr. COOPER of Ohio to the effect that this is political bunk and that it is foolish and impracticable. [Applause.]

DEMOCRATIC POLITICS

I am against this amendment for several reasons. Many of my good friends on the Democratic side of the House coming from dry Democratic districts and dry States are in "bad" with their constituents because they helped to bring about the nomination and urged the election of Governor Smith, who is as wet as the Atlantic Ocean. I know they are in bad with their constituents, but they know it better than I do, and hence the zeal they are displaying in support of this \$24,000,000 amendment. If these same politically dry Democratic friends had manifested half the zeal and used half the eloquence in their State conventions and at the Houston Convention for the dry cause that they are displaying to-day on the floor of this House, they would not have disappointed the fine Democratic men and women throughout the Nation who sincerely believe in the dry cause, by nominating Governor Smith for President of the United States. [Applause.]

When you good dry Democrats put up Governor Smith as your nominee and placed Mr. John Raskob, another wringing wet, at the head of your party, and they went about over this country denouncing the eighteenth amendment and the Volstead Act, you did more harm to the dry cause than you gentlemen could do good for it if you should talk from this floor here for two months and appropriate \$50,000,000. You are now trying to pay off the deficit of \$1,600,000 of your campaign by selling Governor Smith's wet speeches. It has been just a little over two months ago that the good Democrats who are now making speeches for this amendment and professing so much interest in the dry cause were themselves going everywhere urging the election of Governor Smith. I have never in my life seen such unmitigated gall and inconsistency.

Governor Smith is still the titular head of the Democratic Party, and Mr. Raskob is still your national chairman, both of them unrelenting and bitter foes of prohibition. They are now leading your party, and you gentlemen ought to first get rid of them before you undertake to lecture us dry Republicans and lead the real friends of the dry cause and law enforcement.

I followed Mr. Hoover earnestly and sincerely last summer and fall because he stands for the eighteenth amendment and for its honest and effective enforcement, and I now refuse to follow the leadership of the Governor Smiths and the Raskobs on this important question. The great dry leaders of the Republican Party in the Senate are opposed to this proposition. The recognized dry leaders of the House—CRAMTON, STALKER, HERSEY, COOPER, and others—have spoken in opposition to it and are voting against it. The Woman's Christian Temperance Union women of the country who have so earnestly and sincerely through all of the years worked for the dry cause declare in a telegram to a Member of the House that they are looking to Mr. Hoover for real law enforcement, and so does the Council of Churches and other great dry organizations; and I, too, am looking to Mr. Hoover.

He comes into office on the 4th of March, and Congress will be in session this spring and summer, and I know that Mr. Hoover will have some great constructive plan to carry out his promise of law enforcement to the American people, and he will submit this to Congress, and I do not want him to be hampered or embarrassed by this so-called plan cooked up by the Democrats for their own selfish political advantage and who were themselves trying to put a sopping wet into the office, the highest in the gift of the American people, less than three months ago.

I refuse to join with the Smiths and the Raskobs in their effort to discredit the cause of prohibition and to embarrass and hinder Mr. Hoover and at the same time to spend \$24,000,000 to get a lot of Democrats out of a hole that they placed themselves in by their support of Smith and Raskob.

IT WOULD HURT PROHIBITION

If this amendment should be adopted, it would not only embarrass Mr. Hoover's administration—it would be a willful waste of the taxpayers' money and hurt the dry cause. The leaders of the dry cause came before Congress and urged that we were not succeeding in the enforcement of the law because this service was in politics and the appointments were political. They urged us to put the prohibition enforcement under civil service, and Congress did that. The real friends of prohibition insisted that every person appointed to this service should be carefully investigated as to their ability, fitness, and integrity. We wanted to get away from the scandals in the prohibition service. The Civil Service Commission has held two examinations, inviting people throughout the land to make application. Thousands did make application, and the Civil Service Commission has been investigating these applicants; but up to this time they have not secured sufficient eligibles to fill the jobs for which we have already provided appropriations.

If we should dump this \$24,000,000 on to the President without a trained personnel to use it, we would again have to resort to the political appointments and without civil-service examinations and investigations. We would simply add to the scandals that have already embarrassed the real friends of the dry cause, and this money would be more or less wasted, so that when the appropriation bill for dry-law enforcement comes up next Congress the wets would come forward and urge that prohibition was a failure and point out that they had given all the money that the departments asked for and this \$24,000,000 in addition and that we had added to the scandals and had accomplished little for law enforcement.

The press indicates that Mr. Hoover proposes immediately following his assumption of the presidency to have a careful survey made of this question and find out in what way we can improve this service and what measures and money are necessary for effective and honest enforcement. I, for one, feel that this is the wise course to pursue. Let us give Mr. Hoover his chance.

I am one of those who think prohibition has succeeded wonderfully. I was State campaign chairman for the Republican Party in Kentucky in 1927 and 1928, and came in contact with many, many groups of people, and during all that time I did not see a drunken person. I spent nearly two weeks in Kansas City both before and at the time of the Republican National Convention, and saw thousands of people, but did not see a drunken person. It is making real progress. I have always believed in this noble experiment, and the way to strengthen and carry it forward to success is to proceed along sane, sound, and sensible lines.

FIFTY MILLION IF NECESSARY

When Mr. Hoover assumes office and has an opportunity to investigate and formulate a broad, sane, and effective policy for law enforcement and advises Congress that he needs additional money, I stand ready to vote for whatever measures and funds may be necessary in addition to what we have already provided, even though it may be double the amount called for in this amendment; but I am unwilling to be stampeded into wasting the taxpayers' money and perhaps discredit the cause for which we have fought and in which we are deeply interested, by following the leadership of the Smiths, Raskobs, and other Democratic politicians. [Applause.]

My dry Democratic friends from the South and West might as well understand that their party is now in the hands of the wets, and these wets are determined to make the Democratic Party a wet party, and there is no good reason why we dry Republicans should be led out into the swamps and abandoned like our dry Democratic friends were at the Houston convention and in the last November election.

Mr. SNELL. Mr. Speaker, I yield three minutes to the gentleman from Wisconsin [Mr. SCHAFER].

Mr. SCHAFER. Mr. Speaker, the people I have the honor to represent are in favor of modifying the Volstead Act. I find myself in rather strange company this afternoon in my opposition to this prohibition monstrosity. However, I want at this time to state that I disagree with certain portions of the statements of the distinguished gentleman from Michigan [Mr. CRAMTON] and of the distinguished gentleman from Ohio [Mr. COOPER]. How can they deduce that the election of last year was a victory of the dry forces? It was neither a victory nor a defeat for the wet or dry forces. Their argument that the election of Mr. Hoover was a victory for the dry forces is not borne out by the results of the election. Nearly all of the States that Hoover lost are well known to be the driest of the dry, wherein the Ku-Klux Klan and Anti-Saloon League are exceptionally strong. The people of the State of Wisconsin in 1926, on a straight referendum, voted by a majority of almost 200,000 in favor of modification of the Volstead Act; and in the last election they voted by a majority of almost 100,000 in favor of Herbert Hoover. Not on the prohibition question, but because he was the best qualified candidate for the job. They voted for him because of his outstanding record of achievements and his position on great public questions such as the Great Lakes waterway and the protective tariff of the Republican Party. [Applause.]

I must say that while I am disappointed at some of the arguments of the distinguished gentlemen from Michigan and Ohio, I am pleased to find them casting aside the hired men of the Anti-Saloon League who are attempting to stampede Congress into passing this \$24,000,000 prohibition monstrosity. Part of the \$500,000 contributed to the Anti-Saloon League by the notorious Kresge, of New York, is no doubt being used to pay the salaries of these hired men and to pay the cost of their propaganda.

In his Milwaukee speech Governor Smith said that if we wanted the eighteenth amendment and the Volstead Act modified we should return the Democratic Party to power. If the Democratic Party was returned to power we would be no nearer modification than we are to-day. In fact, it would be a step backward, because man for man, the Democratic Party is the driest party in the land to-day. [Applause.]

Mr. SNELL. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. UNDERHILL].

Mr. UNDERHILL. Mr. Speaker, I can add nothing to the sound or substance of the debate but would make a few observations as to some of its peculiar angles; to wit, various Members from Florida, Georgia, and South Carolina advocating an appropriation of \$24,000,000, which is not needed, which, if it passes, will kill any chance of an appropriation of \$6,000,000 they are advocating for the rehabilitation of the devastated regions of their States, caused by the hurricane of a few months ago.

Again, I had supposed that when Will Upshaw retired from the House we would be without a vociferous leader of the prohibition forces when, behold, up steps Major LAGUARDIA, of New York, and assumes the leadership of the dry forces and defense of the eighteenth amendment.

Then my good friend, Mr. GARNER of Texas, consumes the time of the House to take another wallop at Andy Mellon. Texas showed good judgment in sending this statesman to Congress for the next two years, and I hope will repeat for many years to come. Texas also showed good judgment at the last election in going Republican and making sure that Mr. Mellon would be available and giving Mr. GARNER abundant opportunity to continue his feud and air his differences of opinion during a longer session.

Mr. HUDSPETH. Will the gentleman yield?

Mr. UNDERHILL. Yes.

Mr. HUDSPETH. The gentleman has referred to the good judgment of Texas. How about the good judgment of his own State?

Mr. UNDERHILL. I have shed more tears over that than the gentleman can imagine. I think Texas has shown good judgment, but I will not say much about the judgment of Massachusetts.

In closing I want to call attention to the uselessness of it all. We know the eighteenth amendment is here to stay and we only delude ourselves when we try to delude the public in a belief that there is a possibility of a change. Why can we not stop all of this foolishness and attend to business which will be of some benefit to the country and the public. [Applause.]

Mr. BANKHEAD. Mr. Speaker, I yield myself five minutes. [Applause.]

Mr. Speaker, ladies, and gentlemen of the House, I think it rather important, before we come to an actual vote upon the previous question on this resolution, that the entire membership of the House fully apprehend and understand exactly what the concrete parliamentary issue will be upon that vote.

The gentleman from Michigan [Mr. CRAMTON] stated in the beginning of his remarks that for the first time in his experience of some 12 or 14 years as a Member of this House, this extraordinary remedy of bringing in a rule to send a bill to conference has been resorted to. Well, gentlemen, if you will refer back to the controversy of only a few days ago upon the floor of this House, you will fully realize that remedy was required upon the part of the majority, not by any unusual obstruction upon the part of the minority Members of the House, but simply for the reason that the gentleman from Indiana [Mr. WOOD], in control of the appropriation bill, declined to give to the gentleman from Texas [Mr. GARNER] categorical assurance that in the event the conferees were appointed he would, beyond all question, bring back and submit to the House of Representatives for its judgment these three very important controversial amendments that the Senate placed upon the House bill. This assurance was not given and the bill then had to go to the Committee on Appropriations or the majority leadership had to resort to this remedy of securing a rule, and the latter was adopted.

Now, gentlemen, it seems to me that the issues in this case are plain. A good deal has been said in the course of this debate that in my opinion is not entirely relevant to the real issues involved here, but under the parliamentary situation the only possible way now that those of us who favor some instruction to the conferees upon these three important amendments, those of us who desire to have the Senate of the United States secure some expression from the Representatives in this body as to their attitude upon these important problems; the only possible way that we can get an opportunity, even though we should be in the minority upon the final vote, to register

our opinion is to vote down the previous question when called for upon the adoption of this resolution; and this, gentlemen, would give to the gentleman from Tennessee [Mr. BYRNS], the ranking member on the Appropriations Committee, the opportunity of offering the amendments which he read to the House a few moments ago with reference to this prohibition enforcement item. It would also afford opportunity to amend this rule so as to have a vote now on these amendments.

Gentlemen, these are important questions that are involved here. There is not only the question of prohibition, but also the tremendously important question which has occupied considerable time here upon the floor of the House this session, the question of fixing some regulation for the payment of refunds and the allowance of credits upon income taxes. I am sure that the gentleman from Texas [Mr. GARNER] impressed upon the membership of this House the absolute importance, in justice to the Federal Treasury and to the taxpayers of this country, of undertaking to set up some form of regulatory machinery that would provide for the orderly auditing of these tremendous amounts of money before they are paid out of the Federal Treasury. This is involved in one of these amendments. It is a matter of importance to your constituents, however you may feel with reference to the prohibition question.

Then there is a provision inserted in the Senate upon the insistence of a well-known prohibitionist.

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

Mr. BANKHEAD. Mr. Speaker, I yield myself six minutes more, as I have no further requests for time on this side.

If you will refer to page 17 of the pending bill you will find amendment No. 17, proposed by the Senator from Virginia, Senator CARTER GLASS. I am sure that the gentleman from Michigan and the gentleman from Wisconsin can find no legitimate quarrel with the long and well-established reputation of that great Senator as an ardent advocate of the real cause of prohibition, although they might find some opportunity to question his position upon that question during the late national campaign. But, gentlemen, I want to call the attention of the Republican membership of this House to just exactly what the Glass amendment does.

Every one of you who will refresh his recollection with reference to the position of Mr. Hoover during the presidential campaign upon this question, will remember he asserted that he recognized there were many grave abuses with reference to the enforcement of the Volstead Act and the enforcement of the statutes made in pursuance thereof as far as regulation and control were concerned; that as a student of public affairs he solemnly acknowledged, regardless of his attitude upon the main question of the eighteenth amendment, that there was a broad and legitimate field for investigation upon the part of the Executive of this country for the purpose of undertaking to ascertain what remedy, if any, could be suggested and effectuated to correct that situation; and he stated in his campaign that if he were elected, soon after his inauguration he would take steps to appoint a commission to inquire into these abuses for the purpose not only of making recommendations to the Executive, but I imagine for the benefit of the lawmaking branch of the country. And what does this amendment do, I ask those of you who are advocating Mr. Hoover's position upon this question? It simply carries into effect, in plain and simple terms, with an adequate appropriation for its enforcement, this plan and gives an opportunity to the incoming President immediately upon his inauguration, to take the steps which he has indicated he thinks are so sorely needed. Can you find quarrel with that? Is there any politics in that? How can the Republican membership of this House in good conscience assert that simply because a Democratic Senator has made possible at this session of Congress the realization of your President elect's views upon this question, that you are going to turn it down, although it expresses those views, and then say it ought to be defeated simply because it is suggested by sinister political considerations?

Now, gentlemen, I have heard some strange language used here to-day upon the floor of this House. I did not think I would ever live to see the day when gentlemen, like my amiable friend from Michigan [Mr. CRAMTON] particularly, would stand upon the floor of this House and absolutely exhaust the vocabulary of scorn and contumely in opprobrium of those gentlemen naming some specific bishops in the last campaign whose support before the election he was seeking "even as the hart panteth after the water brook." [Applause.]

He comes in here this afternoon, this reputed leader of the dry forces in the Congress of the United States—whether the gentleman modestly disclaims it or not, he is so recognized by others—yet he says this great bishop of the Methodist Church, however earnestly and zealously he labored in the cause of what he con-

ceived to be for the best interests of prohibition—you say that he and all his associates in the moral cause represented by the Anti-Saloon League, are impostors and that they are all playing politics merely for the purpose of rehabilitating their political status.

Mr. CRAMTON. The gentleman has no right to put words in my mouth that I did not utter.

Mr. BANKHEAD. That is the logical and legitimate inference to be drawn from the words the gentleman uttered. [Applause on the Democratic side.]

These gentlemen, driven into a cul-de-sac, recognized the inconsistency of their position, come in here and in a quasi-humorous way, with scantly clothed sophistry, assert that the whole argument on the other side is based on politics.

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

Mr. BANKHEAD. I will take the remainder of my time.

I want to suggest to the gentleman from Michigan, and my good friend from Ohio [Mr. COOPER], and others who on the floor of this House have made arguments that this is purely an issue to readjust and rehabilitate the political fortunes, and to discredit the incoming administration of Mr. Hoover, to turn to pages 2059-2060, of the CONGRESSIONAL RECORD, and although I can not advert to the individual votes of Senators, they will see that by a vote of 50 to 27 the resolution embodying the Harris amendment was passed in the Senate of the United States. If the gentlemen will be courageous enough and fair enough to examine the personnel of the vote they will see many distinguished Republican Senators, and many who are as ardently dry as the gentleman from Michigan, voted for the amendment.

Gentlemen, it will not do to answer that the proposition was confined to politics. I will tell you how I am actuated in my vote. I represent what I know to be a dry district down in Alabama, I imagine that at least 90 per cent of my constituents are in favor of the enforcement of the law—the eighteenth amendment and the Volstead law. They know from evidences around them and from evidences brought to them from other parts of the country that in the last six years the Republican administration have not only had no enforcement of the prohibition law but what is much worse they feel that there has not been any honest effort to try and enforce the prohibition law. [Applause.]

I have no fault to find with the gentleman from New York [Mr. O'CONNOR] on my side of the House, or the gentleman from Wisconsin [Mr. SCHAFER], or the gentleman from Maryland [Mr. LINTHICUM], who are admittedly wet, who do not favor the eighteenth amendment but, my friends, in closing this debate upon this rule I make an earnest and sincere appeal to all gentlemen, leaders on the floor of the House, who pretend to and do believe in prohibition and in an honest effort to enforce it, to express by their vote that desire and obligation. [Applause.]

You are not going to be able, in my opinion, to deceive the American people with reference to this thing—to go out and tell them it was merely a vote on a parliamentary proposition. That is what you will do, I know that will be your excuse, and that will be your subterfuge, because you can not answer otherwise. You will say that this proposition was merely a vote on the previous question, but I want to assert and place it in the RECORD now, as the gentleman from Tennessee [Mr. BYRNS] said in his splendid and illuminating address, that the issue is squarely presented to you and the American people themselves will understand it. [Applause.]

I say to you, consider what your constituents, if they were here in this gallery this afternoon, would instruct you to do upon the merits, upon the essence, upon the very legislative sacrament of this proposition. I have no doubt that a great majority of your constituents from the dry districts if they were here would personally instruct you this afternoon to vote for the opportunity to make the prohibition laws of the country effective in an honest way.

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

Mr. BANKHEAD. Yes.

Mr. ALLGOOD. If this amendment is defeated, will not the wet forces throughout the country claim a great victory against prohibition?

Mr. BANKHEAD. I assume they would, and they would be entitled to do so.

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

Mr. BANKHEAD. Yes.

Mr. YON. The gentleman from Massachusetts [Mr. UNDERHILL] intimated a while ago that if this amendment were put through, the rehabilitation measures that are pending for Florida, Georgia, and South Carolina would not pass. Has the gentleman any intimation that they would not?

Mr. BANKHEAD. I have no intimation on that subject.

Mr. YON. Does the gentleman think it is fair should this bill pass that they shall be held up?

Mr. BANKHEAD. I am not acquainted with the merits of the proposition to which the gentleman refers, but they should in no way be fairly affected by the result of the vote on this rule or the adoption of the prohibition amendment.

Mr. SNELL. Mr. Speaker, I now yield to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN of Missouri. Mr. Speaker, in considering this amendment, which provides for an additional appropriation of \$24,000,000 to be used for prohibition enforcement, I have come to the conclusion it is an unwarranted raid on the Federal Treasury and should be defeated. I know no political party, nor do I think of my own political welfare in arriving at my decision.

Why should I vote to take from the Public Treasury \$24,000,000 to be used in an effort to enforce prohibition when the officials charged with the responsibility of enforcement openly declare there is not only no need for such an expenditure but they would not know how to use the money if Congress set aside such an amount for that purpose?

To consider this matter from a political standpoint is a position that can not be defended, nor should the views of the Member on the eighteenth amendment or the Volstead law be taken into consideration.

The Director of the Budget in a speech during the week says we are facing a deficit which might amount to \$100,000,000 by July 1 unless drastic action is taken. Every Member of this House, regardless of political affiliations, should join in an effort to prevent such a condition. Personally, I now assure the Republican leaders they will receive my support in their efforts to keep appropriations within the revenues. This is a good time to commence the work.

The enforcement of prohibition has been discussed for years in both branches of Congress. Those possessing liberal views have been assailed for stating that enforcement has broken down. Now, however, we find the author of the amendment declaring enforcement up to this time has been a farce. He simply affirms the statements so often made on this floor and so vigorously denied by dry leaders. When those of us who are opposed to the eighteenth amendment and Volstead law have stated enforcement has broken down or the effort was a farce, we have been assailed by the leading dries. Now we find the advocates of prohibition taking the position that those opposed long since have taken.

This is but one of a number of methods prohibitionists—especially those who delight in rising on this floor and proudly proclaiming they were in part responsible for creating the sentiment that resulted in the adoption of the eighteenth amendment—advance to better conditions. A few days ago the gentleman from Kansas [Mr. SPROUL] tells us “we” are now preparing bills shortly to be introduced that will, when enacted, make the United States as dry as a desert. He does not disclose who the “we” represent, but, startling as his suggestions are, there is one advanced which I predict will cause even dry advocates to rebel against and that is the suggestion to do away with trial by jury. Of course, Congress can not do this by the enactment of a bill, as it will require an amendment to the Constitution, and before such an amendment is ever ratified by the States the eighteenth amendment will have been repealed.

In reference to the argument that those opposing this appropriation will be charged with hamstringing enforcement is answered by Dr. James M. Doran, Commissioner of Prohibition. Only last week he told me that he would not know what to do with the money if it was appropriated.

I do strongly criticize the methods used at times by enforcement officers and feel justified for so doing. I have on my desk at the present time a letter from a business man in St. Louis asking me to advise him if there is any law under which he can be reimbursed for damages suffered due to one of his salesmen accepting employment as a prohibition agent, without his knowledge and using his position as salesman to entrap citizens of St. Louis to violate the prohibition laws. This man, Merritt D. Padfield, sold paper to the retail trade, including proprietors of beverage parlors. He was employed by the Prohibition Unit last June, but continued his work as a paper salesman, he says, as a side line. That he worked with the approval of the Prohibition Unit as an undercover man is evident because he did not apply for a search warrant until a day or two before Christmas, when 61 arrests were made. He induced his paper customers to sell liquor or beer to him and a “friend,” also a prohibition agent. The president of the paper concern, Mr. Russell W. Meredith, says his prosperous business has been ruined by the activities of this salesman. He has tried without success to find some legal course of action he could take against either the

salesman or Government, but we all know there is no statute under which he can recover damages. In one instance the salesman, when denied liquor by a customer, had the man call the company and ask the proprietor if Padfield was in their employ, and when told he was, secured the liquor for him.

The search and seizure amendment to the Constitution is violated almost daily by the prohibition agents. I have introduced a bill making it a felony for a Government officer to violate the fourth or fifth amendment to the Constitution; but of course the dry leaders will not sanction such action, and my bill sleeps quietly in the archives of the Judiciary Committee.

Within a week I read where a girl, a stenographer by day, is employed by night by prohibition officials to drink liquor and secure evidence; officers in charge of a posse killed a 6-year old girl riding with her parents near Windsor, Mo., while looking for suspicious characters thought to have liquor; a man was killed and a woman companion seriously injured when officers fired shotguns at an automobile thought to contain a load of Canadian whisky near Stella, Mo. It is only fair to state these officers in both the case of the young girl and the man and his companion were not Federal officers, but they claim they were trying to enforce prohibition laws. Federal agents do not visit dry territory in my State but confine their efforts to St. Louis and Kansas City, not destroying the source of supply but in 90 per cent of the cases arresting men and women charged with selling a drink of liquor or a bottle of beer.

Another occurrence worthy of special mention also within the last week was the raiding of a factory in my district where about 150 ladies are employed. Three brothers, Leo, Frank, and Joseph Bussman, manufacturers of the Bussman lamps sold all over the United States, operate a large electrical-appliance factory. Entering the factory by means of a ruse two Federal agents later appeared before the United States commissioner and swore to a warrant stating they had seen a barrel of whisky in the factory. Armed with the warrant, they raided the factory, carrying an ax and threatened to break up factory equipment if the whisky was not produced. They are charged by the proprietor with using profane language and threatening some of the women employees. In the end they claim to have found 10 ounces of alcohol. The alcohol did not belong to the employers but probably to one of the many employees. Still the agents arrested all three officers of the firm, charging them with possession of intoxicating liquors. Such methods should not be tolerated.

I see no reason to squander public funds—badly needed at the present time—by giving \$24,000,000 additional for prohibition enforcement when the Secretary of the Treasury, the Commissioner of Prohibition, and all other Government officials charged with enforcement of this law say they do not want it and can not use it.

I am strongly of the opinion the people of the country, wet and dry alike, will condemn, rather than commend, those responsible for the effort to waste \$24,000,000 of public funds.

Mr. SNELL. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. ADKINS].

Mr. ADKINS. Mr. Speaker, ladies, and gentlemen of the House, with us people out in the cornfields in the Middle West, who found the liquor traffic operating to our disadvantage, started the idea of driving the saloons out of business. The practical operation of the enforcement of the prohibition law has been that the people there have quit electing men and women to administrative, judicial, legislative, and law-enforcing offices who are going around "winking" to the other fellow that the prohibition law can not be enforced. We have brought enforcement down to about a petty larceny basis. You will never stamp out petty or grand larceny, but we can keep it down where we can live with it. We have it down to a point where we can live with prohibition enforcement better than we could with the liquor traffic. We have driven the professional bootlegger out into the large centers of population, and in some of those centers, I do not care how many law-enforcement officers you have, you could not enforce the law until it gets so that they can not live with it. Take places like Springfield and Chicago, and they are now rising up in arms and saying that we have got to suppress the bootleggers and crooks and that they are going to run them out. With reference to running them out, we are not going to let them run them back into our districts. Here is what the Champaign Gazette says about the lament from Chicago, where they have had a large amount of disregard for law enforcement:

We should be prepared so that if any of the thugs get an idea of coming around here to pull off any of their rough stuff they'll get the crack in the ear that they deserve. Champaign County has the reputation of treating 'em rough, the treatment given the diamond bandit being a sample, and let's see that that reputation is sustained. The

community has been unusually free from crime for many months, and every care should be taken to keep it so. Lack of preparation in view of the Chicago situation might result in serious consequences—it will be too late then to offer a lot of alibis. You know the old saying, "An ounce of prevention, etc." Now is the time.

The bootlegger doing business on a large scale has naturally got away from the communities where the communities elect judges, State attorneys, mayors, sheriffs, and city councils who are in sympathy with the prohibition law and gone into the centers where they elect officers not in sympathy with prohibition enforcement. Lawbreakers generally will naturally go to the communities where there is liberal treatment of liquor-law violators. Look the country over and you will find these "havens of refuge" getting fewer in number and their lawless element no doubt increasing. When they get to the point that it is dangerous to live with them, the citizens usually have a "house cleaning" and restore good government. In communities of that kind, no matter how many Federal officers you had or how many arrests made, few convictions would be had. Local public sentiment is the greatest law-enforcing agency we have. If the Government should spend this entire \$24,000,000 on such communities, I think the enterprise would fail.

I do not think my people expect the Federal Government to police their towns. They can do that themselves.

I think the Federal Government should use its agencies to keep the supply of "booze" from coming in from other countries, suppress interstate shipments and other large sources of illicit supplies. The "petit-larceny" stuff in local communities will be taken care of by local authorities when conditions get where they have to do it.

An institution that had been with us as long as the liquor traffic has, I think we have made very good progress up to date.

My information is this body voted the department all the money they asked for to enforce the Volstead Act, and when I heard of this proposal to give the department \$24,000,000 they had not asked for, had made no provision to use in any way, I did not give it a serious thought. In my legislative experience, both State and national, I have observed it was always a serious problem to provide money enough for the various agencies of government to function properly and at the same time not place an unbearable burden on the taxpayer.

This is certainly an unusual procedure to hand over \$24,000,000 of the people's money there is no call for and no program for its use, and as I see it no justifiable reason for doing so. This wet-and-dry "bugaboo" that has been raised here this afternoon I do not take any stock in. I think everybody knows there is not 100 so-called wet votes in this House.

I think everyone knows if the Hoover administration needs more money for law enforcement this House will vote for it.

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

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

Mr. WELLER. Mr. Speaker, ladies, and gentlemen of the House, I have listened with a great deal of attention this afternoon to the debate, especially to that part of the debate coming from the gentleman from Michigan [Mr. CRAMTON] and the gentleman from Ohio [Mr. COOPER], wherein they stated, and apparently were glad to do so, that the liquor question was the question that defeated Governor Smith as the Democratic nominee for the Presidency of the United States. I say that that is not the fact. Any man, who, as the leader of his party, could obtain 15,000,000 votes in the United States deserves recognition not only for his statesmanship but for his integrity and the things that he has accomplished. He has been four times elected Governor of the Empire State of New York. [Applause.] My friends, what defeated Governor Smith was something far more insidious, far more diabolical than that. In this country of ours where we boast of religious freedom, cradled as it was at Plymouth Rock and continued on by our forefathers in the Constitution, 1787-1789, the Ku-Klux Klan with its insidious propaganda was shot into the campaign. I, as a member of the Methodist Church for over 40 years, resent the propaganda and the snakelike virulent poison which was resorted to in this campaign. I resent it because it is un-American and unfair. That is what defeated Governor Smith for the Presidency of the United States. [Applause.] Our proud boast of religious freedom became a mockery.

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

Mr. WELLER. May I have a half minute more?

The SPEAKER. All time has expired on that side.

Mr. WELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a paragraph

from the message of Gov. Alfred E. Smith to the legislature at Albany on January 4, 1928.

The SPEAKER. Is there objection?

There was no objection.

The extract referred to is as follows:

In the meanwhile, there devolves upon the State the sacred duty of sustaining the eighteenth amendment and the Volstead law. They are as much a part of the laws of this State as our own statutes and our own constitution. In fact, the Constitution of the United States itself declares that document and the laws made pursuant to it to be the supreme law of the land and the judges in every State bound thereby, anything in the constitution and the laws of any State to the contrary notwithstanding. Aside from the limited number of policemen who patrol the sparsely settled sections of the State, the State's police power is delegated and we find it exercised in the first instance by the village constable, the sheriffs, and deputy sheriffs, and the police officials of the cities. I speak only the truth when I say that the people of any locality get the degree of law enforcement upon which they insist and for which they are willing to pay. As far as I am concerned, in obedience to my oath to sustain the Constitution of the United States, I have repeatedly promised the people that so far as it lies in my power in the constitutional or statute law, I will remove from office upon proper proof being presented, any public official charged with laxity in enforcement of the law. Obedience to law is the foundation stone upon which the structure of government rests. Uniform enforcement, uniform obedience is necessary to preserve the dignity and the majesty of the law. Law enforcement must of necessity begin with arrest (p. 90).

Mr. SNELL. Mr. Speaker, I yield five minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Speaker, before beginning my remarks, I wish to ask unanimous consent that all Members of the House may have five legislative days in which to extend their own remarks on the rule now under consideration.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that all Members of the House may have five legislative days in which to extend their own remarks on this legislation. Is there objection? [After a pause.] The Chair hears none.

Mr. TILSON. Mr. Speaker, in the few minutes at my disposal I wish to refer to two points which seem to me have not been sufficiently impressed. The first is that this is not and can not by any distortion of fact be made a contest between wets and dries. We have only to turn to the speeches which have been made here to-day and the men who have made these speeches to prove my statement. Men who have directly opposite views on the general question of prohibition are voting side by side on this resolution, both for and against it. Here is my friend from Michigan [Mr. CRAMTON] and also my friend from Ohio [Mr. COOPER] as examples on the dry side supporting the rule to send the bill to conference and opposing the \$24,000,000 appropriation. Their honesty as well as their zeal in the prohibition cause is well known. On the other side of the aisle sitting before me is the gentleman from Maryland and a considerable number of others on his side who are conscientiously wet, but are supporting the same side in this controversy as the two earnest dries just mentioned, and all of these on both sides are entirely consistent so far as the proposed appropriation is concerned.

On the other side of the controversy we find the gallant young champion of the wets from New York [Mr. LAGUARDIA] urging the appropriation of the \$24,000,000, and as much more as any enthusiast will suggest to prove that prohibition can not be enforced regardless of the amount appropriated.

Therefore I say that this is not a contest between the wets and dries, so that no one need fear having the slightest difficulty in explaining his vote on this score.

Coming through the Speaker's lobby a few minutes ago I heard an honored Democratic Member—I do not know whether he knew that I heard him—say that what was troubling him was the difficulty he had in determining how much of the proposed \$24,000,000 appropriation is politics and how much of it common sense. I felt inclined to tell him that there was more of the former than of the latter. The political side, however, has been liberally discussed here to-day, and I shall not go further into it, but I shall refer to the common-sense side of it.

For what other purpose could an appropriation of \$24,000,000, without an estimate from any department, without the approval of the Budget, without consideration by a committee, be brought into this House and receive serious consideration. A Member who attempted to bring such a proposition before the House on any other subject would be laughed to scorn. It would be said at once that such a course of procedure could not be good common sense. It would be pointed out at once

that there should be an estimate and that it should have the approval of the Budget.

We now set great store by the Budget—and well we may because it has assisted greatly in systematizing appropriations and bringing about efficiency as well as economy. What will happen if a proposal of this sort, carrying a large sum of money sufficient to cause a deficit in the Treasury, can be brought in here by a haphazard amendment, without consideration by a department of the Government or the Budget, and passed without even knowing what it is going to be used for? If this should become the practice the budget system is doomed. [Applause.]

Is there a single good reason why we should proceed in the manner proposed by this amendment? Has there been an occasion, when, after consideration and an estimate by the proper department and a recommendation by the Budget, that an appropriation for prohibition enforcement has been refused? Has there been an occasion at any time when an appropriation asked for by a department and approved by the Budget has been refused by Congress for this purpose? Does anyone here believe for a moment that there will arise an occasion when funds will be refused by the Congress for the proper enforcement of the prohibition law? Then why should we proceed in this very unusual manner to disregard our budget system and make a huge appropriation for an uncertain, or at least, an undefined purpose? Ordinarily this House shies at large lump-sum appropriations without having a very clear understanding of the purposes for which they are to be expended. There is no justifiable cause for deviating in this instance from that very wise and wholesome rule.

Mr. Speaker, I yield back the remainder of my time.

Mr. SNELL. Mr. Speaker, I desire to take just a short time to close this debate.

I am very much surprised at the statement made by my good friend from Tennessee [Mr. BYRNS], who has a record in this House as being a very careful and consistent legislator in every respect. I am wondering whether he truly expressed himself in his speech to-day or at the time when he made a statement in the House, on December 18, 1928, relative to the other large appropriation that was proposed for the enforcement of prohibition. I want to call the attention of the House to the statement the gentleman from Tennessee made on that occasion, when he said:

I was unwilling, in the face of the fact that we are confronted with a deficit, which seems to be inevitable if the figures of the Treasury Department are correct, to vote \$250,000,000 out of the United States Treasury when we have no program before us and no intimation or idea as to just how it would be expended if it were so appropriated and no request from the administration for further funds.

[Applause and cries of "Vote!"]

I wonder whether the gentleman was speaking, according to the record on that occasion, or was speaking for himself to-day as a conscientious legislator?

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

Mr. SNELL. I can not yield at this time. Well, I want to be perfectly fair, and I will yield to the gentleman.

Mr. BYRNS. The proposition, then, was to put \$250,000,000 in the hands of the Secretary of the Treasury. I said in that speech that I would vote for \$25,000,000, and even \$50,000,000. I would oppose now, as I did then, the appropriation of \$250,000,000 for the Prohibition Unit alone. Why does not the gentleman read all of the remarks which I made at that time.

Mr. SNELL. The gentleman can put that in the Record if he likes. But what I have quoted was the closing remark that the gentleman made on December 18, 1928, and stated at that time that we had no requests for further funds.

Mr. BYRNS. Since then has not the Secretary of the Treasury said he needed money for the Coast Guard and the border patrol?

Mr. SNELL. There has been no statement made that he needed additional funds.

Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from New York moves the previous question. The question is on agreeing to that motion.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. POU. Mr. Speaker, I ask for the yeas and nays on that.

The SPEAKER. The gentleman from North Carolina asks for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Those in favor of ordering the previous question, when their names are called, will answer "yea"; those opposed will answer "nay." The Clerk will call the roll.

The question was taken; and there were—yeas 240, nays 141, not voting 47, as follows:

[Roll No. 19]

YEAS—240

Ackerman	Dempsey	Johnson, Ind.	Robson, Ky.
Adkins	Denison	Johnson, S. Dak.	Rogers
Aldrich	Dickstein	Johnson, Wash.	Rowbottom
Allen	Douglas, Ariz.	Kading	Sabath
Andresen	Douglass, Mass.	Kahn	Schafer
Andrew	Doutrich	Kearns	Schneider
Arentz	Dyer	Kelly	Sears, Nebr.
Auf der Heide	Eaton	Kendall	Seger
Bacharach	Elliott	Ketcham	Selvig
Bachmann	England	Knutson	Shreve
Barbour	Englebright	Kopp	Simmions
Beck, Wis.	Estep	Korell	Sinclair
Beedy	Evans, Calif.	Kurtz	Sirovich
Beers	Fenn	Lampert	Smith
Begg	Fish	Langley	Snell
Berger	Fitzgerald, Roy G.	Lea	Somers, N. Y.
Black, N. Y.	Fitzgerald, W. T.	Leatherwood	Sproul, Ill.
Bloom	Fitzpatrick	Leavitt	Sproul, Kans.
Bowles	Fort	Lech	Stalker
Bowman	Foss	Lehbach	Stobbs
Boylan	Frear	Letts	Strong, Kans.
Brigham	Free	Lindsay	Sullivan
Britten	Freeman	Linthicum	Summers, Wash.
Burdick	French	Luce	Swick
Burness	Fulmer	McCormack	Swing
Bushong	Gambrill	McLaughlin	Taber
Campbell	Garber	McLeod	Tatgenhorst
Carew	Gibson	Magrady	Taylor, Tenn.
Carley	Gifford	Mapes	Temple
Carter	Glynn	Martin, Mass.	Thatcher
Casey	Golder	Mead	Thompson
Celler	Goodwin	Menges	Thurston
Chalmers	Griffin	Merritt	Tilson
Chase	Guyer	Michaelson	Timberlake
Chindblom	Hadley	Michener	Tinkham
Christopherson	Hale	Miller	Treadway
Clague	Hall, Ill.	Mooney	Underhill
Clancy	Hall, Ind.	Moore, Ohio	Updike
Clarke	Hall, N. Dak.	Morgan	Vestal
Cochran, Mo.	Hancock	Nelson, Me.	Vincent, Mich.
Cochran, Pa.	Hardy	Nelson, Wis.	Wainwright
Cohen	Haugen	Newton	Ware
Cole, Iowa	Hawley	Niedringhaus	Wason
Cole, Md.	Hersey	Norton, N. J.	Watres
Colton	Hickey	O'Connell	Watson
Combs	Hoch	O'Connor, N. Y.	Welch, Calif.
Connery	Hoffman	Oliver, N. Y.	Weller
Cooper, Ohio	Hogg	Palmisano	Welsh, Pa.
Cooper, Wis.	Holaday	Parker	White, Colo.
Corning	Hooper	Peavey	White, Me.
Crall	Hope	Perkins	Wigglesworth
Cramton	Houston, Del.	Porter	Williams, Ill.
Crosser	Hudson	Prall	Williamson
Crowther	Hull, Morton D.	Pratt	Winter
Culkin	Hull, Wm. E.	Purnell	Wolfenden
Cullen	Igoe	Quayle	Wolverton
Dallinger	Irwin	Ramseyer	Wood
Darrow	James	Ransley	Wurzbach
Davenport	Jenkins	Reece	Wyant
Deal	Johnson, Ill.	Reed, N. Y.	Yates

NAYS—141

Abernethy	Doughton	Larsen	Robinson, Iowa
Allgood	Dowell	Lowrey	Romjue
Almon	Drane	McDuffie	Rutherford
Arnold	Drewry	McFadden	Sanders, Tex.
Aswell	Driver	McKeown	Sandlin
Ayres	Edwards	McMillan	Sears, Fla.
Bankhead	Eslick	McReynolds	Shallenberger
Bell	Evans, Mont.	McSwain	Speaks
Black, Tex.	Fisher	McSweeney	Spearing
Bland	Fletcher	Major, Ill.	Stegall
Blanton	Gardner, Ind.	Major, Mo.	Stedman
Box	Garner, Tex.	Manlove	Steele
Brand, Ga.	Garrett, Tenn.	Mansfield	Stevenson
Brand, Ohio	Garrett, Tex.	Martin, La.	Summers, Tex.
Briggs	Gregory	Milligan	Swank
Browne	Green	Montague	Tarver
Browning	Greenwood	Moore, Ky.	Taylor, Colo.
Buchanan	Hare	Moore, Va.	Tucker
Bulwinkle	Hastings	Moorman	Vinson, Ga.
Busby	Hill, Ala.	Morehead	Vinson, Ky.
Butler	Hill, Wash.	Morrow	Warren
Byrns	Howard, Nebr.	Nelson, Mo.	Weaver
Canfield	Howard, Okla.	Norton, Nebr.	Whitehead
Cannon	Huddleston	O'Brien	Whittington
Cars	Hudspeth	O'Connor, La.	Williams, Mo.
Chapman	Hull, Tenn.	Oldfield	Williams, Tex.
Collier	Johnson, Okla.	Oliver, Ala.	Wilson, La.
Collins	Johnson, Tex.	Parks	Wilson, Miss.
Connally, Tex.	Jones	Patterson	Wingo
Cox	Kemp	Peery	Woodrum
Crisp	Kerr	Pou	Wright
Davey	Kincheloe	Quin	Yon
Davis	Kvale	Ragon	Zihlman
De Rouen	LaGuardia	Rainey	
Dickinson, Mo.	Lanham	Rankin	
Dominick	Lankford	Rayburn	

NOT VOTING—47

Anthony	Curry	Graham	Kiess
Bacon	Dickinson, Iowa	Griest	Kindred
Beck, Pa.	Doyle	Hammer	King
Bohn	Fulbright	Harrison	Kunz
Boies	Furlow	Hughes	Lozier
Buckbee	Gasque	Jacobstein	Lyon
Cartwright	Gilbert	Jeffers	McClintic
Connolly, Pa.	Goldsborough	Kent	Maas

Monast	Palmer	Strong, Pa.	Vincent, Iowa
Moore, N. J.	Reed, Ark.	Strother	White, Kans.
Morin	Reid, Ill.	Tillman	Woodruff
Murphy	Sanders, N. Y.	Underwood	

So the previous question was ordered.
The Clerk announced the following pairs:
On this vote:

Mr. Bohn (for) with Mr. Hammer (against).
Mr. Kunz (for) with Mr. Gilbert (against).
Mr. Doyle (for) with Mr. Cartwright (against).
Mr. Buckbee (for) with Mr. Reid of Illinois (against).
Mr. Bacon (for) with Mr. McClintic (against).
Mr. Dickinson of Iowa (for) with Mr. Gasque (against).
Mr. Beck of Pennsylvania (for) with Mr. Harrison (against).
Mr. Kindred (for) with Mr. Lozier (against).

Until further notice:

Mr. Griest with Mr. Underwood.
Mr. Woodruff with Mr. Goldsborough.
Mr. Kiess with Mr. Reed of Arkansas.
Mr. Connolly of Pennsylvania with Mr. Lyon.
Mr. Graham with Mr. Jeffers.
Mr. Hughes with Mr. Tillman.
Mr. Curry with Mr. Moore of New Jersey.
Mr. Murphy with Mr. Kent.
Mr. Strong of Pennsylvania with Mr. Jacobstein.
Mr. Morin with Mr. Fulbright.
Mr. King with Mr. Monast.
Mr. Palmer with Mr. Maas.
Mr. Sanders of New York with Mr. Furrow.
Mr. Vincent of Iowa with Mr. Anthony.

Mr. KETCHAM. Mr. Speaker, my colleague, Mr. VINCENT of Iowa, is unavoidably detained on account of illness. If he had been present, I am advised he would have voted "yea."

Mr. ENGLEBRIGHT. Mr. Speaker, my colleague, Mr. CURRY, if he had been present, would have voted "yea."

Mr. CLARKE. Mr. Speaker, my colleague, Mr. BACON, if present, would have voted "yea."

Mr. CANNON. Mr. Speaker, I am in receipt of a telegram from the gentleman from Missouri, Mr. LOZIER, who is absent on account of the death of his wife, stating that if he were present he would vote against ordering the previous question.

Mr. DOUGHTON. Mr. Speaker, my colleague, Mr. HAMMER, is temporarily indisposed and unable to attend the sessions of the House. If present, he would have voted "nay."

The result of the vote was announced as above recorded.

Mr. SNELL. Mr. Speaker, I move the adoption of the resolution.

The SPEAKER. The question is on agreeing to the resolution. The resolution was agreed to.

The SPEAKER. The Chair appoints the following conferees: MESSRS. WOOD, CRAMTON, and BYRNS.

EXTENSION OF REMARKS—FIRST DEFICIENCY APPROPRIATION BILL

Mr. FREAR. Mr. Speaker, the proposal to add \$24,000,000 to the present deficiency appropriation bill for the alleged purpose of furnishing additional funds to aid law enforcement comes before the House through an amendment adopted by the Senate. During the debate on this resolution to send the bill to conference various arguments have been offered for and against the \$24,000,000 Senate item, but the real issue, to my mind, is smothered by irrelevant matters.

It is alleged that the \$24,000,000 is needed for better enforcement of the eighteenth amendment. If that is the real issue, then Congress, on the request of any responsible governmental agency, by an overwhelming majority, would, unquestionably, appropriate double that amount, if asked for by any law-enforcement agency. The constitutional amendment is law; and during the last campaign both political parties advocated enforcement of the law. Whether the Senate amendment is offered to rehabilitate the Democratic Party, as has been repeatedly claimed by Republican speakers, or whether it is offered to disclose the inadequacy of ten times that amount, as claimed by the wet advocates, is not the issue.

No governmental agency has asked for \$24,000,000 or \$240,000,000 for any other amount to enforce the law, in addition to that requested in the Budget. Of course, no sacredness attaches to \$24,000,000 or any other figure that has arbitrarily been added to the bill in the Senate. In fact, opponents of the law declare they support the \$24,000,000 amendment to demonstrate its ineffectiveness to enforce.

Personally, I believe law enforcement properly belongs to the Department of Justice and that a transfer to that department of eighteenth amendment violations would result in specific recommendations for additional judges and other needed officials to aid enforcement.

Opponents to the law argue that Secretary Mellon is not in sympathy with the law now administered by the Treasury Department; that neither \$24,000,000 or any other amount will bring enforcement; and yet with few exceptions they are urging this amendment. Men of national prominence who favor law enforcement are confronted by this argument, but with legisla-

tors are asked to subscribe to the spectacle of Greeks bearing gifts intended only to confuse or destroy.

President Coolidge and President Hoover will be charged with the disbursement of the \$24,000,000. Both have protested against the unbusinesslike proceeding of placing that responsibility on them when not asked for by any governmental agency.

Its disbursement or lack of disbursement would be certain to meet criticism from business and political sources, and the proposal is a legislative gesture that does not reflect credit on the intelligence or sincerity of the American Congress. Such a proposal would be deemed childish and inexcusable if loaded onto a village president against his protest. It would invite certain bankruptcy if a similar policy was adopted by any business interest, from a great corporation to a corner grocery store, and the American Congress represents the world's greatest corporation.

SHIFTING OUR RESPONSIBILITY

Surely we can not lend ourselves to a policy in times of peace of delegating to the President the determination of how \$24,000,000 or \$240,000,000 should be spent. That is our responsibility.

Congress, without strings, gave \$100,000,000 to President Wilson in time of war, and while the necessities of the case required such action and the war covered a multitude of excusable extravagances, the heritage of a \$100,000,000 Muscle Shoals power plant, repeatedly defeated in time of peace, was made possible only by such delegation of authority during war.

For several years items involving many millions of dollars recommended by River and Harbor Committees for navigation, Military Committees for nitrates, and Agricultural Committees for fertilizer at Muscle Shoals were successfully opposed prior to the war. Thereafter the expenditures at Government expense occurred by Executive order.

My own opposition to old-time "pork barrels," whether carried by river and harbor, public buildings, or other bills brought home the fact that committees, made up of Members having projects, were necessarily subjected to undue pressure under the old system that involved many independent appropriation committees. After a long struggle one of the greatest reforms ever brought about in Congress occurred with the passage of the national Budget law in 1921. That law prevents loose methods of legislation and has saved hundreds of millions of dollars to the Federal Treasury in the brief time it has been in force.

Realizing that our Federal Government was a corporation no different in character than other governments so far as its financial resources and disbursements were concerned, I urged repeatedly the adoption of a national budget. Without arrogating to myself any credit for legislative agitation or adoption of the Budget law that followed, I am forcibly reminded by to-day's proceedings of a 40-minute speech made December 14, 1917, on House Resolution 157 based on a resolution I had introduced for a national budget system.

At that time and during the World War I said:

No sermon on the imperative necessity of strict public economy could be more impressive than a brief review of cold statistics I have offered which carry their own unanswerable argument, and it is because of this critical time in the Nation's history when governments are changing form and the toll of life and property is beyond human comprehension that this law-making body should meet the problem without evasion or legislative quibbling.

After referring to messages of President Taft and efforts to enact a budget law in the Sixty-second Congress, I added:

A budget will require annual submission of carefully prepared estimates by the different departments of all proposed expenditures to a control agency there to be reviewed, pruned, and approved before submission to Congress for consideration. Congress will then intelligently determine what should be allowed for the support of government * * *. It will tend toward wise and disinterested consideration of appropriation bills, increased efficiency, curtailment of legislative log-rolling, public waste and extravagance, and will materially shorten sessions of Congress. * * *. Practically every government on earth—some 50 in number—have adopted some form of public budget in order to promote efficiency, economy, and responsibility. Our own Government alone invites wholesale extravagance by refusing to adopt any intelligent legislative financial policy.

During this hour of national peril will our Democratic friends repudiate their party pledge and disregard their leader's (President Wilson's) request or will they, in fact as well as words, join hands with this side of the aisle and unitedly stand by the President in this effort to prevent public waste?

A budget resolution was set forth in full following the speech. Our Democratic friends ignored their party pledge made at St. Louis in 1916, which advocated a single appropriation committee as a "practicable first step toward a budget system," and

even as late as June 24, 1919, one of their most conspicuous and honored leaders expressed the "futility" of any budget legislative hopes. From another fairly lengthy discussion of the same subject on the above date I quote after prior interrogations by ex-Speaker Clark:

Mr. FREAR. The budget committee has the preparation of the revenues and the expenditures of the revenues of the Government. That is the proper place for its consideration, the same as other governments. Every government on the face of the earth has a budget system except ours, and in no other government is there so much carelessness and so much looseness in regard to appropriations. I do not say this is the only practical budget system, but I say that any good budget system that contains the propositions I have mentioned will prove a great improvement over our present system. Of course, you will have to do away with your 14 appropriating committees, having control over 14 to 20 appropriation bills. That is a first and a hard proposal to accept.

CHAMP CLARK, THE DEMOCRATIC LEADER

Mr. CLARK of Missouri. Mr. Chairman, I do not like to take up the gentleman's time—

Mr. FREAR. I do not feel that I have the right to refuse to yield to the distinguished ex-Speaker.

Mr. CLARK of Missouri. I hope the gentleman will get some more time; but this is one of the most important questions that has been discussed since I have been here. Has the gentleman ever figured on these 14 appropriation bills coming from 7 appropriating committees? There are 21 Members on each committee, and seven times 21 is 147. You have 147 Members against you to start with.

Mr. FREAR. I appreciate that, and it is a far larger number than you have stated. The gentleman from Kentucky, Mr. Sherley, when chairman of the Appropriations Committee, said to me, "You will have over 200 against you to start with." But we are going to make the fight through public sentiment, and we must convince our own membership it is right.

Mr. CLARK of Missouri. I am not opposed to it. I am just suggesting to you the futility of talking about it.

Mr. FREAR. We have never got anywhere or anything on earth that we have not talked about. I know that the distinguished ex-Speaker, with all the power that he possesses, must be in sympathy with the proposition of saving time and saving money and—

Mr. CLARK of Missouri. Yes; of course; and I am in sympathy with getting up some kind of a scheme to induce Members to come here and attend to business.

Mr. FREAR. * * * I realize great obstacles that the ex-Speaker has mentioned, and I know the opposition to the project, and what is true here is true with respect to the body at the other end of the Capitol, and Senators are more jealous of their rights, their powers, and perquisites than are the Members of this body. But it has got to come. * * *

EX-SPEAKER JOE CANNON SAID THE BUDGET LAW FIGHT WAS FUTILE

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes. Certainly to the gentleman from Illinois.

Mr. CANNON. Under our Constitution, with a Senate that changes one-third of its membership every two years, and with a House that changes every two years, how in the world can you have a budget governing the whole public service and get anything out of it? As I understand it, in Great Britain, when their budget is turned down, they go to the people at an election. You can not do that here. I suppose that is also so in France, and I suppose it is so in Italy.

Mr. FREAR. If the distinguished Republican ex-Speaker, to whom we all listen with profound respect, as we also listen to ex-Speaker Clark, will reflect a moment, they will both realize that when the Republican Party challenges the record of the Democratic administration, or when the Democratic Party challenges the record of a Republican administration, we must stand on our record, on the moneys we demand and vote, and if a Republican Congress does not give a Democratic administration a sufficient amount of money to properly run the Government the public at large will not retain us in the service, but will turn us out. That is our responsibility. In other countries to which reference has been made they oust the ministry. Here we can not do that. It will take time to make necessary changes, but fundamentally the same principle is at the bottom of it. Under this resolution that I have proposed and under the two bills that are proposed we would have the same situation as exists in Great Britain, where an enormous amount of time and an enormous amount of money is saved compared with our lack of system. * * *

Mr. FREAR. I realize, as both distinguished ex-Speakers have said, that it is hard to attempt to outline in brief time the importance of this subject, but I am going to insert the bills, resolution, and other data, and if you will do me the honor to read them you will find a way pointed out, and you will find I have outlined not only the faults of the present system but the object to be attained by a new real budget plan.

Mr. CLARK of Missouri. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended 10 minutes. If he can devise a way

to get a budget, I would like to hear of it. I am not opposed to the budget. I ask unanimous consent that the gentleman's time be extended 10 minutes. * * *

I have quoted briefly from my remarks in the House during the fight for a budget law to disclose that ex-Speakers Clark and Cannon, two of the most able men of this body during the last quarter of a century, both expressed the futility and hopelessness of any budget law for the United States. Less than a decade ago we were drifting financially in legislation without star or compass. We regulated our income by our expenditures. Then we passed the law to prevent such an amendment as that offered by the Senate and now before us.

Under the budget law we seek now to limit expenditures to income and to use the same judgment an individual would use in the regulation of his own business or family expenditures.

I repeat that no sensible man doubts that, irrespective of returns from fines or penalties that lessen actual costs of enforcement, Congress will appropriate every dollar asked for by any responsible governmental agency for law enforcement, and this applies to every governmental activity, whether it concerns the eighteenth amendment, narcotics, immigration, or other law violations.

The President has repeatedly called our attention to the necessity of observing Budget recommendations if we are to keep within income and estimates.

Congress should do this without Executive warning because the responsibility is ours under the law. Not one valid excuse or argument has been offered for this \$24,000,000 super budget expenditure, nor for the unprecedented effort to load such expenditure onto an executive who repudiates the act in advance. To do so in opposition to the clear intent of the Budget law and against the announced opposition of the President is a spectacle that does not reflect credit on a body that makes a pretense of enforcing individual compliance with law by itself violating a plain provision of law and also of the Constitution that places responsibility for all expenditures with Congress.

I have not mentioned the charge that the \$24,000,000 amendment is intended for political claptrap or for the rehabilitation of a political party or to injure law enforcement by its claimed futility.

These charges are beside the question and of slight importance compared with an effort to destroy the integrity of the Budget law without the shadow of an excuse for such action. Emergency expenditures will ever be called for by deficiency appropriations, but the Senate \$24,000,000 amendment or any other amount is without any official sanction by those who have been selected by law. For that reason the resolution sending to conference should be passed, and the Senate conferees, without prejudice, should strike out this item because of the reasons mentioned. If any effort to prevent needed law enforcement appropriations is ever offered in either branch of Congress it may be necessary to propose amendments to that end, and they will be passed overwhelmingly. The purpose of this amendment, however, is not to meet any failure of such duty on the part of the Appropriation Committee or of either branch of Congress.

Mr. HUDSON. Mr. Speaker, I know that there is no occasion for me to use any of the time allowed me in the debate on this amendment to state to my colleagues my position on the eighteenth amendment or the Volstead Act for the enforcement by the Government of the same.

I gave six of the best years of my life to the writing into Michigan's constitution a prohibition amendment and then the enacting of an enforcement code that is equal, if not superior, to the Volstead law. The State amendment and its enforcement law has stood the test of every assault upon it as has the Volstead law of the national enforcement code, and the question of the prohibition of the beverage liquor traffic is firmly established in the State constitution as it is in the national Constitution.

The history of legislation in this Nation reveals the fact that no prohibitory law that has lived through 10 years has been repealed. I stand ready to-day to vote for any appropriation in any amount, be it \$5,000,000 or \$50,000,000 for the enforcement of the law, when such appropriation is requested by any or all departments that have to do with its enforcement and it can be shown how it can be used effectively, or upon the request of the President, who in theory, if not in practice, is responsible for the well-being and safety of this Nation of ours.

In the matter before us to-day of adding to the deficiency appropriation bill an item of \$24,000,000 for enforcement, there has been no such request or suggestion. In fact, 60 days have not elapsed since every one of these departments has been before the Appropriations Committee on two separate occasions, first in the drafting of the regular appropriation bill covering

the actions of these branches for the coming fiscal year and then again covering their requirements in this very bill, the first deficiency bill, now before us. On neither occasion did they separately or together suggest they could efficiently use any such an amount of money, this year or next year. The fact is that this body did enlarge their original estimates where it was found such additional amounts could be used.

No, my colleagues, this does not come before us fairly on its merits as a matter of adequate enforcement of the prohibition law, but rather as a clever political move, which it is thought will catch the fancy of people who desire the best conditions before they can have time to analyze just what is involved here.

On Tuesday morning I received, as I apprehend you, my colleagues, all did, a letter from Dr. F. Scott McBride, general superintendent of the Anti-Saloon League of America, asking support for the amendment and giving, at some length, the reason for his position. The press had carried a statement a few days before which indicated his opposition. This, he said, was a misconception of his position.

I immediately sent the following reply:

JANUARY 28, 1929.

Mr. F. SCOTT MCBRIDE,

General Superintendent Anti-Saloon League of America,
Washington, D. C.

MY DEAR DOCTOR MCBRIDE: Your circular letter of January 28 is on my desk this morning, and I note with great interest your appeal and reasons for the adoption of the Senate amendment to the first deficiency bill, providing \$24,000,000 for the enforcement of the national prohibition law.

Even though your arguments are set forth very fully and as you see it very clearly, I still have misgivings as to the wisdom of the adoption of this item to the appropriation bill; and in that position I want to go on record as being more than willing, indeed anxious, to support every suggestion or intimation that President-elect Hoover may make for the strengthening and enforcement of the eighteenth amendment; and in that connection may I say that I have great confidence personally in what he may desire to do as well as what he may do in that connection. However, as it appeals to me now, it will be unwise to adopt this amendment until a suggestion is given by Mr. Hoover concerning the same.

Congress is going into special session within less than 60 days probably. When it meets in special session he will be President and there will be an overwhelming majority on both sides of the Capitol to carry out quickly and thoroughly his wishes. Until he has spoken I feel it will be unwise to put this amount of money at his disposal.

In the second place, I question very seriously the motive behind the original proposal for such legislation.

In the third place, until the Customs Service, the border patrol, and the Prohibition Unit patrol system can be unified and their organization under one effective head, the amount of money that we appropriate for the men we employ will go to make mighty little difference as to the effectiveness of enforcement. We need more than money, the enactment of the Stalker bill, and the enactment of a United States border patrol law.

With the best of wishes, I am,
Yours sincerely,

GRANT M. HUDSON.

Yesterday I received the following telegram from the State superintendent of the Michigan Anti-Saloon League:

DETROIT, MICH., January 30, 1929.

I earnestly hope you will support appropriation bill 15848 carrying \$24,000,000 additional for prohibition enforcement, but on condition that it be safeguarded by being placed in the hands of President or President and Prohibition Commissioner, to be used as needed for more effective enforcement. I feel certain that I reflect the views and wishes of most of the temperance forces of this State.

R. N. HOLSAPLE.

To which I sent the following reply:

WASHINGTON, D. C., January 30, 1929.

Dr. R. N. HOLSAPLE,

McKerchey Building, Detroit, Mich.:

Have publicly announced my intention to vote against Harris amendment. Confident I can justify my position before constituency.

GRANT M. HUDSON.

This question to-day is entirely a political one, with two angles to it—one of a party who desires to emphasize that even though their candidate said he would seek the repeal of the law and went down to defeat on that platform, they still are entitled to a seat among the respectability by fathering this \$24,000,000 for law enforcement, even though it is to be used or not to be used; that is of small interest. And the other angle, that they can by its adoption some way embarrass the incoming President, who has plainly stated his splendid position of supporting the eighteenth amendment and its enforcement.

Gentlemen, we have laws enough, regulations enough, money enough to enforce the law if they had strong purpose behind them. Only determination is wanting. Twenty-four million dollars will not put iron in the blood of the enforcing officers. That does not take money; it takes public sentiment. To illustrate how this public opinion can function to the success of halting lawlessness let me read the editorial from one of the dailies of my city:

LAW ENFORCEMENT IS SHOWN

Those who believe in law enforcement, and there are many such, have suffered rebuff of their demands by the claim from some great centers that law can not be enforced. Indeed, the showing has been such that there seemed weight to the contention.

But now here comes both New York and Chicago putting on the most drastic law-enforcement campaign in years, and it appears to be getting results. It begins to appear to those looking on from the outside that the condition in both the cities came to such a pass that it could not be tolerated, even by those who have previously winked at the situation, and now a thorough going clean-up program is on.

In Chicago the readers remember that on a day early this week some 3,394 criminal suspects were rounded up summarily. Even the right of habeas corpus appears to have been in some measure suspended. So quickly were the undesirables apprehended that it seems highly evident that the police of Chicago know exactly where to place their hands on those wanted. If they can do it one time, it can be done another.

The drastic clean-up in Chicago is in some measure the result of what has been going on in New York. How the campaign in the eastern metropolis was instigated by public demand, following the murder of a prominent gambler, has already been told in these columns. An unpretentious citizen might have been slain and the fact would hardly have been noticed, but the slaying of the picturesque Rothstein made newspaper copy. Mystery added to public interest until the whole city was agog over the crime. It became evident to the public that there was some species of police connivance in high quarters and the demand that something be done became political. Even Tammany meets the demands of an aroused public. So the crooks have been driven from New York, only to head for Chicago. * * * Both cities are demonstrating what can be done if there is a will to do it.

However, let me call the attention of the House to the fact that the amendment to the deficiency bill as it now lies before us does not do what even a sincere friend of the amendment might wish it to do.

Secretary Mellon in a letter to the Appropriations Committee of the House calls attention to that fact. I quote him as carried in the morning press:

It is my understanding—

The Secretary wrote—

that in order to make prohibition enforcement more effective the Senate intended to provide additional funds for certain purposes, such as the relief of congestion in the courts; increasing the fleet, equipment, and personnel of the Coast Guard; increasing the effectiveness of the Customs Service, including the border patrol; and increasing the personnel of the Bureau of Prohibition and the Department of Justice; and that inasmuch as it was impossible definitely to allocate the sums to be spent for certain specified purposes at this time, the additional funds provided were to be allocated as the President, in his discretion, might decide.

I feel that it is my duty to point out to you that an examination of the amendment reveals that it will not accomplish the purposes intended. The appropriation will not be available for any of the purposes above enumerated, except increasing the personnel of the Bureau of Prohibition and the Department of Justice, nor will it be available for the conduct of an educational program which may have been contemplated.

The amendment as adopted provides funds for increasing the enforcement force. Granting that the language should be construed most liberally and in the light of the desired ends which the Senate was seeking to accomplish, I fear that the appropriation would not be available for more than an increased personnel.

This being true, an examination of the amendment clearly reveals the Secretary's contention. I shall, if the rule is defeated to-day, immediately seek recognition to offer the following substitute for the amendment:

For the enforcement of the eighteenth amendment, the national prohibition act and supplemental acts, the tariff acts, and all laws pertaining to the traffic in intoxicating liquors and narcotics, the sum of \$24,000,000, or such portion thereof as the President may deem useful, to be expended in the discretion of the President through the Department of Justice, Coast Guard, Customs Bureau, and Prohibition Bureau; and he may allot a sufficient sum or amount to the Civil Service Commission for the examination and investigation of eligibles for employment in the enforcement of such laws in the various agencies above mentioned in accordance with existing law, and to remain available until June 30, 1930.

Now, Mr. Speaker and my colleagues, it is useless for such denunciation of men or organizations as are indulged in to-day. There are no finer groups of men or women in the world as a whole than the men and women who are working in the temperance organizations of this country. There may be and there are some on the official staff of those organizations who lose the vision of great service and ethical living, but that is true in all stratas of human life and endeavor.

I repeat, as a whole, they are characters of worth and their service of the Nation is constructive and faithful.

Nor is it worth while to designate the men in our enforcing groups "snoopers, sneaks, and so forth." Again, while there are those who violate their oath and forget their purpose of service, thousands of these men are giving faithful, honest, and efficient service and that, too, in the face of almost without exception inadequate recompense. This service they render while in constant danger from the most dangerous class of law violators the Nation has ever known.

Mr. Speaker, I shall vote for the rule referring this matter to the conference committee realizing that there will be those without doubt as members of the conference who are leaders, recognized not only on this floor and in this body but throughout their State and Nation, in this matter of prohibition and law enforcement, and I am confident that their attitude as conferees will reflect a majority sentiment of the dry membership of this House.

Mr. IGOE. Mr. Speaker, my attitude on the question of prohibition is, I believe, well known, not only to the Members of this House but to my constituents as well. As one who conscientiously believes in personal liberty, I advocated during my last two campaigns for office a modification of the Volstead law, and since I have been a member of this distinguished body I have continued my efforts in that direction, believing such action would at least partially restore to the citizens of this country their inalienable rights guaranteed them under the Constitution and would eventually eliminate the corrupt conditions now existing in practically every city, town, village, and hamlet within the boundaries of this great Nation.

It is my opinion that no law can be enforced unless it have the popular will of a majority of the people no matter what amount of money is appropriated or in whose hands the execution of the same is intrusted, especially when the appropriation is not asked for by the officials charged with the administration of such law.

The President has expressed his opposition to the \$24,000,000 item for the reason it would conflict with his economy program. The Secretary of the Treasury has seen the futility of such an appropriation and has publicly denounced it on the excuse it is not needed. Doctor Doran, the Federal Commissioner for Prohibition, himself says that the great cause is in such a fix now that it would require a yearly appropriation of \$300,000,000 and the establishment of a new and nation-wide system of Federal judiciary to enforce the Volstead Act. For five years every competent prohibition official in the service of the Government has declared that the annual appropriation is ridiculously inadequate and that instead of \$30,000,000 a year \$300,000,000 would be a more realistic estimate. What is the attitude of the aforementioned Government officials charged with the administration of the provisions of this ridiculous law, I ask? They seem to have a varied difference of opinion as to just what is needed to adequately care for the situation, and are, more or less, hiding behind a smoke screen. The facts are that all deep-thinking and fair-minded people of this country do not want this law enforced, and those intrusted with its execution are only lukewarm toward it. In view of this situation it is very evident that an appropriation of \$24,000,000 will not materially relieve the outrageous conditions that confront us to-day.

I am, therefore, opposed to the Senate amendment to the deficiency bill for the reason: First, it would be a useless expenditure of the taxpayers' money; and, second, it has been encouraged and abetted by the members of the Anti-Saloon League, Bishop Cannon, Scott McBride, and others connected with the dry movement. These principal agencies of political activity on the part of the churches are:

The Federal Council of Churches, representing 28 denominations with 23,000,000 communicants, which specializes in pacifistic propaganda in opposition to military training and in lobbying against strengthening the Army and Navy.

The national conference of organizations supporting the eighteenth amendment, the recent amalgamation of 33 societies devoted primarily to maintaining and strengthening the national prohibition law.

The Methodist Board of Temperance, Prohibition, and Public Morals, an aggressive and influential propaganda and lobbying agency in the interest of prohibition and suppression of vice.

The Anti-Saloon League of America, the political machine functioning at the National and 48 State Capitals through which the churches brought about national prohibition and are now safeguarding the institution from modification.

The Church Peace Union and its subsidiary, the World Alliance for International Friendship through the Churches, another agency of the Protestant denominations for pacifistic propaganda.

These organizations alone expend more than \$2,500,000 a year in their activities, while a multitude of affiliated organizations expend as much more.

With these various agencies organized as departments of their political activity, the churches are aiming to reduce the amount expended on national defense and to increase the amount devoted to the enforcement of prohibition. Millions for prohibition but not one cent for cruisers represents the attitude of the church lobby on the pending proposals to increase appropriations for prohibition enforcement by \$24,000,000.

Through this appropriation these leaders of the so-called dry movement would expect to be called upon to suggest law-enforcement officers in sympathy with their motives to be placed on the pay rolls of the Prohibition Department. The statement was made on the floor of the House that only 60 per cent of the present force of over 2,000 field officers have been appointed pursuant to the civil service act applicable to the Bureau of Prohibition. Informal advices received from the Civil Service Commission indicate the examination recently held to determine eligibles for appointment as agents under the Prohibition Department will not be completed for a year or more. Therefore what are we to assume? That the remaining 40 per cent of vacancies are to remain vacant during this period or are temporary appointments to be made, thus enabling this organization to wield its influence in such a manner as to control these appointees.

I have heard it said repeatedly that the actions of the Anti-Saloon League could easily be likened to those of the gunman who meets a law-abiding citizen on the street, sticks a revolver to his head, and relieves him of his possessions. The only difference is, a gunman takes a chance with his own life, while these individuals are extracting money from the taxpayers without danger to themselves, under the guise of better civic government for the country.

Reference has been made to the last presidential election and the Members of the House have been admonished to keep faith with the American people. The statement was made that something like 15 per cent of the electoral vote of the last election has been interpreted by some as a wet vote and something like 85 per cent as a dry vote. Let me point out that scores of editorials from leading papers all over the country show that prohibition was defeated in the only two States having a chance to vote on it—Montana by 10,000, which gave Mr. Hoover about 26,000 majority, and Massachusetts by 250,000, which only gave former Governor Smith a majority of about 21,000. A complete analysis of the vote in the recent election will show that former Governor Smith received at least 3,500,000 more votes than he would have received if he had not favored modification.

I contend, therefore, the only real and logical way to enforce prohibition is to meet the will of the people and repeal the law now in force. The fanatics of Volsteadism uplift their hands in assumed holy horror. But I believe that the right of repeal is as sacred as the right of enactment. The organization of citizens for the purpose of bringing about, by legal means, the modification or repeal of any law which those citizens consider unwise or unenforceable I submit is commendable. It is the right of the free citizen to advocate the enactment of any law based on elementary morality, or the repeal or modification of any existing law, and to associate himself with others in that effort. It is also the right of the people to organize to oppose any law and any part of the Constitution with which they are not in sympathy. That is the very base of free speech and of our constitutional guaranties.

Let us then face the facts as we have them. Experience has taught us during the past few years that the prohibition movement is not in sympathy with the will of the people. The only alternative, then, is to relieve ourselves of that evil. Let us clean the slate. Repeal the eighteenth amendment and its accompanying act, and create new legislation that shall blot out utterly, for the welfare of our Government and of all our people, the terrors of prohibition. Let us have absolute repeal.

Mr. EDWARDS. Mr. Speaker, while there is nothing new in the arguments heard in connection with the proposed increase in the appropriation for enforcing the prohibition law, as would be effected by the Harris amendment, there is great interest in it. It is of more importance than the casual thinker would at first conclude. It is of interest to all.

It is a matter of general knowledge that those charged with the enforcement of the prohibition law have from time to time

given "lack of funds" as an excuse for their failure to more effectively enforce the law. I am not one of those to admit the law is a failure, nor do I admit it is merely an experiment. It was never intended by those of us who framed the eighteenth amendment to the Constitution that it should be a failure or merely an experiment. I assert it is neither a failure nor an experiment. Great progress has been made in the comparatively short time the act has been in force and in it is a moral issue that will not down. Whether wet or dry, all admit the open saloon was an open shame and a menace to our civilization. While conditions are not now as ideal as they should be there is a marked improvement over the old conditions. None of us would turn back to conditions as they were prior to the eighteenth amendment. The most ardent advocate of rum has to admit its harmful effects upon those who use it habitually or to excess.

PEOPLE MUST BE EDUCATED

If prohibition was good and essential during the war, why is it not good and essential in peace time? If it is important to have sober citizens who can think sanely and safely during a period of war, is it not also important that our people be sober and able to think sanely and safely during an era of peace? There is nothing more important to a nation, especially our Nation, than the moral and physical welfare of its people.

No nation is stronger than its citizenship. A sober citizenship is much stronger than a liquor-debauched citizenship, with minds inflamed from the poisons of alcoholic beverages. There is no argument about this. The amendment offered in the Senate by the senior Senator from Georgia, Hon. WILLIAM J. HARRIS, would give an increase to the prohibition enforcement fund and would place it at the disposal of the President. This fund could be used in many ways to help carry on the important work of law enforcement. It could be used for educational work in educating the people of the Nation as to the harmful effect of strong drink, in building up stronger sentiment for law enforcement generally, and in an effort to build a better citizenship. It could be used to carry messages to the younger generations as to the importance of keeping the mind free from that which depletes the mental and physical being. It could be used to instill a loyal devotion among the old, as well as the young, to the Constitution of the United States. It can not be argued that educational work is not necessary, for only recently a man who was being interrogated in the courts of Washington as to his qualifications to serve on the jury frankly admitted he did not know there was any such thing as a prohibition law in the United States and admitted he had no knowledge whatever of what the eighteenth amendment to the Constitution is. In fact, I doubt if he knows that there is a Constitution at all. He is not alone in this. There are many others throughout the land who are as ignorant on it as he is. The light should be carried to them. A great many people violate the law through ignorance, while many violate it for the money they get out of it. One thing certain, there would be no sales if there were no consumers or buyers. When the people are educated, through temperance, when they fully realize the harm they do in helping some one else violate the law, there will be less drinking; and when the people know, especially the reckless young people, that they are harming and destroying themselves, as well as tearing the heartstrings of their parents and doing great harm to human society and to our Government, there will be still less drinking.

It has been said, and I expect with considerable force, that prohibition came at least 15 to 25 years sooner than it would have otherwise arrived through the temperance teachings that were being carried on. That it would have come sooner or later, despite the eighteenth amendment, there is no question. It was precipitated through war conditions that arose. Drinking was growing less each year. The good women and the temperance leaders were making great progress, and the harmfulness of strong drink was being stressed everywhere and many people were refraining from strong drink because they had learned it was bad for them.

CRIME MUST BE PUT DOWN

It is vital to the welfare of this Republic that its laws be respected and enforced. To admit that we can not enforce our laws is to admit a weakness that will destroy our Government, if it is true.

The prohibition question has never been a partisan question. It ought never to be a partisan question. It is a moral question. Some say it can not be enforced because it has not sufficient sentiment behind it. That is just the purpose of the amendment offered by Senator HARRIS, who is one of the outstanding dries of the Nation, to enable those charged with law enforcement to build up a healthy sentiment that will not only stand against law violations but will stand like a stone wall on all issues that make for the best interest and the substantial moral welfare of our Republic. Sentiment is swinging more

and more to respect for law and for law enforcement. People of sound thought, regardless of their views on the prohibition question as an issue to itself, are coming to the view that a more wholesome respect for law and for law enforcement must be built up. If we fail to enforce one law how long do you think it would be before highwaymen would be trying to break down the laws with respect to robbery? How long would it be before the world-wide monopoly, that fosters narcotic sales, would start the cry that a man has the right to buy and use narcotics, and how long would it be before sentiment is undermined with respect to that important law? No sane man who is a "dope fiend" wants to see his child develop into one. No drunkard wants his son to follow in his footsteps.

We must do the best we know, not for the present generation alone, but for generations yet unborn, and we must take a stand, as good citizens, on these moral questions as they arise. The milldam that holds back a great pond of water is strong and a thing to be admired, as it performs its useful purpose, yet if a little place is weakened and a trickle starts over it, a washing away and a weakening will take place, as it grows larger and larger, until a great wide break in the dam occurs. Then it is impossible to stop the flow. Our laws are a great bulwark. They can be likened to the strong milldam. Our laws hold back and prevent a great lot of crime. If permitted to be washed away with maudlin arguments about "personal liberty" and the like, the crime wave will become so large that it can not be controlled. The law has ever been the bulwark of our liberties. Our liberties are not lost because of law, but to the contrary, they are protected and guaranteed to us through and by law. The administration of the law, as to all classes, as to the rich and the poor, without favor or affection, should be enforced with equal justice and impartiality to all.

Dr. F. Scott McBride as well as Bishop Cannon have been misrepresented in the debate that has taken place on this question, and in fairness to Doctor McBride, I am inserting his statement in the RECORD as a part of my remarks, giving his position with respect to this amendment. Bishop Cannon's position is very much like that of Doctor McBride's.

The statement is as follows:

STATEMENT BY DR. F. SCOTT M'BRIDE, GENERAL SUPERINTENDENT ANTI-SALOON LEAGUE OF AMERICA, WASHINGTON, D. C., ON THE \$24,000,000 APPROPRIATION FOR PROHIBITION ENFORCEMENT

I heartily approve of the appropriation of the fund passed by the Senate and the placing of this fund at the call of the President, to be allocated through the different departments having to do with prohibition enforcement. This can safely be used under a budget by the departments.

Following the dry victories of the recent election, it was a foregone conclusion that the dry Congress would give the President, who carries the responsibility for enforcement, what funds were necessary to aid him in the enforcement of the prohibition law.

In the very beginning of this discussion I publicly stated that the fund proposed should be accepted under a carefully prepared budget presented by the department. Later I called attention to the fact that the Secretary of the Treasury had not in his letter refused the appropriation, and that he had well said that some of the funds should be used in the Justice Department to give better court service; that other phases of the work he mentioned should be speeded up; and suggested that he go over the work and present a more intensive budget as a proper procedure.

I have never nor do I now favor making so large an appropriation to any one department, to be expended by that department head without a budget. That would be poor business. There can not, it seems to me, be any just objection to placing this fund at the call of the President, to be directed by him to the different departments having to do with prohibition enforcement. The amendment to the Harris amendment to this effect removes what legitimate objections there were to the original statement.

While the apparent politics involved prevented some of the leading dries from voting for the appropriation in the Senate, yet it need not do so in the House and in committee. The House, I think, should concur in the appropriation.

EVERY WET AGAINST AMENDMENT

As proof that my position is correct in this matter, aside from the dictates of my own conscience as to what is right, I assert, without fear of truthful contradiction, that every wet Democrat and every wet Republican, with the possible exception of one, and there are many wets in this House, voted against the amendment that gives the increased appropriation for dry-law enforcement. Now, why is this? Why are the wets all against it? The vote was not on the amendment itself but on the gag rule the Republican Rules Committee brought in here with which to avoid a vote on the question. Many have taken refuge behind this rule as a blind, but the question is, Will the people not peep behind the blind?

A STRONG APPEAL

The liquor forces are ever alert and active. Every method is being used that can be commanded by them to discredit temperance and prohibition. Many dries have been misled into voting against the Harris dry amendment because they say it costs too much. If prohibition can be enforced and established in theory and practice in the United States, its value to this Republic and the world can never be measured in dollars and cents. It will be worth all that it may cost.

I have a letter inclosing a resolution adopted by the College of Bishops of the Methodist Church South, which is a great body of good men, making a strong appeal, and, as a part of my remarks, I am inserting it in the RECORD, because it is along the right line and should be read far and wide. It is as follows:

BOARD OF TEMPERANCE AND SOCIAL SERVICE,
METHODIST EPISCOPAL CHURCH SOUTH,
Washington, D. C., January 25, 1929.

DEAR CONGRESSMAN: We are inclosing copy of action taken by the College of Bishops of the Methodist Episcopal Church South, at Memphis, Tenn., on January 1, 1929.

Cordially,

JAMES CANNON, Jr., *President.*
EUGENE L. CRAWFORD, *Secretary.*

MESSAGE TO THE CHURCH

We would bring to our people another exceedingly important matter. The people of the United States have by the method prescribed in the Constitution branded the traffic in intoxicants as criminal. Therefore we would strongly emphasize that while effective enforcement of the eighteenth amendment at whatever expense of men and money must be the persistent aim of the legislative, judicial, and executive branches of both Federal and State Governments, it is the unquestionable duty of all patriotic citizens, and especially of all affiliated with the churches, to be exceedingly scrupulous in their personal observance of the prohibition law.

We call upon our Christian citizenship to give hearty, active, and continuous support to all proper methods and agencies to promote total abstinence and prohibition observance. We urge our pastors, Sunday school, and social workers to adopt and put into effect an adequate educative program to develop a steady growth of public sentiment in behalf of temperance and the observance of the prohibition laws among all our people. It is a significant and important fact that the bootlegger can be quickly put out of business when all the people of reputable standing cease to patronize him.

We also most respectfully and earnestly appeal to the secular press of our country—daily, weekly, and monthly—that it emphasize more frequently the good results which do and would follow the acceptance and observance of the prohibition law, which law is fundamentally simply an effort of organized society—that is, the State—to protect itself and to promote the general welfare by the restriction of the admittedly unnecessary and frequently hurtful indulgence of the appetite of the individual citizen. Furthermore, as nearly all the countries in the world are now grappling with the same evils which are inherent in the traffic in alcohol, it is vital that our own country should make effective the law which it has adopted after so many years of experiment and labor.

W. A. Candler, Collins Denny, Edwin D. Moulton, John M. Moore, W. F. McMurry, U. V. W. Darlington, H. M. DuBose, W. N. Ainsworth, James Cannon, jr., W. B. Beauchamp, Sam R. Hay, Hoyt M. Dobbs, and H. A. Boaz.

AMERICAN INSTITUTIONS MUST BE PRESERVED

Some assert that the wave of lawlessness and the disrespect for law is the outcropping of lawless elements that have slipped into this country from other lands. It is not all due to that cause. We find far too many of our native stock as defendants in the criminal courts. Far too many American youths are developing into criminals. The home training is lacking, I fear, in many cases. It is a matter of serious concern, and men who think soberly are trying to find the real cause. Whatever it may be, it should be remedied. Too many people from good families are in the chain gangs and penitentiaries of this country. There must be a check to crime, and the check in some measure can be effected in the way these good bishops have indicated. A healthy sentiment for law and order must be built up and maintained. Every good citizen should do his part. The welfare of our Republic and our liberties are at stake. The immigration laws should be tightened up and everything else done that needs to be done to check the rising tide of crime that is sweeping the country. The prohibition law is not the only one being violated. It is not the cause of the crime wave either as some utterly thoughtless and reckless wets would have us believe. But for the prohibition law no one can even surmise how serious conditions would have been during this inexplicable crime wave. It is safe to say conditions would have been many times worse than they are. Regardless of the cost, this crime wave must be ended. I think much of it can be cured in the homes and the schools.

The mothers of the land, always powerful in their Godly influence, should bend their efforts as never before in the making of better men and women of their sons and daughters, and all of us should lend a helping hand in this work that is so vital to our country.

Mr. MORROW. Mr. Speaker, I followed with keen interest the debate in the Congress upon the amendment made by Senator HARRIS to the deficiency appropriation bill, said amendment providing for \$24,000,000 to enable the President to determine methods for the enforcement of prohibition.

The majority party in the House decry this move as a Democratic move to rehabilitate Democrats who lost in the last election with their party again. Still the Republicans pose as the dry party now, just as they did in the election which has passed into history.

Had prohibition been the sole issue in the campaign now history, in my opinion, a somewhat different verdict would have been rendered. In much of the country the issue spoken aloud was prohibition, but the issue whispered was religion, and that un-American spirit, coming from people whose intelligence as to the knowledge of what constitutes a Christian and the doctrine of religious freedom in America was prejudiced, had a very telling effect upon the election in the interest of the Republican nominee.

Let us study the question of prohibition as to honest, impartial enforcement of the present law, and in so doing the conclusion must be that from the conditions existing in the Nation that the administration of the same is either incompetent or corrupt.

There should be some method vigorously put in force by investigation by some committee with sufficient funds and power to determine impartially what is wrong. That failure exists in many cities and other localities, where either there is no real effort at enforcement or the question of politics is a controlling factor, is apparent.

The enforcement of prohibition by an orderly and intelligent method would, if the same can be accomplished, be one of the greatest blessings that could come to humanity.

This not only applies to the United States but likewise applies to all other countries where alcoholic liquor is manufactured and used as a beverage. In my opinion, in order that this be brought about we must again go back to the educational feature which was dropped and the law of force started and now by corruption many of the officers of the law have been debased through the ill-gained money of the bootlegger until a considerable percentage of the Nation has become violators of the law.

The corrupt ring of bootleggers in every city in the United States at this time is an example of the manner in which prohibition has been enforced. The argument of those in power, and under whose control the enforcement is delegated, is that there is no proper program whereby this money can properly be expended successfully. The answer is—what has the party in power been doing during the eight years that it has been charged with this enforcement? What has the Secretary of the Treasury been doing in his organization of the Prohibition Unit? If he has not mapped out a program in eight years, and he is to be continued under the incoming President for four years more, surely unless the necessary funds are supplied the President-to-be after March 4 so that he can plan a program of enforcement, there must be admission by the party that now controls the reins of Government that prohibition is a political blind behind which they can hide and still win by a subterfuge and deception of the citizenship of the country.

It is admitted by the Secretary of the Treasury that there is great congestion in the courts on account of the vast amount of prohibition cases pending. This indicates that violations are becoming so numerous that many new courts must be established to handle the violations, which means additional judges and prosecutors. It would appear reasonable then that funds are needed, and needed badly, in order that we have a temperate Nation which our intelligence should justify.

The conditions existing justify Congress in thoroughly investigating prohibition enforcement in the Nation at this time, and placing the blame where it belongs, for the lack of law enforcement.

That existing conditions must call for drastic and unwarranted legislation, such as is demanded in the State of Michigan, which has become the most rabid State in its laws for violation of the eighteenth amendment, is deplorable. That State is demanding a penalty for violation of the liquor law of a sentence to the penitentiary for life; such legislation now is strongly opposed by the Republican governor, and he is threatening to veto the act if it is passed. This same State sent a poor, ignorant woman to the penitentiary for life for a third conviction. It is my belief that just such arbitrary, drastic, cruel power is

what will cause the public to lose confidence in the purposes of the law. I want to say that I am a believer in the education of our people to the need of temperance in the Nation. Let us examine the thought of some of the real students of prohibition, and likewise note the faulty and wrong spirit prohibition has brought to the people of our country.

The head of the National United Committee for Law Enforcement says:

The liquor law is being nullified from one ocean to another * * * homes are being converted into stills and wildcat breweries; stores of every variety are being camouflaged into places of distribution as substitute saloons. * * * And yet, while America burns with alcoholic eruptions and the handwriting flashes on the wall, Congress fiddles and splits hairs over a penny-ante appropriation in defense of the Constitution.

That same committee sends an "emergency message to the House," and states in part:

A MANDATE TO ENFORCE

The country has spoken in emphatic terms on the issue of prohibition. It selected a candidate committed by platform and speech of acceptance to the effective enforcement of the eighteenth amendment by approximately 7,000,000 majority.

The verdict of the people should be binding upon Congress as well as the President. The President has made known his policy of a fact-finding investigation and enforcement and ought to have the support of every patriot in Congress and out, until the prohibition policy has had a fair and impartial trial. For this reason we stand committed to hold up the hands of the President elect, and believe that he should have at his disposal, upon induction into office, a sufficient sum of money or "such part thereof as the President may deem useful * * * to be allocated as he may see fit."

If such fund is not provided by the present short session, under the projected plans for an extra session, funds for the scientific investigation and enforcement of prohibition favored by the President elect will not be available for months to come, as there would be no machinery to appropriate such money.

We are sure that the House would not wish thus to hamstring and hobble President Hoover. For this reason we favor the bill with one important and vital change.

Thus, when it is claimed by many writers and men who have studied the prohibition question that the use and sale of alcoholic and bootleg liquor is being used to-day in a greater amount than during any period since the enactment of the eighteenth amendment and the Volstead Act, and that criminals are being created by the sale of bootleg liquor, it is time that definite action be taken.

When those who supported the Republican candidate for President are claiming that an unprecedented victory was won on the prohibition issue, it would appear to me that the amendment should be adopted, which places in the hands of the President sufficient funds for the carrying forward of the enforcement of prohibition, if it can be enforced, and which gives him full discretion to plan a program for such enforcement of the eighteenth amendment.

FEDERAL PENAL AND REFORMATORY INSTITUTIONS

Mr. COOPER of Ohio. Mr. Speaker, I am directed by the special committee which was appointed to make a survey and investigation of all of our Federal penal institutions to present its report to Congress.

The SPEAKER. The gentleman from Ohio presents a report, which the Clerk will report.

The Clerk read as follows:

Mr. COOPER of Ohio submitted a report from the Special Committee on Federal Penal and Reformatory Institutions.

The SPEAKER. Referred to the House Calendar and ordered printed.

Mr. COOPER of Ohio. Mr. Speaker, I would like permission to have the report which I just sent to the Clerk's desk printed in the CONGRESSIONAL RECORD.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the report referred to may be printed in the CONGRESSIONAL RECORD. Is there objection?

Mr. BLACK of Texas. Mr. Speaker, reserving the right to object, may I inquire as to how many pages are in the report?

Mr. COOPER of Ohio. Only eight pages.

The SPEAKER. Is there objection?

There was no objection.

The report referred to follows:

JANUARY 31, 1929.

HON. NICHOLAS J. LONGWORTH,

Speaker of the House of Representatives,

Washington, D. C.:

The following report of the committee appointed pursuant to House Resolution 233, Seventieth Congress, first session, is hereby submitted.

Resolution No. 233 reads as follows:

"Resolved, That a special committee is hereby created, to consist of five Members of the House of Representatives, to be appointed by the Speaker. Said special committee is authorized and directed to hold hearings and to obtain all available information from dependable sources relative to Federal prisoners confined in Federal, State, county, and municipal prisons and jails; the care of such prisoners as to housing, food, health, recreation, work, discipline, classification, medical treatment, and other pertinent facts; the rates of compensation paid for maintenance and board of such prisoners, the services rendered for such compensation, and the beneficiaries of such compensation; and the need for additional Federal penal and reformatory institutions to take care of the Federal prisoners.

"Said special committee is further authorized and directed to make a survey of the employment of prisoners in the penal and reformatory institutions of the United States and of the several States; to gather information and statistics from reliable sources of the amount and kind of goods, wares, and merchandise manufactured, produced, and mined in such institutions; to ascertain to what extent such goods, wares, and merchandise come into competition with goods, wares, and merchandise manufactured, produced, and mined by free labor; and to determine how such prisoners can be employed regularly and in what manner the goods, wares, and merchandise manufactured, produced, and mined by such prisoners can be best disposed of with the least disadvantage to free labor.

"Said special committee is authorized to sit in Washington or any other convenient place, to administer oaths and affirmations, to send for persons and papers, to employ necessary clerks and stenographers, the latter to be paid at a cost not to exceed 25 cents per 100 words, and said committee shall make a report to the House of Representatives of its findings, conclusions, and recommendations for legislation on or before the first Monday in February, 1929, and may prepare bills to carry out its recommendations for reference to the proper committees of the House of Representatives. The expenses attendant upon the work of said committee shall be paid out of the contingent fund of the House of Representatives upon vouchers authorized by said committee and signed by its chairman, but such expenses shall not exceed the sum of \$20,000."

In the beginning the committee wishes to express its appreciation for the assistance rendered it in its survey of the situation and its hearings by Capt. A. H. Conner, the superintendent of prisons, and his staff at Washington and at the institutions; by Mr. Herbert D. Brown, Chief of the Bureau of Efficiency, and his organization, including Mr. J. B. Bennett, Dr. Amos W. Butler, and Joseph W. Sanford; by Dr. Hastings H. Hart, consultant in delinquency and penology of the Russell Sage Foundation; and by Maj. Sidney Brewster, assistant to the commissioner of corrections of New York City, and other witnesses who met with the committee at its hearings.

FINDINGS OF THE COMMITTEE

MAGNITUDE OF THE FEDERAL PENAL PROBLEM

Immediately after the committee began its work the magnitude and complicated nature of the problems covered by House Resolution 233 became apparent. For the fiscal year ending June 30, 1928, there was an average daily population of Federal prisoners in the United States of 18,606. For the past 10 years the Federal prison population has increased at an average rate of about 10 per cent a year. Federal prisoners are confined in the three penitentiaries located at Leavenworth, Kans., Atlanta, Ga., and McNeil Island, Puget Sound, Wash. In the penitentiaries are confined most of the Federal prisoners sentenced for more than one year. The United States Industrial Reformatory at Chillicothe, Ohio, on the old Camp Sherman military reservation has been established and construction commenced. The Industrial Institution for Women at Alderson, W. Va., has been completed. About 150 Federal male convicts are assigned to a road camp engaged in construction work at Alderson. Juveniles convicted of violating the Federal penal laws are sent to the National Training School for Boys in the District of Columbia. In addition to the number confined in these institutions, there was, during the fiscal year 1928, an average daily population of 9,658 persons serving short sentences or awaiting trial in some 1,100 State, county, and city jails throughout the country.

The office of the superintendent of prisons in the Department of Justice supervises the care and treatment of all Federal prisoners and is also responsible for the expenditure of over \$8,000,000 annually. The maintenance and operation of all these institutions involve perplexing questions not only of physical care and discipline of the inmates but also problems connected with the operation of prison industries and the proper application of the technical sciences of penology and criminology.

The committee believes that the superintendent of prisons and his staff and the wardens and superintendents of the Federal penal and correctional institutions are doing the best they can under the existing circumstances.

CONGESTED CONDITIONS

The committee found that a very serious crisis confronted those who were administering the Federal penal system. Due to the lack of a

proper program and to the tremendous increase in the number of persons arrested, convicted, and committed for violations of Federal penal laws, the penitentiaries are overcrowded with those sentenced to prison for more than one year. The committee also observed in all the county and municipal jails it visited that there was overcrowding and idleness. It also has received information which leads it to believe that these same deplorable conditions exist in many of the 1,100 local jails where short-term Federal prisoners are confined. The committee also found that the Federal Government has no power to remedy the conditions in these local jails in which persons convicted of offenses against the United States are confined, and has little or no control over their discipline, employment, or general care.

The committee found that the Leavenworth Penitentiary now has within its walls more than twice the number of prisoners it is able to accommodate. The normal capacity of the Atlanta Penitentiary is 1,712, and upon the day the committee visited it there were 3,107 prisoners in the institution. In both of these institutions there exists the vicious practice of "doubling-up," or placing two prisoners in single cells. Men are sleeping in dark, ill-ventilated basements, and corridors; improvised dormitories are in use; the kitchen and mess facilities are overloaded to more than twice their proper capacity. Not only do these institutions house more than can properly be accommodated but they have now almost reached their absolute physical capacity, and the committee does not see how any further prisoners can be jammed within their walls. The committee also found that no more prisoners should be confined in the McNeil Island Penitentiary, not only because it has reached its proper physical capacity but also because of the remoteness of its location in one corner of the country, far from the center of commitments, and because of the impossibility of securing sufficient fresh water. Only at the new Federal Industrial Institution for Women at Alderson, W. Va., did the committee find sufficient facilities for the proper care of the Federal prisoners committed to that institution. Temporary structures are being used to house Federal prisoners sent to Chillicothe, Ohio, pending the carrying out of a permanent building program. This program has been authorized by Congress and partly appropriated for. The work on this should go forward as rapidly as possible, and Congress should see that the funds are available for this purpose.

EMPLOYMENT OF FEDERAL PRISONERS

About 850 out of the average daily population of 3,149 for the fiscal year ending June 30, 1928, at the Atlanta Penitentiary are employed in the fabrication of canvas duck and the manufacture of canvas baskets for the Post Office Department. There are a considerable number of the inmates who are engaged in the maintenance and operation of the institution and about 200 are employed on the farm, but hundreds of the prisoners at Atlanta are in idleness or semi-idleness.

The only industrial activity at the Leavenworth Penitentiary consists of shops to manufacture shoes, brooms, and brushes for the Indian Service and certain other Government departments and for the inmates of the Federal penal institutions. At Leavenworth most of the prisoners are employed part time, but there is insufficient work to keep the prisoners properly engaged during ordinary working hours.

CONDITIONS IN NONFEDERAL INSTITUTIONS

Persons convicted or held for violations of United States statutes are committed not only to the Federal penitentiaries previously mentioned but are also sent to county and municipal jails, workhouses, and lock-ups. A few are boarded by the Federal Government in State institutions willing to accept them. In some non-Federal institutions, especially many county and city jails, the conditions are most deplorable. Many of these jails are congested just as badly as are the Federal penitentiaries at Leavenworth and Atlanta, and in most of these jails there is no provision for employing the prisoners. There is in many places no separation of the guilty from the innocent, the sick from the well, the young from the old, or the hardened criminals from impressionable first offenders. Federal prisoners are simply boarders in penal institutions and jails which are not subject to any but informal control of the Federal prison authorities. Therefore the Federal prison authorities have been powerless to remedy the conditions affecting these prisoners and persons held awaiting trial or as witnesses. The committee found that the Department of Justice pays rates of compensation for the board and maintenance of these prisoners varying from 20 cents to \$1.25 a day.

USE OF PRISON-MADE GOODS

The law prohibits goods, wares, and merchandise made in Federal prisons from being sold on the open market. Goods produced in the Federal institutions must be disposed of only to the Federal Government and thus only come into indirect competition with free labor and private industry. The committee did not attempt to make any survey of the employment of prisoners in non-Federal prisons and the disposition of goods produced by such prisoners, because it felt that full information on this subject was obtained in connection with the hearings of the Committee on Labor of the House of Representatives on the Cooper bill, H. R. 7729, which divests prison-made goods, wares, and merchandise of their interstate character.

RECOMMENDATIONS

Congestion in the Federal penitentiaries and other institutions in which Federal prisoners are held makes it impossible to develop, under existing conditions, a satisfactory method of housing, segregating, classifying, employing, or properly caring for Federal prisoners. It is the judgment of the committee that none of these other problems can be adequately solved until the existing congestion in the institutions can be relieved, and, therefore, the committee considered it of primary importance to secure information as to how this gross overcrowding can be quickest and best remedied.

1. Administration of prison system: For the first hundred years following the establishment of the Federal Government little concern was felt for the relatively few persons who were convicted of violation of Federal statutes. They were boarded in local jails and State prisons with only nominal and incidental supervision by the Federal Government. In 1872 jurisdiction over Federal prisoners was transferred from the Department of the Interior to the Department of Justice where it has been since that time. The administration of the prison system has been in that department of the Government which is primarily responsible for the prosecution of law violators and the interpretation of the laws of the Nation. While the Attorney General is now charged with primary responsibility, the superintendent of prisons is actually in charge of Federal prisons and prisoners. The office of the superintendent of prisons is only a small division in the Department of Justice, and this committee recommends that in view of the extent and importance of its work it be made a major bureau in said department and that the superintendent of prisons be given an adequate organization to assist him.

2. Extension of the probation system: The committee has come to the conclusion, after giving the matter very careful thought, that the best method of promptly relieving the deplorable congestion in the Federal penitentiaries and in local jails where Federal prisoners are held would be to extend the Federal probation system. This is also the unanimous judgment of all criminologists and experts who have studied the subject. There are at present only six Federal judicial districts out of a total of 92 in which there are probation officers. In response to a recent questionnaire sent to the United States district judges by the superintendent of prisons' office the judges replied that a large number of persons convicted in their courts for violation of Federal statutes and now in various institutions might have been placed upon probation had they the means and personnel to investigate their character and trustworthiness. The actual out-of-pocket cost of maintaining Federal prisoners is about 83 cents a day at the present time. If the probation system had been in operation and these men placed on probation instead of being sent to prison there would have been a large saving in the cost of maintaining Federal prisoners in penitentiaries and jails. This would also have been a great benefit to society as a very large number of these men would be rehabilitated under the probation system. The committee believes that Congress should immediately provide funds to pay the salaries and expenses of probation officers as fast as they can be properly selected. The committee also believes that in view of the fact that these probation officers are selected by the Federal judges and act as personal advisors to the courts in matters of the greatest importance and the highest confidence, it would be advisable to give the judges the power to appoint such probation officers outside the civil-service limitations.

In this connection the committee believes that the entire Federal parole system should be altered. At the present time the law provides that the parole boards shall be composed of the superintendent of prisons, the penitentiary warden, and prison physician. This is an unfair and unwise burden to place upon these officials. Practically all of the States have established independent parole boards, relieving the wardens and local physicians from service upon such boards and the committee believes that a law should be enacted by Congress establishing such a board and giving it full authority to act on parole applications without requiring the approval of the Attorney General.

3. District of Columbia prisoners: At the time the Federal penitentiaries were visited by the committee there were 473 prisoners in the Atlanta and Leavenworth Penitentiaries committed from the District of Columbia for violations of strictly District of Columbia penal laws. These prisoners were sent to the already congested Federal penitentiaries because the District of Columbia prison authorities were unable to take care of them at the District Reformatory at Lorton, Va., where there is no walled inclosure or other sufficient facility to hold desperate prisoners. The committee understands that the District of Columbia has established a reformatory without the physical restraints and bars against escape usually found in penitentiaries and the Lorton reformatory is being developed along these lines. While this may be a desirable goal the committee is of the opinion that the District of Columbia should be required to provide adequate facilities to take care of all classes of its prisoners.

4. Military prisoners: There are at present confined in the Federal penitentiaries 177 military prisoners. When the committee visited Leavenworth it inspected not only the civil penitentiary but also the

United States military barracks located only a short distance from the penitentiary. It found that there was ample room in these barracks to take care of all military prisoners and the committee recommends that there be transferred immediately to these disciplinary barracks all military prisoners now incarcerated in the civil penitentiaries and that in the future no more military prisoners be accepted in the already overcrowded civil penal institutions. The disciplinary barracks at Leavenworth has ample facilities for segregation and classification of all classes of military prisoners. At the present time the number of military offenders being sent to the military barracks is decreasing, due to a ruling of the War Department that wherever possible soldiers sentenced for minor infractions of the military regulations be confined within the respective corps areas in order to save transportation expenses.

5. Age limits at Chillicothe: The committee believes that it will be helpful in relieving congestion in the Federal penitentiaries and also make it easier to administer the United States Industrial Reformatory at Chillicothe, Ohio, if the minimum age limits for admission to that institution be removed. The law at present provides that only prisoners between the ages of 17 and 30 may be admitted to Chillicothe.

6. Narcotic institutions: Congress has passed the Porter bill (H. R. 13645) providing for the establishment of two institutions for the care of persons addicted to the use of habit-forming narcotic drugs. Nearly 30 per cent of the persons in the Federal penal and correctional institutions come within this category, and the establishment of these institutions will offer considerable relief from the existing congestion in the penitentiaries. The committee feels that the need for these institutions is immediate and pressing and that every effort should be made to expedite their establishment.

7. Establishment of road camps: Congress has before it a bill (H. R. 11285) which permits the utilization of the labor of Federal convicts in the construction of roads and other improvements on Federal reservations. If this bill becomes law it will assist in relieving the congestion at the Federal prisons and help in the solution of the employment problem. The committee believes that this bill should be given early consideration.

8. Employment problem in Federal penal institutions: The committee believes that every effort should be made to provide increased opportunity for employment of Federal prisoners.

A start toward providing employment for prisoners has been made at the Leavenworth Penitentiary, where there is a shoe factory and brush and broom factory in operation, and at the Atlanta Penitentiary, where there is a textile mill engaged in making cotton duck for Government mail sacks. At Atlanta there is also a shop where men are employed in making canvas baskets for the Post Office Department.

It is the committee's judgment that immediate steps should be taken to establish additional shops in the penitentiaries and other Federal penal institutions to make additional goods and articles which could be utilized by the United States Government. There is no doubt but that there is an ample market in the Federal Government for a sufficient quantity and variety of goods to keep all Federal prisoners employed.

The law under which the cotton-duck mill was established at Atlanta provides not only that cotton duck but also all of the mail sacks used by the Post Office Department in excess of the quantity being manufactured by the Post Office Department mail-sack shop in the District of Columbia at the time the law was passed be made at the Atlanta Penitentiary. The committee believes that this law should be immediately carried into effect and that there should be no further expansion of the Post Office Department mail-sack shop.

There have been sufficient funds earned by the prison industries at Atlanta to provide the funds for the construction of an additional building at once within the walls of the Atlanta Penitentiary, in which may be housed further employment activities, and the committee recommends that a sufficient amount of this money be made available for this purpose at once. The committee further recommends that necessary legislation be enacted giving the Attorney General general authority to establish additional industries in all of the Federal penal institutions. There will be no need for a separate appropriation for each proposed additional prison industry if the existing working-capital funds and the earnings of the present industries may be utilized by being consolidated into one working-capital fund.

9. Supervision of non-Federal institutions.—During the fiscal year ending June 30, 1928, there was an average daily population of Federal prisoners in county and local jails and other non-Federal institutions of 9,658, or slightly more than half of the total Federal penal population. In order properly to supervise the care of the Federal prisoners in these non-Federal institutions the committee recommends that the law be amended, making it possible for the classification of these institutions to accord with the services rendered by them to Federal prisoners. Under the present law the Attorney General may pay only for the cost of the actual and necessary subsistence of Federal prisoners in non-Federal penal and correctional institutions, and this law has been construed as preventing the payment for the care and maintenance of Federal prisoners in accordance with the quality and extent of such care and maintenance. This law should be amended accordingly.

The superintendent of prisons' office has only two inspectors to supervise the 1,100 non-Federal institutions in which Federal prisoners are held. Obviously this is an impossible situation and the committee recommends that funds be provided immediately by Congress to pay for a sufficient number of inspectors to inspect regularly all State and local institutions in which Federal prisoners are held, to the end that the Federal prisoners in local jails actually receive the items for which the Federal Government pays, and to assist in raising the existing standards of these institutions.

10. Additional institutions: The committee believes that under no circumstances should the existing Federal penitentiaries at Leavenworth, Atlanta, and McNeil Island be enlarged to accommodate more prisoners, but that as quickly as possible the prison population in Leavenworth and Atlanta be reduced to not more than 2,000 in each prison. Only in this manner can the vicious practice of placing too prisoners in cells designed for one be ended. The committee can not too strongly condemn this practice. The committee believes further that there should be two additional penitentiaries established as soon as possible. One should be in the northeastern part of the country, located as near as possible to the center of commitment from the Federal courts, and the other at such place as a board of experts may determine.

The committee also believes that there should be established a hospital for the care of the criminal insane with 500 beds as a beginning, to which could be transferred the criminal insane now located at St. Elizabeths Hospital in the District of Columbia as well as those prisoners requiring psychopathic treatment now held in the various penal institutions. We also recommend that all prisoners on their admission to Federal institutions be given a psychopathic examination.

The committee also believes that it is necessary to establish in the immediate future jails and workhouses for Federal prisoners in several of the more congested centers of population. The first step in this direction has already been taken, as the Federal Government has been compelled to establish a Federal detention jail in New York City owing to lack of facilities because the New York City authorities are no longer able to provide accommodations.

The committee earnestly urges:

1. That the narcotic institutions already authorized be appropriated for and constructed as rapidly as possible.
2. That two new penitentiaries and a hospital for the criminal insane be authorized as soon as possible.
3. The reformatory at Chillicothe, Ohio, should be pushed to completion.
4. That the Federal jails or workhouses to care for short-term and detention prisoners be authorized at New York City, Boston, Philadelphia, Baltimore, Cleveland, Cincinnati, Chicago, St. Louis, San Francisco, and such other places as the need from time to time shall require.

The prison problem is daily becoming more acute and there is an average increase in sentence of prisoners of 10 per cent per year. Even the most prompt building program will have difficulty in keeping up with the prison population. Responsibility for determining the type of institutions to be established, their location, and their priority should be placed squarely upon the executive branch of the Government.

Legislation carrying out the recommendations of this committee, in so far as it is required, will be promptly presented to the Congress, and we urge its immediate passage.

Respectfully submitted.

JOHN G. COOPER, *Chairman*.
W. F. KOPP.
JOHN TABER.
JOHN J. BOYLAN.
THOS. M. BELL.

NAVAL APPROPRIATIONS

Mr. FRENCH. Mr. Speaker, I ask that the Clerk read from the desk a statement by myself by way of a supplemental report on the naval appropriation bill.

The SPEAKER. Without objection, the Clerk will read the statement.

There was no objection.

The Clerk read as follows:

STATEMENT BY MR. FRENCH

The House on January 28, 1929, adopted House Resolution No. 278, requiring in connection with a reported bill or joint resolution that the House be advised with respect to any proposition in such measures to repeal or amend any statute or part thereof, the text of the statute or part thereof which is proposed to be repealed, and a clear indication of the respect in which modification is proposed.

The report on the naval bill (H. R. 16714) was sent to the Printing Office on the day House Resolution No. 278 was adopted. Hence, it was not practicable for the committee to comply with the terms of the new resolution in the report.

In compliance with the new rule I submit herewith a statement indicating wherein H. R. 16714, the naval appropriation bill, contrasted with the naval appropriation act for the current fiscal year, changes or

modifies existing law, and I ask that the same be printed in the Record as part of my report.

Mr. SNELL. Mr. Speaker, what is the report that has just been read?

The SPEAKER. The Chair understands it is a supplemental report on the naval appropriation bill.

Mr. FRENCH. It is; and I would like to have printed in parallel columns the proposed change and the law as it now is.

The SPEAKER. The gentleman desires to have that printed in the Record?

Mr. FRENCH. I desire that it be printed for the information of the House.

The SPEAKER. Is there objection?

Mr. BANKHEAD. Is the gentleman going to have his bill show those provisions that are not authorized by law, if there be such?

Mr. FRENCH. The matter that I desire to have printed is in compliance with the new rule and will show proposed language in the bill and the language of existing law that may be amended.

Mr. BANKHEAD. The gentleman assures us there are no provisions in the bill that are not based upon existing law?

Mr. FRENCH. Not so far as I am aware; the change of language clarifies rather than changes the law.

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

There was no objection.

The matter referred to follows:

H. R. 16714

On page 12, lines 3, 4, and 5 the following clause appears, the italicized matter being new: "and for transporting members of such corps to and from camps, ships, or other designated places of instruction."

EXISTING LAW

The Naval Reserve Officers' Training Corps, established by the act of March 4, 1925 (U. S. C. 1137, sec. 821), requires that it be operated, as far as practicable, in conformity with the Reserve Officers' Training Corps of the Army. Such law (U. S. C. 185, sec. 441) provides that—

"The Secretary of War is hereby authorized * * * to transport members of such corps to and from such camps at the expense of the United States so far as appropriations will permit * * *."

REFERENCE OF A BILL

Mr. ROY G. FITZGERALD. Mr. Speaker, I ask unanimous consent that H. R. 16724, introduced yesterday and referred to the Judiciary Committee, be referred to the Committee on Claims. I have spoken to the gentleman from Missouri [Mr. DYER], of the Committee on the Judiciary, and that is agreeable to him. There is every reason why the bill should go to the Committee on Claims, because it relates to a series or kind of claims which are regularly coming up one at a time before the Claims Committee, and which the House has uniformly approved, recognizing an obligation to those who were injured in citizens' military training camps and other military camps. This bill provides that all such cases be referred to the United States Employees' Compensation Commission, as are similar claims for injuries at naval training stations under the provisions of the present law.

Mr. GARRETT of Tennessee. Where does the bill belong under the rules?

Mr. ROY G. FITZGERALD. It goes, in the opinion of the parliamentarian, under the rules, to the Judiciary Committee.

Mr. GARRETT of Tennessee. If it belongs to that committee under the rules—

Mr. ROY G. FITZGERALD. At least it might belong there, at least under one interpretation; and I am trying to state now the reason why the present bill should properly go to the Committee on Claims in this instance. If any member of the Committee on the Judiciary objected, of course, I would not press the request, but I would like to tell why this bill ought to go to the Claims Committee.

Mr. GARRETT of Tennessee. If the gentleman will permit—

Mr. ROY G. FITZGERALD. Certainly.

Mr. GARRETT of Tennessee. Of course, just the members of the respective committee can not and ought not to determine this matter by agreement among themselves. The whole House is interested, at least theoretically, in the proper reference of bills. If this bill properly belongs, under the rules of the House, to the Judiciary Committee—I know nothing in the world about it myself—but if it properly belongs to the Judiciary

ary Committee, of course, it ought to remain within the jurisdiction of that committee. A change like this, of course, would establish a precedent.

Mr. ROY G. FITZGERALD. I would not concede that it belongs to the Judiciary Committee, but the parliamentarian thought it did and rather than question that I thought this was the fair way to present the question to the House with the reasons why it ought to go to the Claims Committee. By this course the jurisdiction of the Judiciary Committee is not questioned and no precedent affecting jurisdiction is set. The Claims Committee is taking up these claims one at a time and it is a waste of the time of both the committee and of the House, since it is the policy of Congress to compensate on the basis of the United States employees' act the young men injured in military and naval training, there seems to be no reason why the cases from the military camps may not be referred directly to the commission as are the naval claims for injuries under a general law.

The Claims Committee is the only committee concerned in the matter practically. It is seeking no new jurisdiction, but rather to repair an inequality or lack of uniformity in the general law which causes it—the Claims Committee—needless work and wastes the time of the House.

I might suggest that the bill with provision for the protection of naval trainees come from either the Appropriations or the Naval Affairs Committee.

The SPEAKER. The Chair would suggest to the gentleman from Ohio that he defer his request until to-morrow as the Chair would like to look into the matter.

Mr. ROY G. FITZGERALD. I will defer the request, Mr. Speaker.

Mr. DYER. Mr. Speaker, I would like to state that the gentleman from Ohio stated he had spoken to me about this matter, which he did, and I stated I had no objection myself, as a member of the Committee on the Judiciary; but I was not speaking for the committee itself or for the chairman, but only for myself.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to—

Mr. VINCENT of Iowa, at the request of Mr. KETCHAM, for the day, on account of illness.

Mr. HUGHES, for three days, on account of death in his family.

Mr. KENT, at the request of Mr. Box, on account of pressing business.

Mr. BOHN, at the request of Mr. MAPES, for five days, on account of important business.

Mr. KUNZ, indefinitely, on account of illness.

Mr. GREGORY. Mr. Speaker, I desire to ask unanimous consent for leave of absence for my colleague the gentleman from Kentucky [Mr. GILBERT], who has been called home on account of serious illness in his family.

The SPEAKER. Without objection, granted.

FEDERAL PENAL AND REFORMATORY INSTITUTIONS

Mr. BOYLAN. Mr. Speaker, I ask unanimous consent to extend my remarks on the report just made by the Committee on Penal Institutions.

Mr. LAGUARDIA. Is it a minority report?

Mr. BOYLAN. No; it is not a minority report.

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

There was no objection.

Mr. BOYLAN. Mr. Speaker, although the committee did not see fit, for very good reasons, to include the subject I am about to discuss in its formal report, I think it ought to be brought to the attention of the House. I am certain from my discussions with Members of both the committee and the House that they do not approve the placing of "undercover" men in Federal prisons in an effort to spy on the officials and the inmates there. That has been done, as you all know, by the Assistant Attorney General in charge of Federal prisons, Mrs. Mabel Walker Willebrandt.

This action is indefensible on any grounds. I for one can not understand how any high official could conceive of such a practice in the United States. They had such systems in Russia, but even there they have been overthrown. It is certainly contrary to American traditions, the American system of government and administration, and a sense of decency. I do not believe that Mrs. Willebrandt's policy is indorsed by the President or by her immediate superior, Attorney General Sargent. It is my understanding that both of them highly disapprove of such tactics. Certainly the American people do. For if it continues, not only in the administration of prisons but in the enforcement of the prohibition laws, we will become a nation

of spies, snoopers, and Benedict Arnolds. The House, I believe, knows the facts in the case. But besides resorting to this despicable system, the official responsible procured false commitment papers from a Federal judge in Detroit. Her action is to be condemned in language too strong for expression, in my opinion. And the only reason I did not insist upon criticism of her conduct in the formal committee report is that I did not want to destroy the value of the truly constructive recommendations which our committee has made in connection with the Federal penal system.

It is almost unnecessary for me to recall this same official's intemperate and un-Christian speeches during the campaign. Taking her pulpit in the churches, where only God's message of brotherly and sisterly love should be spoken, she inflamed the passions of our people, flouted religion itself, and created bitterness which may not subside for a generation. I am willing to forgive and forget, for I believe she knew not what she did in her excess of zeal and excitement, but I regret that such a spectacle should ever have been presented to the American people.

Intemperance, it seems to me, has marked the official conduct of this glowing apostle of prohibition and incarceration of agents provocateur in our Federal prisons. Fanaticism dictated her attempt to use the conspiracy clauses of our Federal laws in prosecution of violators of the Volstead Act in New York City. Like the legislators in Michigan, who send responsible mothers of large families to prison for life if snoopers have caught her with a pint of liquor on her person, Mrs. Willebrandt wanted to fill our unhealthy and overcrowded prisons and jails with hip toters and customers of a speak-easy or two. Thirty days and fines were not enough for her; she wanted her victims to rot and hunger in the dungeons for years. But the juries showed better sense and a better understanding of human nature than she did. They would not convict. And now, after devoting time and expense to this impossible persecution, the Federal Government has been forced to abandon its medieval forms of punishment.

Gentlemen, I regret the necessity of these references, but it is time that somebody called a halt on the headlong rush of certain officials swollen by their power. We are still citizens of a republican form of government. We have not yet surrendered to the Anti-Saloon League or its representatives in office. I predict we never will.

ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 9570. An act to provide for the transfer of the returns office from the Interior Department to the General Accounting Office, and for other purposes;

H. R. 11859. An act for the relief of B. C. Miller; and

H. J. Res. 350. Joint resolution to provide for the reappointment of Frederic A. Delano and Irwin B. Laughlin as members of the Board of Regents of the Smithsonian Institution.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 4979. An act to authorize the city of Niobrara, Nebr., to transfer Niobrara Island to the State of Nebraska.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 40 minutes p. m.) the House adjourned until to-morrow, Friday, February 1, 1929, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, February 1, 1929, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON FLOOD CONTROL

(10 a. m.)

For improvement of navigation and the control of floods of Caloosahatchee River and Lake Okeechobee and its drainage area, Florida (H. R. 14939).

For the improvement of the Caloosahatchie River, Fla. (H. R. 15095).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To amend the Federal farm loan act, as amended (H. R. 13173).

COMMITTEE ON WAYS AND MEANS
(10 a. m. and 2 p. m.)

Tariff hearings as follows:

SCHEDULES

Cotton manufactures, January 31, February 1.
Flax, hemp, jute, and manufactures of, February 4, 5.
Wool and manufactures of, February 6.
Silk and silk goods, February 11, 12.
Papers and books, February 13, 14.
Sundries, February 15, 18, 19.
Free list, February 20, 21, 22.
Administrative and miscellaneous, February 25.

COMMITTEE ON RIVERS AND HARBORS
(10.30 a. m.)

To authorize the establishment of a national hydraulic laboratory in the Bureau of Standards of the Department of Commerce and the construction of a building therefor (S. 1710).

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES
(10 a. m.)

Continuing the powers and authority of the Federal Radio Commission under the radio act of 1927 (H. R. 15430).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

789. A letter from the president of Capital Traction Co., transmitting report of the Capital Traction Co. for the year ended December 31, 1928; to the Committee on the District of Columbia.

790. A letter from the president of Georgetown Gas Light Co., transmitting detailed statement of the business of the Georgetown Gas Light Co., together with a list of stockholders, for the year ended December 21, 1928; to the Committee on the District of Columbia.

791. A letter from the president of Washington Interurban Railroad Co., transmitting report of the Washington Interurban Railroad Co. for the year ended December 31, 1928; to the Committee on the District of Columbia.

792. A letter from the president of Washington Railway & Electric Co., transmitting report of the Washington Railway & Electric Co. for the year ended December 31, 1928; to the Committee on the District of Columbia.

793. A letter from the president of the Potomac Electric Power Co., transmitting report of the Potomac Electric Power Co. for the year ended December 31, 1928; to the Committee on the District of Columbia.

794. A letter from the Postmaster General, transmitting report with the facts in two claims of Mrs. Walter L. Turner, postmaster at Lagrange, Ga., for credit on account of losses sustained in the burglaries of the post office on February 16, 1928, and September 11, 1928; to the Committee on Claims.

795. A letter from the Secretary of the Interior, transmitting copy of a letter from the Commissioner of Pensions, together with the eighth annual report of the Board of Actuaries of the civil-service retirement aid and disability fund (H. Doc. No. 372); to the Committee on the Civil Service and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. COOPER of Ohio: Special Committee on Federal Penal Institutions. A report on the investigation of such institutions conducted pursuant to H. Res. 233 (Rept. No. 2303). Referred to the House Calendar.

Mr. HOUSTON of Hawaii: Committee on Naval Affairs. H. R. 8917. A bill to establish a hydrographic station at Honolulu, Territory of Hawaii; without amendment (Rept. No. 2311). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on Indian Affairs. S. 3770. An act authorizing the Federal Power Commission to issue permits and licenses on Fort Apache and White Mountain Indian Reservations, Ariz.; without amendment (Rept. No. 2313). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 16720. A bill to amend sections 4, 6, 8, 9, 10, 11, 12, 25, 29, and 30 of the United States warehouse act, approved August 11, 1916, as amended; without amendment (Rept. No. 2314). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 16655. A bill to authorize the survey of certain land claimed by the Zuni Pueblo Indians, New Mexico, and the issuance of patent therefor; without amendment (Rept. No. 2315). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 15723. A bill authorizing an appropriation of Crow tribal funds for payment of council and delegate expenses, and for other purposes; with amendment (Rept. No. 2316). Referred to the House Calendar.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 16527. A bill to authorize the Secretary of the Interior to purchase land for the Alabama and Coushatta Indians of Texas, subject to certain mineral and timber interests; without amendment (Rept. No. 2318). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 16568. A bill to repeal that portion of the act of August 24, 1912, imposing a limit on agency salaries of the Indian Service; without amendment (Rept. No. 2319). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on Indian Affairs. S. 5180. An act to authorize the payment of interest on certain funds held in trust by the United States for Indian tribes; without amendment (Rept. No. 2320). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. REECE: Committee on Military Affairs. H. R. 14765. A bill for the relief of Samuel Hooper Lane, alias Samuel Foot; without amendment (Rept. No. 2312). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 16666. A bill for the relief of Katherine Elizabeth Kerrigan Callaghan; with amendment (Rept. No. 2317). Referred to the Committee of the Whole House.

ADVERSE REPORTS

Under clause 2 of Rule XIII,

Mr. PEAVEY: Committee on War Claims. H. R. 5397. A bill for the relief of Alexander Boynton; adverse (Rept. No. 2305). Laid on the table.

Mr. SINCLAIR: Committee on War Claims. H. R. 6516. A bill to reimburse the Commonwealth of Massachusetts for expenses incurred in protecting bridges on main railroad lines and under direction of the commanding general Eastern Department, United States Army, and the commandant navy yard, Charlestown, Mass.; adverse (Rept. No. 2306). Laid on the table.

Mr. SINCLAIR: Committee on War Claims. H. R. 6517. A bill to reimburse the Commonwealth of Massachusetts for expenses incurred in compliance with the request of the United States marshal, dated December 6, 1917, to the Governor of Massachusetts, in furnishing the State military forces for duty on and around Boston harbor under regulation 13 of the President's proclamation; adverse (Rept. No. 2307). Laid on the table.

Mr. PEAVEY: Committee on War Claims. H. R. 11599. A bill for the relief of Frank M. Lyon; adverse (Rept. No. 2308). Laid on the table.

Mr. SINCLAIR: Committee on War Claims. S. 116. An act for the relief of R. S. Howard Co.; adverse (Rept. No. 2309). Laid on the table.

Mr. LOWREY: Committee on War Claims. S. 4337. An act for the relief of Booth & Co. (Inc.), a Delaware corporation; adverse (Rept. No. 2310). Laid on the table.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 16339) granting a pension to Sarah E. M. Ferguson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 16574) for the relief of Miguel Pascual, a Spanish subject, and resident of San Pedro de Macoras, Santo Domingo; Committee on Naval Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 16710) for the relief of certain employees of the Alaska Railroad; Committee on Claims discharged, and referred to the Committee on the Territories.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WARE: A bill (H. R. 16764) authorizing the State Highway Commission, Commonwealth of Kentucky, to construct, maintain, and operate a bridge across the Ohio River at or near Carrollton, Ky.; to the Committee on Interstate and Foreign Commerce.

By Mr. HUGHES: A bill (H. R. 16765) to amend section 200 of the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 16766) to amend section 202, paragraph 7, of the World War veterans' act of 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. KNUTSON: A bill (H. R. 16767) to authorize the Secretary of the Interior to determine the value of services and expenses of delegates and representatives of the Chippewa Indians in the State of Minnesota, sent to Washington, D. C., by said Indians, and to certify the amount of the Secretary of the Treasury, for the purpose of making settlement therefor; to the Committee on Indian Affairs.

By Mr. LaGUARDIA: A bill (H. R. 16768) appointing a commissioner of jurors in each district containing a city or borough thereof with a population of more than 1,000,000 inhabitants; to the Committee on the Judiciary.

Also, a bill (H. R. 16769) to amend section 276 of the Judicial Code, as amended; to the Committee on the Judiciary.

By Mr. NEWTON: A bill (H. R. 16770) to permit common carriers to give free carriage or reduced rates to members of the Board of Railway Commissioners of the Dominion of Canada; to the Committee on Interstate and Foreign Commerce.

By Mr. WINTER: A bill (H. R. 16771) granting the consent of Congress to compacts or agreements between the States of Wyoming and Idaho with respect to the boundary line between said States; to the Committee on the Public Lands.

By Mr. LaGUARDIA: A bill (H. R. 16772) authorizing appropriation to increase the flying field area of Governors Island, N. Y.; to the Committee on Military Affairs.

By Mr. KEMP: A bill (H. R. 16773) to authorize an appropriation for the relief of the States of Missouri, Mississippi, Louisiana, and Arkansas, on account of roads and bridges damaged or destroyed by floods of 1927; to the Committee on Roads.

By Mr. DRIVER: Joint resolution (H. J. Res. 397) interpreting the Mississippi River flood control act of 1928; to the Committee on Flood Control.

By Mr. COLTON: Joint resolution (H. J. Res. 398) to extend the period of time in which the Secretary of the Interior shall withhold his approval of the adjustment of Northern Pacific land grants, and for other purposes; to the Committee on Rules.

By Mr. ROY G. FITZGERALD: Joint resolution (H. J. Res. 399) providing more economical and improved methods for the publication and distribution of the Code of Laws of the United States and of the District of Columbia, and supplements; to the Committee on Revision of the Laws.

By Mr. TATGENHORST: Concurrent resolution (H. Con. Res. 51) to appoint a committee from the Senate and House to represent the Congress of the United States at the celebration of the completion of the canalizing of the Ohio River from Pittsburgh, Pa., to Cairo, Ill., October 15-20, 1929; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 16774) granting a pension to Rosetta Emery; to the Committee on Invalid Pensions.

By Mr. CRAWL: A bill (H. R. 16775) granting a pension to Elias M. Littleton; to the Committee on Pensions.

By Mr. EDWARDS: A bill (H. R. 16776) for the relief of Edward C. Compton; to the Committee on Banking and Currency.

By Mr. GOLDER: A bill (H. R. 16777) for the relief of Harry A. C. Hall, alias Charles A. Brooks; to the Committee on Naval Affairs.

By Mr. GOLDSBOROUGH: A bill (H. R. 16778) for the relief of Mary S. Howard, Gertrude M. Caton, Nellie B. Reed, Gertrude Pierce, Katie Pensel, Josephine Pryor, Mary L. Mc-

Cormick, Mrs. James Blanchfield, Sadie T. Nicoll, Katie Lloyd, Mrs. Benjamin Warner, Eva K. Pensel, Margaret Y. Kirk, C. Albert George, Earl Wroldsen, Benjamin Carpenter, Nathan Benson, Paul Kirk, Townsend Walters, George Freet, James B. Jefferson, Frank Ellison, Harold S. Stubbs, and the Bethel Cemetery Co.; to the Committee on Claims.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 16779) granting an increase of pension to Rachel Ann Evans; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 16780) granting a pension to Ella Girton; to the Committee on Pensions.

Also, a bill (H. R. 16781) granting a pension to Alfred Streeter; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 16782) granting an increase of pension to Mary A. W. Barr; to the Committee on Pensions.

By Mr. SPEAKS: A bill (H. R. 16783) to correct the naval record of Raymond Wallace; to the Committee on Naval Affairs.

By Mr. STEAGALL: A bill (H. R. 16784) for the relief of William J. Clark; to the Committee on Military Affairs.

By Mr. SWICK: A bill (H. R. 16785) granting an increase of pension to Mary Ruff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16786) granting an increase of pension to Annie Ensminger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16787) granting an increase of pension to Harriet T. Fry; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 16788) granting a pension to Hattie R. Feldman; to the Committee on Pensions.

By Mr. VINSON of Georgia: A bill (H. R. 16789) for the relief of Goldberg & Levkoff; to the Committee on War Claims.

Also, a bill (H. R. 16790) to ratify the action of a local board of sales control in respect of contracts between the United States and Goldberg & Levkoff, a firm composed of Joseph Goldberg, Samuel Goldberg, Shier Levkoff, and David Levkoff, of Augusta, Ga.; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8472. By Mr. CARTER: Protest of Keyston Bros., of San Francisco, Calif., against removing hides from the free list; to the Committee on Ways and Means.

8473. By Mr. CRAWL: Petition of California Railroad Commission, favoring House bill 15621 and amendments thereto; to the Committee on Interstate and Foreign Commerce.

8474. By Mr. GARBER: Petition of R. N. Clark, Ponca City, Okla., urging support of the Norbeck game refuge bill (S. 1271); to the Committee on Agriculture.

8475. Also, petition of the American Farm Bureau Federation, indorsing House bill 14070; to the Committee on Interstate and Foreign Commerce.

8476. By Mr. HUDSPETH: Petition of citizens of Alpine, Tex., asking favorable consideration of Smith-Smoot drainage bill; to the Committee on Irrigation and Reclamation.

8477. By Mr. KETCHAM: Petition signed by 84 citizens of Decatur, Mich., requesting that the House of Representatives bring to a vote and enact into law House bill 14676; to the Committee on Pensions.

8478. By Mr. McCORMACK: Petition of Mary E. Giblin, 37 Mayfield Street, Dorchester, Mass., vigorously protesting against enactment of the so-called Newton maternity bill and the equal rights amendment to the Constitution; to the committee on Interstate and Foreign Commerce.

8479. By Mr. MOORE of Kentucky: Petition signed by H. W. Sublett and 29 other citizens of Bowling Green, Ky., protesting against any change in the present tariff on hides and leather used in the manufacture of shoes; to the Committee on Ways and Means.

8480. By Mr. O'CONNELL: Petition of the National Committee on Wild Life Legislation, favoring the passage of the Norbeck-Andresen game refuge bill; to the Committee on Agriculture.

8481. Also, petition of Mirakel Optical Co., Mount Vernon, N. Y., favoring the passage of the Norbeck-Andresen game refuge bill; to the Committee on Agriculture.

8482. Also, petition of the Dykes Lumber Co., New York City, favoring the passage of the Norbeck game refuge bill (S. 1271); to the Committee on Agriculture.

8483. Also, petition of Mrs. Florence Mosher Gilbert, Briarcliff Manor, N. Y., favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8484. Also, petition of Llewellyn Legge, chief fish and game division, conservation department, State of New York, Albany, N. Y., favoring the passage of the Norbeck-Andresen game refuge bill; to the Committee on Agriculture.

8485. By Mr. QUAYLE: Petition of Mirakel Optical Co., of Mount Vernon, N. Y., favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8486. Also, petition of Dykes Lumber Co., of New York City, favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8487. Also, petition of Conservation Department, State of New York, Albany, N. Y., favoring the passage of the Norbeck-Andresen game refuge bill; to the Committee on Agriculture.

8488. Also, petition of the American Indian Defense Association (Inc.), Washington, D. C., favoring the passage of House bill 7204, a bill to authorize the creation of Indian trust estates; to the Committee on Indian Affairs.

8489. Also, petition of Brooklyn Chapter, Reserve Officers' Association of the United States, favoring an appropriation sufficient to train 26,000 reserve officers; to the Committee on Appropriations.

8490. By Mr. SANDERS of New York: Petition of about 1,759 employees and business men affected by the depression in the gypsum industries in Genesee, Monroe, and Erie Counties, in western New York State, to impose a duty on raw, partly manufactured, and manufactured gypsum; to the Committee on Ways and Means.

8491. By Mr. SINCLAIR: Petition of North Dakota Holstein Breeders' Association, indorsing the Haugen bill (H. R. 10958) to amend the definition of oleomargarine; to the Committee on Agriculture.

8492. By Mr. WINTER: Resolution from O. G. Rhode, president the Sheridan County Farm Bureau, Ranchester, Wyo., urging adequate protection for domestic sugar; to the Committee on Ways and Means.

8493. By Mr. YATES: Petition of Constance Hall Totten, Garfield Park, Chicago, Ill., urging support of bill increasing pensions of Union veterans, Civil War (S. 4559); to the Committee on Pensions.

8494. Also, petition of Clem Sikorg, Chicago, Ill., urging support of House bill 15526 and Senate bill 3281; to the Committee on the Post Office and Post Roads.

8495. Also, petition of G. W. Mingus, urging support of anti-alien representation amendment bill (H. J. Res. 102); to the Committee on the Judiciary.

8496. Also, petition of W. F. Judd of National Association of Letter Carriers, Bloomington, Ill., urging support of the Dale-Lehibach retirement bill (S. 1727) and the La Follette-Mead short Saturday workday bill (S. 3281); to the Committee on the Post Office and Post Roads.

8497. Also, petition of Thomas O. Morris, president Tennessee Association of Drainage Districts, Obion, Tenn., urging support of Senate bill 4689; to the Committee on Irrigation and Reclamation.

8498. Also, petition of Harry L. Gandy, executive secretary National Coal Association, Washington, D. C., urging support of House bill 16301; to the Committee on Interstate and Foreign Commerce.

8499. Also, petition of L. D. Garrett, 50 East Forty-second Street, New York City, urging support of the Black bill (S. 3089) and the McSwain bill (H. R. 13509); to the Committee on Military Affairs.

8500. Also, petition of J. S. Abbott, secretary Institute of Margarine Manufacturers, urging support of Haugen bill (H. R. 10958); to the Committee on Ways and Means.

8501. Also, petition for strengthening of the immigration laws, by Stacy Neal, Sorento, Ill., and 90 other citizens of Sorento, Ill.; to the Committee on Immigration and Naturalization.

8502. Also, petition of O. E. Campbell, carrier No. 2, Winchester, Ill., urging support of Senate bill 3027; to the Committee on the Post Office and Post Roads.

8503. Also, petition of W. A. Wallace, committeeman, Virden, Ill., urging support of the Capper-Kelly bill (H. R. 11); to the Committee on Interstate and Foreign Commerce.

8504. Also, petition of U. G. Lee, vice commander of William McKinley Camp, Chicago, Ill., urging passage of pension bill (H. R. 14676); to the Committee on Pensions.

8505. Also, petition of the Chicago Association of Credit Men, by J. F. O'Keefe, secretary, urging that the Committee on Agriculture give consideration to the views of the Illinois-Missouri joint conference of credit men; to the Committee on Agriculture.

8506. Also, petition of E. O. Excell Co., Chicago, Ill., urging passage of Senate bill 4689 and Smith bill (H. R. 14116); to the Committee on Irrigation and Reclamation.

8507. Also, petition of Charles J. Rhoads, president Indian Rights Association, Philadelphia, Pa., urging support of House Joint Resolution 374; to the Committee on Indian Affairs.

8508. Also, petition of citizens of Illinois, urging passage of the Dale-Lehibach civil service retirement bill (S. 1727); to the Committee on the Civil Service.

8509. Also, petition urging passage of Jones-Stalker bill (H. R. 1069); to the Committee on the Judiciary.

8510. Also, petition of George B. Lake, M. D., managing editor Clinical Medicine and Surgery, Chicago, Ill., urging defeat of House bill 14070; to the Committee on Interstate and Foreign Commerce.

8511. Also, petition of National Association of Letter Carriers, urging support of 30-year retirement bill and 44-hour week bill; to the Committee on the Post Office and Post Roads.

8512. Also, petition of Wilkinson, Huxley, Byron & Knight, Chicago, Ill., urging defeat of Senate bill 2366 and House bill 7951; to the Committee on the District of Columbia.

8513. Also, petition of Federal Motion Picture Council in America (Inc.), urging support of House bills 10761 and 13686; to the Committee on Interstate and Foreign Commerce.

8514. Also, petition urging support of Black bill (S. 3089) and Wainwright-McSwain bill (H. R. 12306); to the Committee on Military Affairs.

8515. Also, petition of the Symington Co., Chicago, Ill., urging opposition to Senate bill 668; to the Committee on Interstate and Foreign Commerce.

8516. Also, petition of H. A. Meyer, attorney, Greenville, Ill., urging support of Pullman surcharge bill (S. 668); to the Committee on Interstate and Foreign Commerce.

8517. Also, petition of Cora S. Reid, Daughters of American Revolution, Springfield, Ill., urging passage of the 15-cruiser bill (H. R. 11526) and Kellogg pact; to the Committee on Naval Affairs.

8518. Also, petition of White County rural letter carriers, of Illinois, urging passage of Reece good road bill (H. R. 5659) and Dale retirement bill (S. 1725); to the Committee on the Post Office and Post Roads.

8519. Also, petition of Daughters of American Revolution, urging passage of Joint Resolution 11; to the Committee on the Judiciary.

8520. Also, petition of Church, Traxler & Kennedy, lawyers, Chicago, Ill., urging support of cruiser bill (H. R. 11526); to the Committee on Naval Affairs.

8521. Also, petition of official board of the First Methodist Church, Springfield, Ill., urging support of cruiser bill and Kellogg Paris peace pact; to the Committee on Naval Affairs.

8522. Also, petition of the United National Association of Post Office Clerks, of Peoria, Ill., urging support of longevity bills (S. 3282; H. R. 15083); to the Committee on the Post Office and Post Roads.

8523. Also, petition of ———, urging support of dog exemption bill (H. R. 11998); to the Committee on the Judiciary.

8524. Also, petition of board of directors of the Woman's Club of Springfield, Ill., indorsing the pending cruiser bill; to the Committee on Naval Affairs.

SENATE

FRIDAY, February 1, 1929

(Legislative day of Thursday, January 31, 1929)

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

The VICE PRESIDENT. The Senate resumes the consideration of the unfinished business.

CONSTRUCTION OF CRUISERS

The Senate, as in the Committee of the Whole, resumed the consideration of the bill (H. R. 11526) to authorize the construction of certain naval vessels, and for other purposes.

Mr. HARRISON obtained the floor.

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Curtis	Hale	Mayfield
Barkley	Dale	Harris	Moses
Bayard	Dill	Harrison	Neely
Bingham	Edge	Hastings	Norbeck
Black	Fess	Hawes	Norris
Blaine	Fletcher	Hayden	Nye
Bleasde	Frazier	Heflin	Oddie
Borah	George	Johnson	Overman
Bratton	Gerry	Jones	Pine
Brookhart	Gillett	Kendrick	Ransdell
Bruce	Glass	Keyes	Reed, Mo.
Burton	Glenn	King	Reed, Pa.
Capper	Goff	McKellar	Robinson, Ark.
Caraway	Gould	McMaster	Robinson, Ind.
Couzens	Greene	McNary	Sackett