

is one provision in the bill that I think goes very far, and I think if Members will study it they will see that it goes very far in this respect, and I believe even the gentleman from Kansas [Mr. TINCHE] will question the propriety of the Federal Government going that far in a regulatory measure entirely new and concerning a field of endeavor not hitherto undertaken in this day of multiplicity of regulations.

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

Mr. BLACK. Yes.

Mr. JACOWAY. If the people to be affected by the portion of which the gentleman complains do not complain, does the gentleman still think we are going too far?

Mr. BLACK. Yes; and I will show the gentleman why I think so. When the Esch-Cummins railroad bill was passed it carried a provision which gave the Interstate Commerce Commission power to alter, modify, or set aside a rate which it held to be a burden on interstate commerce, even though the rate applied wholly to traffic between points within the same State. The present bill virtually copies that section of the Esch-Cummins law and makes it applicable to stockyards. Let us compare the two sections and see if the present bill does not go just as far as the Esch-Cummins law goes as to railroads, though we have been regulating railroad rates by the Interstate Commerce Commission for many years. We are just beginning the experiment of Federal regulation of stockyards, and, in my judgment, it is going entirely too far as an initial step to give the Secretary of Agriculture at the very outset power to set aside orders of State tribunals. Here is the clause in the Esch-Cummins law to which I refer:

Whenever in any such investigation the commission, after full hearing, finds that any such rate, fare, charge, classification, regulation, or practice causes any undue or unreasonable advantage, preference, or prejudice as between persons or localities in intrastate commerce, on the one hand, and interstate or foreign commerce, on the other hand, or any undue, unreasonable, or unjust discrimination against interstate or foreign commerce, which is hereby forbidden and declared to be unlawful, it shall prescribe the rate, fare, or charge or the maximum or minimum or maximum and minimum thereafter to be charged, and the classification, regulation, or practice thereafter to be observed in such manner as in its judgment will remove such advantage, preference, prejudice, or discrimination. Such rates, fares, charges, classifications, regulations, and practices shall be observed while in effect by the carriers parties to such proceedings affected thereby, the law of any State or the decision or order of any State authority to the contrary notwithstanding.

Let us see what section 311 of the present law on page 22 of the bill provides, and I think Members will agree that the committee has virtually copied the section of the Esch-Cummins law which I have just read and inserted it as a clause in this bill:

SEC. 311. Whenever in any investigation under the provisions of this title, or in any investigation instituted by petition of the stockyard owner or market agency concerned, which petition is hereby authorized to be filed, the Secretary after full hearing finds that any rate, charge, regulation, or practice of any stockyard owner or market agency, for or in connection with the receiving, marketing, feeding, holding, delivery, shipment, weighing, or handling, not in commerce, of live stock, causes any undue or unreasonable advantage, preference, or prejudice as between persons or localities in intrastate commerce in live stock, on the one hand, and interstate or foreign commerce in live stock, on the other hand, or any undue, unjust, or unreasonable discrimination against interstate or foreign commerce in live stock, which is hereby forbidden and declared to be unlawful, the Secretary shall prescribe the rate, charge, regulation, or practice thereafter to be observed, in such manner as, in his judgment, will remove such advantage, preference, or discrimination. Such rates, charges, regulations, or practices shall be observed while in effect by the stockyard owners or market agencies parties to such proceeding affected thereby, the law of any State or the decision or order of any State authority to the contrary notwithstanding.

It will be seen there that almost the exact language is here used as was used in the Esch-Cummins law with reference to railroad regulation. There is a question in my mind, even granting the advisability of placing the live-stock yards of the country under jurisdiction similar to the interstate commerce law, as to whether we want to go to the extent of providing that if any State regulatory body should fix a rate or charge which the Secretary of Agriculture should say created an undue preference to one of the State's own communities or which, in the opinion of the Secretary, placed an undue burden on interstate commerce, that he should have the power to enter and fix a new rate, charge, practice, or fare and thereafter that that rate shall be the rate to be charged, the order or decision of any State authority to the contrary notwithstanding.

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

Mr. BLACK. Yes.

Mr. ASWELL. Will the gentleman state what present State law or authority this will conflict with?

Mr. BLACK. I am not advised as to that. We have 48 States, and I do not know what regulations they may have on this subject nor what they might want to put into effect in the future.

Mr. ASWELL. Does the State fix the charges on these stockyards?

Mr. BLACK. I confess I have not had time to look up all the State statutes on the subject, but that is not necessary in order for me to have an opinion as to the unwisdom of this provision. I would not favor putting into a bill of this kind, dealing with a new and untried field of regulation, a provision which will take away the power of the State to deal with purely intrastate transactions in the matter of these stockyards.

Mr. HUDSPETH. I would like to ask my colleague if he has changed his mind as to the interference of this bill with State affairs since the passage of the Esch-Cummins bill?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLACK. I will ask for two additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BLACK. Well, I will say to the gentleman that I voted for the Cummins-Esch bill, and I am not undertaking at this point to discuss the provision in it which gives the Interstate Commerce Commission power to alter and change State rates, but certainly the gentleman will recognize that the two provisions deal with very different subjects. The railroads are for the most part now parts of large systems extending from State to State, and the tendency is for still further consolidations. There is no such condition as to stockyards. So far as I know, each stockyard operates wholly within a separate State. We have had the interstate commerce law a good many years, and it was many years before Congress deemed the situation as complicated enough to justify giving the Interstate Commerce Commission power to have any control over State rates.

Mr. HUDSPETH. But up until the Shreveport case it has never interfered with the making of intrastate rates.

Mr. BLACK. That is true, and the section of the Cummins-Esch law to which I have referred is simply declaratory of the law announced by the Supreme Court in the Shreveport case, but the Supreme Court has made no such declaration of law as to stockyards, and I question very seriously whether Congress has the power to go that far, even if it is deemed wise to do so.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUDSPETH. I agree with my colleague that we should not on this bill either.

Mr. HAUGEN. I yield 20 minutes to the gentleman from Illinois [Mr. MICHAELSON].

Mr. MICHAELSON. Mr. Chairman and gentlemen, I desire to use the time allotted to me at this time in discussing House resolution 95, which I introduced May 20, asking for information from the Secretary of State and the Secretary of War relative to the spread of foreign propaganda in the United States prior to the declaration of war by the United States against Germany and asking investigation of charges made in public records and public prints and calling the attention of Congress first to a statement made by former Congressman Callaway February 9, 1917, appearing upon pages 2947 and 2948 of the CONGRESSIONAL RECORD, in which he made the charge that—

In March, 1915, the J. P. Morgan interests, the steel, shipbuilding, and powder interests, and their subsidiary organizations got together 12 men high up in the newspaper world and employed them to select the most influential newspapers in the United States and a sufficient number of them to control generally the policy of the daily press of the United States.

Mr. BLANTON. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Illinois yield?

Mr. BLANTON. Would the gentleman like to have a quorum here? If so, I will get him one.

Mr. MICHAELSON. I do not desire it.

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Texas?

Mr. BLANTON. It is a point of order I am making. It does not require his yielding.

Mr. MADDEN. I hope the gentleman will not do that.

Mr. BLANTON. I will withdraw it, but I am not in sympathy with the gentleman's speech.

Mr. MICHAELSON. I thank you, sir.

These 12 men worked the problem out by selecting 179 newspapers, and then began by an elimination process to retain only those necessary for the purpose of controlling the general policy of the daily press throughout the country. They found it was only necessary to purchase the control of 25 of the greatest papers. The 25 papers were agreed upon; emissaries were sent to purchase the policy, national and international, of these papers; an agreement was reached; the policy of the papers was bought, to be paid for by the month; an editor was furnished for each paper to properly supervise and edit information regarding the questions of preparedness, militarism, financial policies, and other things of national and international nature considered vital to the interests of the purchasers.

This contract is in existence at the present time, and it accounts for the news columns of the daily press of the country being filled with all sorts of preparedness arguments and misrepresentations as to the present condition of the United States Army and Navy, and the possibility and probability of the United States being attacked by foreign foes.

This policy also included the suppression of everything in opposition to the wishes of the interests served. The effectiveness of this scheme has been conclusively demonstrated by the character of stuff carried in the daily press throughout the country since March, 1915. They have resorted to anything necessary to commercialize public sentiment and sandbag the National Congress into making extravagant and wasteful appropriations for the Army and Navy under the false pretense that it was necessary. Their stock argument is that it is "patriotism." They are playing on every prejudice and passion of the American people.

Mr. BLANTON. Mr. Chairman, I make the point of order we have not a quorum. I think it is time we should stop all this mess and put it behind us, and I make a point of order that there is no quorum.

Mr. HAUGEN. Will the gentleman kindly withdraw the point of order?

Mr. BLANTON. I withdraw it, as there are very few here to hear it.

Mr. MICHAELSON. If the information and charges contained in Mr. Callaway's statement are true and can be proven, then the most heinous crime in the world's history was perpetrated upon the peace-loving American people, and while hostilities have ceased and peace is sought by nations heretofore at war, the destruction and desolation, the sorrow and suffering, and the debt imposed by that war are more crushing than ever to the hopes, aspirations, progress, prosperity, and contentment of our people; and, if it be true and can be proven that this Nation's participation and other nations' continuance in the war was founded upon fraud, intrigue, falsity, conspiracy, or manipulation, as charged, then that truth should be published to the world in order to make it impossible to repeat that crime in the future and that the blessings of peace may be more confidently assured to afflicted humanity everywhere.

In addition to the information and charges filed by Congressman Callaway in the foregoing statement, M. Gabriel Hanotaux, formerly minister of foreign affairs of the Republic of France, in his *Historie de la Guerre*, 1914, book No. 107, page 54, states, in effect, that France was ready to make peace in the latter part of the year 1914, but was dissuaded from doing so by three Americans, namely, Robert Bacon, of the financial house of J. P. Morgan & Co., fiscal agents for the British Government; Myron T. Herrick; and William G. Sharp, and that these men represented to French officials that if France would continue the war that these three men would organize a propaganda to put the United States into the war on the side of the Allies, and M. Hanotaux further stated that the sum of money which was provided to goad the United States into the war was too large even for American comprehension.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. MICHAELSON. I will not yield.

In this connection the following memorable statement was made by one of these Americans to the author:

There are in America 50,000 persons who realize that it is inevitable for the United States to enter the war without delay on your side. But there are 100,000,000 Americans to whom the thought is strange. Our object is to reverse these figures and to turn the 50,000 into 100,000,000. We shall succeed.

The charges filed by Congressman Callaway and the statement made by M. Gabriel Hanotaux would indicate, if true, that there was a definite and widespread conspiracy operating in the United States to plunge the people of the United States into war, and I believe it to be the duty of Congress to make this investigation forthwith in the interest of the welfare and education of the American people, that present and future generations may have insight into the operations of governments, money powers, and commercial combines, whose intrigues and corruptions foster and precipitate war.

In addition to the charges filed by Congressman Callaway and the statement made by M. Gabriel Hanotaux, Sir Gilbert Parker, a well-known English writer, says in an article on "The United States and the war" in *Harper's Magazine*, March, 1918:

From August, 1914, there was a considerable percentage of the public who believed that the United States should, in the name of civilization, have officially resented the invasion of Belgium. Personally, I believe that it would have been extremely difficult for the United States to enter the war six months before she did. I was in the United States for some months on this trip. I have been from New York to San Francisco. I was at Washington when President Wilson dismissed Count Bernstorff, and heard him do so, and I am firmly convinced of this, that President Wilson committed his country to this war at the right moment, neither too soon nor too late. He had stopped up every avenue of attack by the pacifists, and jurists, and the pedants, and the pettifoggers.

Perhaps here I may be permitted to say a few words concerning my own work since the beginning of the war. * * * Practically since the day war broke out between England and the Central Powers I became responsible for American publicity. I need hardly say that the scope of my department was very extensive and its activities widely ranged. Among the activities was a weekly report to the British cabinet on the state of American opinion, and constant touch with the permanent correspondents of American newspapers in England. I also frequently arranged for important public men in England to act for us by interviews in American newspapers; and among these distinguished

people were Mr. Lloyd-George (the present prime minister), Viscount Grey, Mr. Balfour, Mr. Bonar Law, the Archbishop of Canterbury, Sir Edward Carson, Lord Robert Cecil, Mr. Walter Runciman (the lord chancellor), Mr. Austen Chamberlain, Lord Cromer, Will Crooks, Lord Curzon, Lord Gladstone, Lord Haldane, Mr. Henry James, Mr. John Redmond, Mr. Selfridge, Mr. Zangwill, Mrs. Humphrey Ward, and fully a hundred others.

Among other things, we supplied 300 newspapers in the smaller States of the United States with an English newspaper, which gives a weekly review and comment of the affairs of the war. We established connection with the man in the street through cinema pictures of the Army and Navy as well as through interviews, articles, pamphlets, etc., and by letters in reply to individual American critics, which were printed in the chief newspaper of the State in which they lived, and were copied in newspapers of other and neighboring States. We advised and stimulated many people to write articles; we utilized the friendly services and assistance of confidential friends; we had reports from important Americans constantly, and established association, by personal correspondence, with influential and eminent people of every profession in the United States, beginning with university and college presidents, professors, and scientific men and running through all the ranges of the population. We asked our friends and correspondents to arrange for speeches, debates, and lectures by American citizens. * * * Besides an immense private correspondence with individuals, we had our documents and literature sent to great numbers of public libraries, Y. M. C. A. societies, universities, colleges, historical societies, clubs, and newspapers.

No formal investigation of these grave charges has ever been undertaken by the Congress of the United States to determine their truth or falsity. To allow them to go unchallenged is to cause serious reflection on the purpose of the United States in entering the war, as a result of which this Nation is bowed in grief over the death, maiming, and ruined health of hundreds of thousands of its young manhood, and the people of our country are burdened with an unprecedented national debt, with resulting high taxes and living costs unprecedented in magnitude and oppression.

Mr. BLANTON. Well, what does the gentleman think about it? He is indicting the whole American people.

Mr. MICHAELSON. If it is true and can be proven that it was possible to end the war soon after it started and before much damage had been done to the world and its people, and if that chance was blocked by selfish financial interests with a slush fund beyond comprehension to buy manufactured propaganda to be used and spread to excite the minds of the American people and to put hate in their hearts, resulting finally in plunging this Nation into the war, with such awful consequences, not only the people of this country but the whole world should know it. If the charges are not true, then the people should know that.

If these charges are not true, is it not strange that virtually from the day war was declared in 1914, backed by the British Government, a British subject, Sir Gilbert Parker, on his own statement, seemingly all unbeknownst to our Government officials and our President, conducted this gigantic propaganda in our country to scientifically inculcate into the hearts of the American people a hate that would finally plunge them into the World War, particularly when we are still mindful of the fact that in the early spring of 1916 Woodrow Wilson, President of the United States, while making a tour of the Middle States and the great upper Mississippi Valley to deliver his message to the American people and to enunciate the policies upon which they should stand at that hour, in statements and in numerous speeches repeatedly insisted that the American people and the American Nation should remain neutral not only in deed but in thought? In every one of these speeches the President again and again reiterated that good Americans would remain neutral and do nothing that might involve this great liberty-loving, peace-loving American people in this terrible conflagration. And yet, Mr. Chairman and Members of this House, Sir Gilbert Parker states to the world under his signature that at the very moment the President of the United States, speaking for the American people, in behalf of the American people, and as the mouthpiece of the American people, was urging them to remain neutral, he—Parker—was spending British gold from one end of this Nation to the other for the purpose of driving this Republic into the quarrels of European monarchies.

If these charges are true, Mr. Chairman and gentlemen, and in view of the warfare still going on in Europe at this very hour, then the American lives lost were sacrificed not on the altar of universal democracy and freedom but upon the blood-stained, sacrificial stone of inhuman avarice and greed, and if these charges be true we must come to the conclusion that the American people were duped by an unscrupulous combination of wealth that, through its kept literary harlots, seduced the noble patriotism of the American citizenry in order to enrich themselves. Let us not shrink from facing and demanding the truth, the whole truth, and nothing but the truth.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONNALLY of Texas. Will the gentleman yield? I make the point of no quorum.

The CHAIRMAN. The time of the gentleman has expired.

Congressional Record

PROCEEDINGS AND DEBATES

OF THE

FIRST SESSION OF THE
SIXTY-SEVENTH CONGRESS

OF

THE UNITED STATES
OF AMERICA

VOLUME LXI—PART 2

MAY 5 TO JUNE 3, 1921

(Pages 1055-2120)



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