

**NATIONAL COLONIZATION BILL:
HEARINGS BEFORE THE COMMITTEE ON
LABOR, HOUSE OF REPRESENTATIVES,
SIXTY-FOURTH CONGRESS FIRST
SESSION ON H. R. 11329**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649351589

National Colonization Bill: Hearings Before the Committee on Labor, house of representatives, sixty-fourth congress first session on H. R. 11329 by Various

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1915
COMMITTEE

COMMITTEE ON LABOR,

HOUSE OF REPRESENTATIVES, SIXTY-FOURTH CONGRESS.

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CONTENTS.

Testimony of witnesses:	Page.
Crosser, Hon. Robert.....	10
Holder, Arthur E.....	38
Howe, Frederic C.....	55
Marsh, Benjamin C.....	14
Additional statement.....	27
Post, Hon. Louis F.....	67
Wilson, Hon. William B.....	82
Copy of the bill, H. R. 11329.....	5

NATIONAL COLONIZATION BILL.

COMMITTEE ON LABOR,
HOUSE OF REPRESENTATIVES,
Thursday, May 18, 1916.

The committee this day met, Hon. Edward Keating presiding.

Mr. KEATING. The committee will come to order. We are here today to consider H. R. 11329, a bill introduced by Mr. Cresser to "authorize the Secretary of Labor to cooperate with other departments of the Government in fostering, promoting, and developing the welfare of the wage earners of the United States, by creating new opportunities for permanent and profitable employment, and for other purposes," which reads as follows:

[H. R. 11329, Sixty-fourth Congress, first session.]

A BILL To authorize the Secretary of Labor to cooperate with other departments of the Government in fostering, promoting, and developing the welfare of the wage earners of the United States, by creating new opportunities for permanent and profitable employment, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Labor be, and he is hereby, authorized to cooperate with the Secretaries of Agriculture and of the Interior for the purpose of extending the present work of the division of information of the Immigration Service of the Department of Labor in the distribution of workers and in finding and creating new opportunities for permanent and profitable employment for such workers, and for the purpose of ascertaining the measures which may be necessary for relieving unemployment throughout the United States and making recommendations regarding the same to Congress; and the Secretaries, respectively, of Agriculture and Interior be, and they are hereby, authorized, at the request of the Secretary of Labor, to place at the disposal of said Secretary of Labor any information as to the activities, duties, and powers of offices, bureaus, and services under their respective jurisdictions, so far as they relate to labor and its conditions, in order to harmonize and unify such activities, duties, and powers, with a view to further legislation to further define the duties and powers of the said Secretary of Labor; and there is hereby created a special administrative board of three members, to be known as the national colonization board, to consist of the Secretaries of the Departments of Labor, of the Interior, and of Agriculture, of which the Secretary of Labor shall be the chairman, and said board is hereby empowered, authorized, and directed to carry out, through the personnel and other means of said departments, the provisions of this act; and to this end the said board may employ, through the Civil Service Commission, such additional force as may be necessary: *Provided,* That either of the said Secretaries may designate an Assistant Secretary in his department to act on the said board in his stead, and the acts of such Assistant Secretary or Secretaries shall be in all respects as valid and binding as if they were the acts of the Secretary himself. The term "board" or "colonization board" as used in this act shall refer to the national colonization board herein created.

Sec. 2. That the board shall examine, or cause to be examined, areas of land embracing portions of the public domain and reservations owned by the United States and adjoining lands not so owned, said areas including agricultural, desert, grazing, or forest lands, for the purpose of determining the possibilities of organizing on all or any portions of such areas or locations, and in convenient units, projects for colonizing communities of workers in the industry or industries, whether farming, grazing, lumbering, or other, being conducted on or suitable to the particular area; and the board may at any time through the President, and upon his approval, recommend to the Congress the purchase of lands not owned by the United States which are needed for any colonizing project.

The colonization board may, at any time in its discretion and upon the approval of the President, set apart and withdraw from settlement, location, sale, or entry any of the public lands of the United States, including the District of Alaska, and reserve the same as farm-colony reserves for the purpose of colonizing thereon families and persons, in accordance with the provisions of this act.

No land now reserved by the United States, in irrigation or other withdrawals, in national parks, in national forests, or other reservations, shall, by elimination or otherwise, be restored to the public domain nor opened to settlement, location, sale, or entry until after the examination of such lands by the board and its approval of such restoration.

Sec. 3. That the colonization board, after the examination of any area or locations as provided for in section two, shall select therefrom such locations as in the opinion of the board would be most suitable and practicable as colonization projects; and the said board shall make, or cause to be made, for each such location a detailed plan for developing and colonizing the same. Said plan shall in each case provide for the necessary clearing of land; for the construction, maintenance, and operation of the roads, ditches, and other reclamation works necessary to make the land accessible and cultivable; for developing and supplying timber, coal, power, telephone and other services to settlers for their domestic use; for organizing facilities for purchasing, marketing, and other cooperative activities; and for securing any other improvements or services necessary for the efficient organization and development of any community to be colonized on the location. And said plan shall include estimates of cost of all contemplated works and operations, of the quantity, location, and value of the lands and the number of people which can be colonized, and all facts relative to the use and practicability of each colonization project. Upon completion of the plan, with estimates of each project, the same shall be submitted by the board to the President for his approval, and he shall report to Congress at the beginning of each regular session as to the use and practicability of all projects approved by him during the previous twelve months.

The board is hereby empowered, authorized, and directed, in connection with any project, to set aside and reserve from settlement, location, sale, or entry so much of the timber, coal, water-power sites, or other resources owned by the United States as may be necessary to the settlers in said project for their domestic use.

No project shall be undertaken by the board nor submitted to the President for approval which does not offer a reasonable presumption that the soil and other physical conditions and the markets and other economic conditions involved in such project will permit of immediate, continuous, permanent, and profitable employment for the settlers being located and colonized therein.

Sec. 4. That the title to all lands whatsoever retained or acquired by the United States and included in farm-colony reserves or in irrigation or other withdrawals, or in national parks, national forests, or other reservations, the same being included in any colony project, shall remain forever in the United States Government; and the colonization board is hereby authorized, under such rules and regulations as it may establish and subject to the provisions of this act, to issue to any person over twenty-one years of age who is a citizen of the United States, or who has declared his intention of becoming such, a terminable permit or lease for the use of agricultural or grazing land owned by the United States Government.

No permit or lease for the use of any parcel of land shall be issued except to the person by whom said land shall be actually used and occupied and during a period only in which said land shall be used and occupied by said person or the designated heirs or assigns thereof; and the question of fact in any particular case of what is actual use and occupancy within the spirit and purpose

of this act shall be determined by the colonization board, subject to appeal to the district Federal court in the district in which such land is located, which court shall proceed in the same manner as in cases for the condemnation of land; and any permit or lease of land decided as not being used or occupied as aforesaid shall be subject to cancellation by the board.

The total area of land, agricultural, grazing, or both together, the use of which is allowed by the board, under one or more permits, leases, or both, to any one person during any period, shall not exceed that which, in the opinion of the board, is sufficient to support one family; and in no case shall such area exceed three hundred and twenty acres of agricultural land or six hundred and forty acres of grazing land: *Provided*, That two or more persons holding permits or leases under this act may operate their holdings under cooperative agreements approved by the colonization board.

SEC. 5. That the aggregate cost of all improvements involved in any colonization project for making lands therein accessible and cultivable, as provided for in section nine, together with the cost of surveys and examinations therefor and of all organization work in connection with said project, shall be assessed by the board against each farm, ranch, or other parcel of land (owned by the United States within such project and opened to use under permit or lease) upon the basis of benefits and damages thereto; and a charge to be known as the "improvement charge" shall be collected each year by the board from the permittee or lessee equal to four per centum of the total cost of improvements assessed against the parcel of land in question plus a fraction, fixed or variable, of said total cost sufficient to reimburse to the Government such cost in a period not exceeding fifty years, to be determined in each case by the colonization board: *Provided*, That the permittee or lessee may, at any interest-paying time, pay the balance remaining unpaid of the total cost, including interest charge, or any proportion thereof: *Provided further*, That whenever the total cost of improvements assessed against any parcel of land shall be paid to the Government, with annual interest at four per centum on balances previously unpaid, no further improvement charge shall be collected. All improvement charges collected shall be paid in to the "colonization fund" of the Treasury of the United States hereinafter provided, to be used as provided for in section eight.

A charge to be known as the "tax charge" (in addition to the improvement charge hereinbefore provided), such tax charge to be a reasonable percentage of the assessed value of the land, shall be collected each year by the board from the permittee or lessee. From the tax charges so collected there shall be paid by the board equitable proportions thereof to the State, county, and other local governments rendering services within the area of the colonization project, corresponding to the local current tax rate, but not to exceed three per centum of the said assessed value; and the remainder of the said tax charge shall be paid into the "colonization fund" of the Treasury of the United States, to be used as provided for in section eight.

All improvement charges and tax charges shall be paid in annual installments to such local officers and under such rules and regulations as the board may determine, and a failure to make payments for two successive years shall render the permit or lease subject to cancellation by the board, with the forfeiture of all rights under this act: *Provided*, That in no case shall the board allow any permittee or lessee to continue in occupancy after three successive installments shall be due and unpaid: *Provided further*, That the board shall ascertain the total amount paid by the permittee or lessee toward the cost of improvements, and deduct therefrom the amount of depreciation of said improvements and shall pay the balance to the said permittee or lessee (whose right of occupancy is so forfeited). The permittee or lessee may appeal from the decision of the board to the district Federal court in which such land is located, which court shall proceed in the same manner as in cases for the condemnation of land.

SEC. 6. That there is hereby created in the United States Treasury a fund to be known as the "colonization fund," to be expended by the board for carrying out the provisions of this act, and the Secretary of the Treasury is hereby authorized and directed, upon request of the colonization board, to transfer from time to time to the credit of the colonization fund such sum or sums, not exceeding in the aggregate \$50,000,000, as the said board may deem necessary, to be used from time to time for carrying out the provisions of this act; and such sum or sums as may be required to comply with this authority are hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That

the sums hereby authorized to be transferred to the colonization fund shall be so transferred only as such sums shall be actually needed by the board; *Provided further*, That all sums so transferred shall be restored to the Treasury from the improvement fund, as hereinafter provided.

Sec. 7. That for the purpose of providing the Treasury with funds for such advances to the colonization fund the Secretary of the Treasury is authorized to issue certificates of indebtedness of the United States in such form as he may prescribe and in denominations of \$20, or multiples of that sum; said certificates to be redeemable at the option of the United States at any time after ten years from the date of their issue and to be payable fifty years after such date and to bear interest, payable semiannually, at not exceeding three per centum per annum; the principal and interest to be payable in legal tender of the United States. The certificates of indebtedness herein authorized may be disposed of by the Secretary of the Treasury at not less than par, under such rules and regulations as he may prescribe, giving all citizens of the United States an equal opportunity to subscribe therefor, but no commission shall be allowed and the aggregate issue of such certificates shall not exceed the amount of all advances made to said colonization fund, and in no event shall the same exceed the sum of \$50,000,000. The certificates of indebtedness herein authorized shall be exempt from taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority; and a sum not exceeding one-tenth of one per centum of the amount of the certificates of indebtedness issued under this act is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the expenses of preparing, advertising, and issuing the same.

Sec. 8. That certain proportions of the receipts of the colonization fund shall be paid into the general fund of the Treasury of the United States, until payments so made shall equal the aggregate amount of advances made by the Treasury to said colonization fund, together with interest paid on the certificates of indebtedness issued under this act and any expense incident to preparing, advertising, and issuing the same; *Provided*, That said transfer of receipts shall be made at such times and in such proportions as the President shall direct; *Provided further*, That all receipts of the colonization fund in excess of the amounts of advances made by the Treasury, as heretofore provided, to said colonization fund which shall have been restored, shall be used by the board in accordance with the provisions of this act for instituting new colonization projects and for developing projects which shall have been established, and any sum or sums from said colonization fund used for making lands accessible and cultivatable, or for making surveys and examinations therefor, or for any organization work in connection with any project, shall, together with annual interest at four per centum on unpaid balances of said sum or sums, be assessed by the board against the appropriate land and collected as an improvement charge, in accordance with the provisions of section five, and when so assessed and collected the said sum or sums shall be returned by the board to the colonization fund, to be used over again indefinitely by the board for like purposes.

Sec. 9. That upon the determination by the national colonization board that any colonization project is practicable, and upon approval of such project by the President, the said board shall let contracts, in definite portions or sections of the operations to be undertaken (providing the necessary funds for such portions or sections are available in the colonization fund) for clearing the land of timber or stumps and for constructing necessary roads, drainage ditches, and other reclamation works and improvements, and shall maintain and operate the same for the purpose of making the land accessible and cultivatable.

The board shall thereupon, through the Labor Department, give public notice of the lands ready for settlement within such project, and the limits of area of single farms or ranches, and the improvements and tax charges thereon per acre, and all other facts necessary to properly inform any prospective settlers as to the project; and the board shall, through said Department of Labor and as soon as possible, bring together, colonize, and locate upon the land a body or group of persons or families as settlers, in the requisite number, who are presumably most suitable to the conditions of such project and who will be the most benefited thereby.

Upon arranging for the location of said settlers in such project the board shall arrange for developing local timber growth, coal deposits, water power, or other resources owned and reserved for the purpose by the United States, and for constructing power plants, transmission lines, telephone lines, and other works, and to maintain and operate the same for the purpose of providing to the settlers

at cost prices, and for their domestic use only, lumber, coal, power, light, telephone, and other domestic services.

The board shall, in addition, organize, or aid the settlers in organizing, facilities for the cooperative purchasing by said settlers at wholesale prices of farming and domestic equipment, supplies and material; also facilities for the cooperative marketing by said settlers of their farm products; and any necessary cooperative buildings or structures may, in the discretion of the board, be built and maintained out of the colonization fund, the same to be assessed against the appropriate lands (on the basis of benefits derived) within the project and to be collected as part of the improvement charges.

The title to all works, buildings, and improvements constructed or made on any lands belonging to the United States within any colonization project, under authority of this act, shall remain forever in the United States, subject to the right of assignment of the use thereof as hereinbefore provided.

The term "settler" or "settlers" as used in this act shall refer to any and all persons, with their families, living permanently on land within any project and occupying and using the same for farming or other productive purpose or permanently employed within any project in logging, sawmilling, tree planting, or other forest operation or in construction work or clearing land or other operations being conducted under any contract authorized in this act.

The term "domestic use" as used in this act shall include the use by any settler or settlers of any resource for their direct personal welfare or for increasing the productivity of their lands, but shall exclude the use of any resource for purposes, directly or indirectly, of sale or profit.

Sec. 10. That the national colonization board shall, from and after the passage of this act, execute or cause to be executed all laws affecting any forest reserve or national forest, or any portion thereof, included within any colonization project, and all timber-sale contracts applying within such projects shall be made by the board in conformity with a plan for maintaining as far as possible a continuous and sustained annual yield and cut of timber within the area of the project, to the end that continuous and profitable employment may be provided for settlers whom the board may colonize as being suited to and desirous of work in the operations of logging, sawmilling, tree planting, or other forest industries.

Sec. 11. That all operations provided for in this act shall be governed by provisions as stated in this section, and such provisions shall be embodied as terms in every contract (whether a contract for construction, timber sale, or other purpose involving labor) which is authorized under this act:

Eight hours shall constitute a day's work.

The minimum wage per day of eight hours' duration for any class of labor shall be not less than the average wage per day of average duration received in the locality by the respective class of labor working under conditions equivalent to those prevailing in operations conducted under this act.

All wages shall be paid at intervals not greater than sixteen days.

No person under the age of sixteen years shall be employed for any purpose whatsoever.

No contract shall be sublet without the consent of the colonization board, and said board shall require in any contract for subletting that the appropriate provisions of this act be embodied as terms thereof.

Sec. 12. That the colonization board is hereby empowered, authorized, and directed to make all necessary rules and regulations (the same to be embodied when required as terms of contracts) and to establish the necessary services—

To insure the safety of workers in the operations provided for in this act.

To provide for just and reasonable compensation to all workers in any operation or to their dependents, who may be injured or killed in the course of their work.

To provide for a system of insurance of workers employed in all operations under this act in cases of sickness, injury, or death.

To provide for an adequate system of sanitation, housing, and general living conditions for the workers engaged in any operation under this act.

To promote the skill, interest, and efficiency of workers in any operation.

To conduct operations where desirable to set a standard of efficiency for contractors; also in case reasonable contracts can not be secured.

To provide for the sale of any surplus water or electric power, or of any lumber or coal development, in connection with the operations of supplying said resources to settlers for their domestic use.