

As the dual provisions of this bill would indicate that this committee now proposes to deal with transportation agencies other than waterways and harbors, it appears a proper time to direct the attention of the committee to the commodities clause of the Interstate Commerce Act, which is as follows:

SEC. 1. (8) From and after May first, nineteen hundred and eight, it shall be unlawful for any railroad company to transport from any State, Territory, or the District of Columbia, to any other State, Territory, or the District of Columbia, or to any foreign country, any article or commodity, other than timber and the manufactured products thereof, manufactured, mined, or produced by it, or under its authority, or which it may own in whole or in part, or in which it may have any interest, direct or indirect, except such articles or commodities as may be necessary and intended for its use in the conduct of its business as a common carrier.

It appears proper to call the attention of the committee to this restriction at this time because of the apparent willingness of certain members of the committee to approve the proposal that certain carriers by water shall be privileged to transport their own products, in their own vessels or barges, to their own wholesale and retail establishments.

I write no brief either for or against the commodities clause that has been quoted, but I do submit the belief that if there is to be such a restriction on the services of the railroads and their employees, surely exactly the same provisions should be established by the Congress for each and every transportation agency engaged in interstate commerce. At present the activities of the petroleum industry may well be given consideration before new and additional favors are extended the industry.

The bill contains the further proposal that authority shall be granted for the construction of a barge canal 12 feet deep and 125 feet wide from the existing channel of similar dimensions in the St. Johns River of Florida across Florida to the vicinity of the Gulf of Mexico, and from the western terminus of this canal across Florida, a canal of similar dimensions within the coast line of Florida to the present eastern terminus of the Intracoastal Waterway in the vicinity of Apalachee Bay; and there is also authorized the enlargement of the present Intracoastal Waterway from the vicinity of Apalachee Bay to Corpus Christi, Tex., and its extension to the vicinity of the Mexican border so as to provide throughout the entire length of the canal a channel 12 feet deep and 125 feet wide:

Bill H. R. 6999 was introduced April 27, 1942. Weeks later it was found impossible to locate any report of the Board of Engineers that would show the exact route of the proposed waterway, its costs, whether it was proposed as a sea-level canal or a canal with locks. The term "one hundred and twenty-five feet wide" is quite an ambiguous measurement. There would immediately be the question as to whether that particular measurement would be for the top or bottom of the channel. The proposal that such a measurement may be set aside and new measurements established by the Board of Engineers would appear to immediately nullify the provisions of all of the proposed measurements. If such privilege or authority is to be extended the Chief of Engineers, it would appear that merely the authority to construct a canal could be authorized and the Chief of Engineers left authority to determine how it should be constructed and what its measurements should be and where it would be located.