

BE IT FURTHER RESOLVED, that we urge action on this matter in the present session of Congress or in a special session to be called for the consideration of emergency agricultural tariff and general agricultural relief legislation, and

BE IT FURTHER RESOLVED, that the Secretary of State of the State of Minnesota be instructed to send a copy of this resolution to the president of the United States, President-elect Herbert Hoover, the Speaker of the House, the Vice President of the United States, to the Ways and Means committee of the House of Representatives and to each member in Congress from the State of Minnesota.

Approved January 25, 1929.

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RESOLUTION No. 4—S. F. No. 359

*A joint resolution memorializing the President, the President-elect, and the Congress of the United States for the relief of the Lake of the Woods settlers for past damages suffered at the hands of power corporations and enterprises in Canada, in accordance with the convention between the United States and Great Britain to regulate the level of the Lake of the Woods, by providing that the settlers may have their claims heard and tried in the courts of the land.*

WHEREAS the Norman Dam, located at the outlet of the Lake of the Woods at Kenora, in the Province of Ontario, Dominion of Canada, has been so regulated by the power companies under the authority of the government of the Dominion of Canada as to flood the lands and property of the American settlers living upon the Minnesota shore of the Lake of the Woods; and

WHEREAS, the residents of the Lake of the Woods area have for many years protested by petitions, letters and resolutions to their senators and congressmen, and to the Department of State of the United States of America, against the maintenance of the Lake of the Woods above its natural level; and

WHEREAS, these protests were uniformly referred to the War Department for investigation and report, and the reports made by the engineers of that department have conveyed to the authorities and the representatives of the United States the erroneous impression that the dam in question has not interfered with lake levels; and consequently the government of the United States, relying upon such reports prior to the investigation by the International Joint

Commission hereinafter mentioned, and believing that the complaints of the settlers were unfounded, for many years took no action to relieve the settlers or to compensate them for their damages; and

WHEREAS a joint investigation, made by the United States and the Dominion of Canada through the agency of the International Joint Commission and independently of the engineers of the war department, disclosed that the dam had in fact raised the waters of Lake of the Woods by from four to six feet above their natural level, and following such investigation a treaty was entered into between the two governments looking to the acquisition by condemnation proceedings of a flowage easement upon the littoral lands so as to provide a regulated flow for the development of an enormously high amount of hydro-electric power out of the waters of the Lake of the Woods at sites in the Winnipeg river and elsewhere in Canada, and providing also for the payment to the settlers of the damages suffered by them in the past; and

WHEREAS under the act of Congress passed pursuant to that treaty the War Department and its engineers have been required to ascertain, and authorized to fix, the amount of such past damages, and in so doing have taken the position that in the ascertainment of such damages the settlers must be bound by the earlier inadequate and erroneous reports made to the War Department, and hence be treated as trespassers upon, rather than owners of, the lands they occupy, thereby depriving the settlers of the benefit intended to be afforded them by such act of Congress in the form of payment of past damages; and

WHEREAS under the present act of Congress the determination of damages by the agents of the War Department is final and conclusive and not subject to review:

NOW THEREFORE, BE IT RESOLVED by the Senate of the State of Minnesota, the House of Representatives concurring, that the President, the President-Elect, and the Congress of the United States be, and they hereby are, most earnestly requested to so amend the acts in question as to permit the settlers to appeal to the courts of the United States and to the courts of the State of Minnesota from the determination of the War Department of the damages suffered by them from the artificial flooding of their lands on the Lake of the Woods in years past, and to give to said courts jurisdiction to hear and determine appeals so taken.

BE IT FURTHER RESOLVED, that the Secretary of State of the State of Minnesota be and he hereby is instructed to transmit certi-

fied copies of this resolution to the President of the United States, the President-Elect of the United States, the Chairman of the Committee on Foreign Affairs of the House of Representatives, the Secretary of War, the Chief of Engineers of the War Department, and to each senator and member of Congress from Minnesota.

Approved February 8, 1929.

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RESOLUTION No. 5—S. F. No. 190

*A joint resolution memorializing Congress to amend Section 5219, Revised Statutes of the United States, so as to permit the taxation of shares of National Banks upon a fair and equitable basis.*

WHEREAS the several states of the union are prohibited from taxing the personal property of national banks, and may tax their shares only as permitted by Congress under the provisions of Section 5219 of the Revised Statutes of the United States, which in effect permits the taxation of such shares only at a rate not higher than the tax imposed upon money owned by individuals and by them invested in mortgages, bonds and other securities (commonly known as money and credits) in which national banks may invest their funds; and

WHEREAS it is unfair to tax an individual so using his own funds at as high a rate as bank shares which derive the benefit of the investment returns of from seven to ten times their own amount in the form of deposits; and

WHEREAS every attempt at taxation of money and credits at more than a relatively nominal rate has always proved a failure, and the practice of taxing them at low rates has in each of the many states employing that method resulted in reaching enormously greater amounts of such property and in producing a larger revenue and in the better distribution and equalizing of the burden of maintaining government; and

WHEREAS the courts have held invalid taxes levied on bank shares in states that undertake to tax money and credits at the same rate as bank shares on the ground that a substantial part of such money and credits are not, and by reason of the failure of owners to declare them for taxation at a relatively high rate cannot be taxed at all; and