"Who has been out to see them?" "What are they offering him for them?" "What is he asking for them?" etc.

If the farmers should get together on a plan such as indicated it would seem as if packers from different centers would come to see them and bid for them on the farm instead of bidding for them in the yards. I remember one time last year when Iowa hog prices in the Eastern part of the State were up above the Chicago market because Ottumwa was paying more than Chicago.

By handling the proposition as proposed you could get buyers from different centers to come out and bid, instead of the farmers having his stock at high expense in the yards, where he is practically under compulsion to sell in a few days at whatever the buyers feel like paying.

In the option the farmers would have to give their agent under the plan proposed, it might not be feasible to fix a price, as stock might vary too much in quality to do this, and the market would fluctuate, but it seems to me if a joint agent had the sole sale of the stock for a certain number of months, this agent would be in position to make a much better collective bargain for several thousand heads, than is possible now when the farmer either has to deal with the local buyer,—who must have a large margin of profit,—or else has to ship and take the gamble himself on what he will get at Chicago or Winnipeg.

I would like very much to see this plan discussed, and tried out, and if handled right I do not see why it would not work.

---

"THE FIELD OF THE AMERICAN ASSOCIATION FOR AGRICULTURAL LEGISLATION"

By L. H. Baily, President

The above address was published as volume five of this series, January, 1920.

---

STATUS OF AGRICULTURAL LEGISLATION IN THE STATES

By J. Clyde Marquis, Associate Editor,


We appear to be entering a period of extended federal control in the form of legislation concerning matters which have previously been handled only by states or smaller political divisions. One has only to examine the increasingly imposing lists of federal regulatory enactments to be impressed with the fact that we are amassing an enormous amount of federal law which in practice reaches further than mere inter-state trade, and involves co-operation, and in many cases, supervision of state agencies by federal authorities.

In the Department of Agriculture, this growth of federal supervision is especially apparent, so that the Secretary of Agriculture
now finds a very large part of the duties of his Department involved in the enforcement of regulatory laws, such as the Cotton Futures Act, the Grain Standard Act, the Warehouse Act, Federal Aid Road Act, and a long list of other laws. I emphasize this national tendency at the outset, in order to point out what bears more particularly upon the topic assigned to me for discussion namely, "The Status of Agricultural Legislation in the States."

Our states have been the experimental laboratories in which numerous experiments in legislation have been performed. Many of them, perhaps most of them, have been without fruitful results, since an examination of our state statutes show numerous laws passed with the best of intentions which have been forgotten and later repealed when the statutes were revised. A few, however, have survived and become the basis upon which other states have operated in inaugurating similar laws, and when several states have acted on the subject, the federal government steps in with a law on the same subject, with respect to inter-state affairs, and then begins the task of correlating state laws, correcting defects, contradictions and conflicts, so that the federal government and the various states may work together in harmony. The most recent example of this process, has been that with respect to cold storage legislation. When Congress attacked the job of preparing a new federal law, the solicitor of the Department of Agriculture was asked to report concerning state laws on the subject. This report was made. While the federal law is in theory supposed to be based on the best points of the state law, as a matter of fact it is a compromise between the opinions of various interested parties, and is in no sense to be regarded as a model law. The enactment of federal laws, however, tends to bring about uniformity and clarity in state laws.

A mention of a "model" state law, brings before us the question of the function of a federal department in reviewing a situation and preparing the skeleton of legislation to be adopted by the states. As a basis for such model laws, the state laws on quite a variety of subjects have been assembled by various bureaus of the Department of Agriculture, including such a diversity of subjects as the following: Automobile licensing; Highways; Dairy standards; Cooperation; Fertilizers; Foods and Drugs; Insecticides; Irrigation; Drainage; Tuberculosis in animals; Bee keeping; Forestry; Birds and game; Fur-bearing animals; Dog licensing, and the like. In several instances, bureaus have prepared suggestive "model" laws, and have secured their enactment in a large number of states by merely suggesting the need and outlining the law. They have had no control over the situation other than their power to develop public sentiment in favor of legislation on the subject, leaving the details of the matter to be worked out by the legislatures.

It is generally recognized that there must be variations in legislation on special subjects, according to the conditions existing in various states, and there has developed in some quarters a feeling that the federal departments are going rather too far in suggesting
these so-called model laws. The importance and desirability of uniform legislation, so far as may be possible in the various states, is however, much more apparent to those engaged in the enforcement of federal laws, than to anyone else. The expense and work involved in keeping in touch with the changes in state legislation, is alone quite a task for such federal departments as that devoted to agriculture. It is no small job to make an up-to-date summary of state legislation on any particular subject. It involves a search of the various state statutes, a constant checking up of new legislation, and for such work, there seems to be no central federal office at the present time.

It has been frequently suggested recently that there should be some national machinery for collecting and studying state legislation that has an influence in a national way. There exist at the present time, a multitude of examples of conflicts and contradictions between state laws on the same subject, for which no logical excuse can be offered, other than the legislature of one state wanted the matter handled in one way, and another state chose a different method.

Just what form a national organization should take, which should have for its duty the analysis of this subject, is not wholly clear at present. Some of those familiar with the subject, feel that a federal bureau should be created for this purpose. On the other hand, there is a strong conviction developing that through federal legislation, we are gradually imposing upon the states, certain limitations which are in conflict with the rights of the states to legislate as they choose for their own people. This sentiment is frequently expressed in Congress, as well as in the legislatures, and brings up what seems to be a pertinent question for the American Association of Agricultural Legislation to consider, namely—What is the proper relation between federal and state legislation upon the same subject; where does the state’s authority end and the federal authority begin; are we building up too much duplicate machinery, adding to the cost and burden of government, complicating the relations of business and adding to the burdens of the courts, charged with the interpretation of legislation?

Perhaps the most outstanding need is for an organization or bureau which shall be in a position to advise with legislatures in the states, and with Congress, regarding the character of laws to be enacted. As one views Congress and the state legislatures in action, he cannot fail to be impressed with the haphazard methods in which laws are created. There are now before Congress some fourteen thousand bills, which are poured into a general hopper, referred to committees without being assorted or scrutinized in any way to discover how many of them are really meritorious, how many are inspired purely by personal interests, without any appreciation of the questions involved, how many are in conflict with existing laws, and should really be framed merely as brief amendments to other laws, and how many are in absolute conflict with previous decisions of the courts on similar subjects.
Some of the states have taken steps to inaugurate a screening process, which segregates the good from the bad, but there is yet a very great need for improvement in this direction. One is also impressed with the fact that many members of legislatures and Congress come into office without previous experience in legislating, and are entirely ignorant of how to begin to correct a condition which may need correction by means of legislation. Some sort of a school for law-makers, or at least a guiding hand that will make our statutes as near fool-proof as possible is needed. A practical problem for many lines of business is how to know when they are within the law and every business with a national scope is now obliged to build up a legal organization of its own, to protect its own interests.

It appears to the writer that no more helpful work could be accomplished by this Association, than to prepare, through various committees, summaries of state and federal legislation on the more important branches of agricultural interests, to be distributed to members of legislatures and to interested persons of the general public. There are a number of good reasons why this work could be accomplished more effectively by committees of the National Association, than by a particular federal bureau. There is no way in which this Association could more quickly justify its existence and secure wide-spread support, than by rendering such services.

Summarized, the need appears to be; first, to discover just where we are with respect to legislative development, and second, to place, if possible, some definite limitation upon the growing complications in legislation which are so apparent to all that are in any-wise associated with their enforcement. The problem is not so much that of devising new legislation, as one of securing a simplification of the present laws, so that the average citizen may have some adequate idea as to when he is within the law.

STATUS OF AGRICULTURAL LEGISLATION IN CONGRESS

Edward Wiest, Ph. D., University of Kentucky

The time was when agricultural legislation received little or no attention from farmers generally. That time was before the days of farm organizations. The Grange was the first effort of importance to bring concerted pressure upon law-making bodies concerning favorable agricultural legislation. The national and state dairy associations have played a vigorous rôle in oleomargarine and dairy legislation. Up to the period of the war, however, these efforts on the part of agricultural interests to influence legislation were more or less spasmodic and were largely confined to only a few of the specialized agricultural activities. This situation passed into history with the establishment of the National Board of Farm Organizations at Washington, D. C., which is a representative body of the important farm organizations in the United States. It is not to be understood that farm organization has reached its highest development, for large numbers of farmers in different localities