



10-29-1917

Robert Taft response to Attorney General Langer on the grade and price of grain, 1917

Robert Taft

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UNITED STATES FOOD ADMINISTRATION
WASHINGTON, D. C.

ATTORNEY GENERAL'S OFFICE
RECEIVED 11-2
ANSWERED
IN YOUR REPLY REFER TO
Referred to

October 29, 1917.

Hon. William Langer,
Attorney General of North Dakota,
Bismarck, N. D.

My dear Mr. Langer:

I beg to acknowledge receipt of your letter of October 24, 1917, enclosing copy of a letter from George Finneman, and I have also received the sample of wheat sent to me. I have examined the Federal grades and find that $1\frac{1}{2}$ per cent. of rye under the present grades undoubtedly reduces the grade to No. 3 Dark Northern, which would take 6 cents a bushel off the price of No. 1 Dark Northern, reducing the payment to \$2.15. I agree with you that the ruling seems hard, but I doubt whether it would do any good to present it to Brand, except perhaps as an exhibit in an application for change in grade.

In regard to the newspaper statement to which you refer, I talked with Mr. Barnes on the long distance telephone, and he told me that he simply assured the delegation that he would have a thorough investigation made of the various cases of injustice which they cited, with a possible view to extending the sale by sample to No. 3, which might then bring it within 1 cent of the No. 2 price. I think that your friends must have exaggerated the result of the hearing.

I also talked with Brand the day after he saw the railroad commissions, and from what he said I think he told them that his department had no objection to a sale by sample within the grades. That is, to permit No. 2 wheat to be sold for any price between that fixed for No. 1 and No. 3, and thus have a range of prices for the lower grades, instead of a single fixed price.

I hoped to see you again and tell you the result of my interview with Brand. I left the file of letters with him, and I hope that an examination of them may be made, and some effect produced. Mr. Brand said that he would entertain an application for change of grades, but that if one was made it should be confined to specific points, and not be a general protest against the whole system. The

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Assistant Solicitor of the Department of Agriculture also suggested to me that if any such application was made, it would be well to suggest a substitute for the item protested against.

I think, therefore, that if you wish to take action the proper course would be to draw up in legal form a formal application addressed to the Secretary of Agriculture, requesting him to modify the grades as now fixed. You could set out three or four respects in which you think the grade should be modified, dealing with each one in a separate paragraph, in which the reasons for modification and the suggested substitute could be set out. From what I have seen it seems to me that the strongest points are

- (1) The low percentage of rye or barley necessary to reduce the grades;
- (2) The low percentage of weed seed necessary to reduce the grades;
- (3) The multiplicity of grades (15 for spring wheat) which prevents the country elevator from keeping the grades separate, to the detriment of the farmer, and
- (4) The moisture rule.

You know the various reasons for the changes much better than I do, and I think these should be set out in as concise a form as possible. The application should be accompanied with a request for a hearing if this is desired, at which you could present evidence and exhibits.

I am not entirely certain how much you will be able to accomplish but I think they will listen to you.

Yours very truly,

Robert A. Taft
*You can obtain the documents showing
what the grades are exactly from
the Govern*