by the repeal or suspension of the national-origins clause and asking that Mexico and Latin-American countries be placed under the quota provisions of that act and asking for additional deportation legislation; to the Committee on Immigration and Naturalization.

424. Also, petition of citizens of New Jersey, protesting against the impairment of the immigration act of 1924 by the repeal or suspension of the national-origins clause and asking that Mexico and Latin-American countries be placed under the quota provisions of that act and asking for additional deportation legislation; to the Committee on Immigration and Naturalization.

425. Also, petition of citizens of New Jersey, protesting against the impairment of the immigration act of 1924 by the repeal or suspension of the national-origins clause and asking that Mexico and Latin-American countries be placed under the quota provisions of that act and asking for additional deportation legislation; to the Committee on Immigration and Naturalization.

426. Also, petition of numerous citizens of New Jersey, protesting against the impairment of the immigration act of 1924 by the repeal or suspension of the national-origin clause and asking that Mexico and Latin-American countries be placed under the quota provisions of that act and asking for additional deportation legislation; to the Committee on Immigration and Naturalization.

427. Also, petition of numerous citizens of Edgewood, N. J., protesting against the impairment of the immigration act of 1924 by the repeal or suspension of the national-origins clause and asking that Mexico and Latin-American countries be placed under the quota provisions of that act and asking for additional deportation legislation; to the Committee on Immigration and Naturalization.

428. By Mr. EVANS of California: Petition of Mrs. E. Barnett, of Pomona, Calif., and 17 others, opposing the proposed change in the calendar year; to the Committee on Foreign Affairs.

429. By Mr. McCORMACK of Massachusetts: Petition of Ancient Order of Hibernians of Massachusetts, Thomas H. Buckley, 198 Center Avenue, Abington, Mass., chairman of resolution committee, urging repeal of national-origins clause in immigration act; to the Committee on Immigration and Naturalization.

SENATE

FRIDAY, *May 17, 1929*

(Legislative day of Thursday, May 16, 1929)

The Senate met at 12 o'clock meridian in executive session, on the expiration of the recess.

MESSAGE FROM THE HOUSE

While the doors were closed, by unanimous consent,

As in legislative session, a message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 1) to establish a Federal farm board to promote the effective merchandising of agricultural commodities in interstate and foreign commerce and to place agriculture on a basis of economic equality with other industries; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HAUGEN, Mr. PURNELL, Mr. WILLIAMS, Mr. ASWELL, and Mr. KINCHELOE were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 22) to provide for the study, investigation, and survey, for commemorative purposes, of battle fields in the vicinity of Richmond, Va., and it was signed by the Vice President.

NOTICE TO AMEND RULES XXXVIII AND XL

As in legislative session, by unanimous consent,

Mr. BLACK. I hereby give notice that on the next calendar day I shall move to amend the rules as follows:

1. By striking therefrom section 2 of Rule XXXVIII and substituting therefor the following:

"The Senate shall pass upon nominations submitted to it in open executive session."

2. By striking out the period at the end of Rule XL and adding thereto the following: "by a vote of the majority of those present and voting."

BILLS INTRODUCED

As in legislative session, by unanimous consent,

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HAYDEN:

A bill (S. 1162) granting a pension to Nellie Hastings Root; to the Committee on Pensions.

By Mr. STECK:

A bill (S. 1163) to amend the act entitled "An act to limit the immigration of aliens into the United States, and for other purposes," approved May 26, 1924; to the Committee on Immigration.

By Mr. McNARY:

A bill (S. 1164) authorizing and directing the Secretary of Agriculture to investigate all phases of crop insurance; to the Committee on Agriculture and Forestry.

A bill (S. 1165) to amend section 6 of the act entitled "An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes," approved June 30, 1918, to allow retirement of officers and employees of the Lighthouse Service at the age of 65 after 25 years of service; to the Committee on Commerce.

MESSAGE FROM THE HOUSE

During the consideration of executive business, by unanimous consent,

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed the joint resolution (S. J. Res. 36) to amend Public Resolution No. 89, Seventieth Congress, second session, approved February 20, 1929, entitled "Joint resolution to provide for accepting, ratifying, and confirming the cessions of certain islands of the Samoan Group to the United States, and for other purposes."

FORMER REPRESENTATIVE JOHN W. MOORE, OF KENTUCKY

As in legislative session, by unanimous consent,

Mr. BARKLEY. Mr. President, I ask unanimous consent to have inserted in the RECORD a brief statement by Representative D. H. KINCHELOE, of Kentucky, concerning former Representative John W. Moore, of that State.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement is as follows:

JOHN W. MOORE—STATEMENT OF HON. D. H. KINCHELOE, OF KENTUCKY, FRIDAY, MAY 17, 1929

Hon. John W. Moore was elected as a Representative in Congress from the third congressional district of Kentucky in November, 1925, to serve the unexpired term of R. Y. Thomas, jr. He was reelected by a tremendously increased majority to the Seventieth Congress and served until the 4th of March last. By reason of the death of the Member elect a special election has been called for June 1 next to elect a Member of Congress from this district. The Democratic congressional committee of that district a few days ago unanimously nominated Mr. Moore as the Democratic nominee and he will be the party's candidate to be voted for at this special election.

As soon as he came to Congress he was elected a member of the Committee on Immigration and the Committee on Pensions, two very important committees of the House, and served as a member of these two committees until his time expired the 4th of last March. I have had an opportunity to not only know Mr. Moore intimately while he was here but to know the services he rendered to his district and the country during his entire service. Also I have recently interviewed both Democratic and Republican members of the Committees on Immigration and Pensions and every member with whom I talked stated that there was not a more industrious and faithful member of either of the committees than Mr. Moore. He attended the committees regularly and participated all the time in the deliberations of them.

He not only discharged his duties faithfully and well as a member of the committees above mentioned but he looked after and cared for all the requests of his constituency promptly. Also he attended the sessions of Congress at all times, studied legislation, and voted for the interests of all the people on all questions that came before the House. No higher type man, no more genuine Christian character, and no Member of higher integrity has served in Congress since I have been here than John Moore. His interest has always been with the struggling man and woman, and he voted at all times for all laws that would better their conditions, whether they worked on the farm, in the mines, or the factory.

Nothing adds more to the influence and prestige of a Member of Congress than long service in this body. By reason of his past experience and acquaintanceship with the Members of the House, he is in better shape to render, if possible, more faithful and efficient service to the people of the third congressional district of Kentucky than ever. He is held in the highest esteem by the entire membership of the House, both Democrats and Republicans. With the powers of government being gradually concentrated in Washington, the duties of a Member of

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Congress have not only been greatly multiplied but they have increased accordingly in importance. I feel that the voters of the third congressional district realize this as well as I do. If returned to Congress, he will continue to render the same diligent, faithful, and patriotic service to his district as he has in the past. In view of this it is my sincere hope and desire to see him returned to Congress on June 1, and I earnestly urge every voter of that great district, regardless of politics, to turn out en masse on June 1 and reelect John Moore to Congress by a bigger majority than he has ever received before.

OPEN SESSION

After 6 hours and 35 minutes spent in executive session the doors were reopened.

The VICE PRESIDENT. The Senate resumes its legislative session, and the unfinished business will be proceeded with.

DECENNIAL CENSUS AND APPORTIONMENT OF REPRESENTATIVES

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 312) to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress.

Mr. JOHNSON. Mr. President, I send to the desk a proposed unanimous-consent agreement, which I ask to have stated.

The VICE PRESIDENT. The agreement will be stated.

The legislative clerk read as follows:

Ordered, by unanimous consent, that after the hour of 1 o'clock p. m. on the calendar day of Thursday, May 23, 1929, no Senator may speak more than once or longer than 30 minutes upon the pending bill, S. 312, a bill to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress (Calendar No. 3), or any amendment proposed thereto.

Mr. HEFLIN. Mr. President, does the proposed agreement mean that we are going to meet on Monday and Tuesday and Wednesday and discuss the bill?

Mr. JOHNSON. Yes, sir.

Mr. HEFLIN. We will not meet and adjourn for two or three days at a time?

Mr. JOHNSON. No, sir.

Mr. HEFLIN. We will go right along with the unfinished business?

Mr. JOHNSON. Absolutely. One of the objects in asking for this unanimous-consent agreement is to avoid a session to-morrow, many of my colleagues having spoken to me and asked that we recess from to-day until Monday.

Mr. HEFLIN. Let me ask the Senator what limit is placed upon debate after Thursday?

Mr. JOHNSON. The limit suggested by the Senator from Mississippi—30 minutes on the bill and on amendments.

Mr. McKELLAR. Mr. President, I ask to have the agreement read again.

The VICE PRESIDENT. The proposed unanimous-consent agreement will be restated.

The legislative clerk again read the proposed agreement.

Mr. NORRIS. Mr. President, I certainly do not want to interfere with any orderly procedure; and while what I am about to say has personal reference to myself, I do not wish to crowd in my personality on the matter. The Senate will remember, however, that yesterday I gave notice that on this morning I would address the Senate on a certain subject. It is not germane to the bill, however.

Mr. JOHNSON. Oh, I am perfectly satisfied to have the Senator make the speech of which he gave notice.

Mr. NORRIS. In justice to the Senator and to the Senate, I should dislike very much to take up some time—and it will be quite lengthy—on another subject after we have agreed to this unanimous-consent agreement, unless the Senate knew about it in advance, and unless I knew that my speech would not interfere with any Senator who wanted to talk on the bill.

Mr. HEFLIN. I desire to suggest to the Senator from Nebraska that I think it would be very appropriate for him to make his speech. I do not think this bill is going to be discussed by very many Senators.

Mr. JOHNSON. I quite agree with the Senator from Alabama in that regard. The Senator from Nebraska will have ample opportunity to deliver the speech to which he refers.

The VICE PRESIDENT. Is there objection to the proposed unanimous-consent agreement?

Mr. HOWELL. Mr. President, I am sorry, but I shall have to object.

The VICE PRESIDENT. Objection is made.

RECESS UNTIL MONDAY

Mr. WATSON. I move that the Senate take a recess until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 6 o'clock and 40 minutes p. m.) the Senate took a recess until Monday, May 20, 1929, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 17 (legislative day of May 16), 1929

CONSTRUCTORS IN THE COAST GUARD

The following-named officers to be constructors in the Coast Guard of the United States, to rank as such from May 11, 1927:

Rutherford B. Lank, jr.

Dale R. Simonson.

This is in accordance with the provisions of section 8 of the act approved July 3, 1926.

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES

AIR CORPS

To be second lieutenant, with rank from May 1, 1929

Technical Sergt. Robert Edward Lee Choate, Air Corps.

To be second lieutenants, with rank from May 2, 1929

Second Lieut. Edwin Roland French, Air Corps Reserve.

Second Lieut. Milton Hamilton Anderson, Air Corps Reserve.

Second Lieut. John Williams Persons, Air Corps Reserve.

Second Lieut. William Chamberlayne Bentley, jr., Air Corps Reserve.

Second Lieut. Sam Williamson Cheyney, Air Corps Reserve.

Second Lieut. Clarence Kennedy Roath, Air Corps Reserve.

Second Lieut. Kenneth Austin Rogers, Air Corps Reserve.

Second Lieut. Max Harrelson Warren, Air Corps Reserve.

Second Lieut. Robert Kirkland Black, Air Corps Reserve.

Second Lieut. Edwin Lee Tucker, Air Corps Reserve.

Second Lieut. Ralph Columbus Rhudy, Air Corps Reserve.

Second Lieut. Emery Jamison Martin, Air Corps Reserve.

Second Lieut. Isaac William Ott, Air Corps Reserve.

Second Lieut. Elwell Adolphus Sanborn, Air Corps Reserve.

Second Lieut. Edward Holmes Underhill, Air Corps Reserve.

Second Lieut. Trenholm Jones Meyer, Air Corps Reserve.

Second Lieut. John Joseph Keough, Air Corps Reserve.

Second Lieut. William Houston Maverick, Air Corps Reserve.

Second Lieut. William Pryor Sloan, Air Corps Reserve.

Second Lieut. George Frost Kinzie, Air Corps Reserve.

Second Lieut. Harry Johnson Zimmerman, Air Corps Reserve.

Second Lieut. Albert Boyd, Air Corps Reserve.

Second Lieut. James Wayne McCauley, Air Corps Reserve.

Second Lieut. Thomas Robert Starratt, Air Corps Reserve.

Second Lieut. Edward Harrison Alexander, Air Corps Reserve.

Second Lieut. Frank Alton Armstrong, jr., Air Corps Reserve.

Second Lieut. William Albert Matheny, Air Corps Reserve.

Second Lieut. John Patrick Kenny, Air Corps Reserve.

Second Lieut. Lambert Spencer Callaway, Air Corps Reserve.

Second Lieut. Ralph Aldrich Murphy, Air Corps Reserve.

Second Lieut. Reginald Franklin Conroy Vance, Air Corps Reserve.

Second Lieut. William Lecel Lee, Air Corps Reserve.

Second Lieut. David Dunbar Graves, Air Corps Reserve.

Second Lieut. Allen Joslyn Mickle, Air Corps Reserve.

Second Lieut. Haywood Shepherd Hansell, jr., Air Corps Reserve.

Second Lieut. William Truman Colman, Air Corps Reserve.

Second Lieut. Paul Mueller Jacobs, Air Corps Reserve.

Second Lieut. Dudley Durward Hale, Air Corps Reserve.

Second Lieut. Kenneth Clinton Brown, Air Corps Reserve.

Second Lieut. Harley Ray Grater, Air Corps Reserve.

Second Lieut. Herbert Leonard Grills, Air Corps Reserve.

Second Lieut. Russell Allan Cone, Air Corps Reserve.

Pvt. Benjamin Scovill Kelsey, Air Corps Reserve.

Second Lieut. Thomas Lee Mosley, Air Corps Reserve.

Second Lieut. Raymond Lloyd Winn, Air Corps Reserve.

Second Lieut. Leonard Franklin Harman, Air Corps Reserve.

Second Lieut. Kingston Eric Tibbetts, Air Corps Reserve.

Second Lieut. Richard Henry Lee, Air Corps Reserve.

Second Lieut. Robert Wilson Stewart, Air Corps Reserve.

Second Lieut. Lewis R. Parker, Air Corps Reserve.

Second Lieut. Walter Archibald Fenander, Air Corps Reserve.

Second Lieut. William Maurice Morgan, Air Corps Reserve.

Second Lieut. Richard Irvine Dugan, Air Corps Reserve.

Second Lieut. Edwin Minor Day, Air Corps Reserve.

Second Lieut. Jack Weston Wood, Air Corps Reserve.

Second Lieut. Charles Dibrell Fator, Air Corps Reserve.

Second Lieut. James Herbert Wallace, Air Corps Reserve.

MEDICAL CORPS

To be first lieutenant

First Lieut. Alfred Alexandre de Lorimier, Medical Corps Reserve, with rank from May 10, 1929.

CHAPLAINS

To be chaplains with the rank of first lieutenant

First Lieut. John William Westerman, Chaplains Reserve, with rank from May 13, 1929.

First Lieut. Joseph Oscar Ensrud, Chaplains Reserve, with rank from May 14, 1929.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO CORPS OF ENGINEERS

First Lieut. Beverly Carndine Snow, Coast Artillery Corps, effective July 12, 1929, with rank from June 25, 1919.

First Lieut. Louis Watkins Prentiss, Field Artillery, effective June 15, 1929, with rank from June 17, 1926.

TO SIGNAL CORPS

First Lieut. James Dunne O'Connell, Infantry (detailed in Signal Corps), with rank from May 31, 1927.

TO FIELD ARTILLERY

Capt. Woodbury Freeman Pride, Cavalry, with rank from July 7, 1926.

TO INFANTRY

Capt. Paul Louis Singer, Cavalry, with rank from July 1, 1920.

TO AIR CORPS

First Lieut. Cecil Ernest Henry, Infantry (detailed in Air Corps), with rank from March 14, 1929.

Second Lieut. Kenneth Perry McNaughton, Field Artillery (detailed in Air Corps), with rank from June 12, 1926.

Second Lieut. James Arthur Willis, jr., Infantry (detailed in Air Corps), with rank from June 12, 1926.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

To be colonel

Lieut. Col. William Porter Moffet, Cavalry, from May 9, 1929.

To be lieutenant colonel

Maj. Lloyd Burns Magruder, Coast Artillery Corps, from May 9, 1929.

To be major

Capt. Victor Parks, jr., Chemical Warfare Service, from May 9, 1929.

To be captains

First Lieut. James Harold McDonough, Infantry, from May 9, 1929.

First Lieut. Lewis Sheppard Norman, Infantry, from May 13, 1929.

To be first lieutenants

Second Lieut. William John Eyerly, Field Artillery, from May 9, 1929.

Second Lieut. George Dunbar Pence, Field Artillery, from May 10, 1929.

Second Lieut. Murray Bradshaw Crandall, Cavalry, from May 13, 1929.

MEDICAL CORPS

To be majors

Capt. Walter Leland Richards, Medical Corps, from May 12, 1929.

Capt. Charles Roland Glenn, Medical Corps, from May 13, 1929.

PROMOTIONS IN THE NAVY

MARINE CORPS

Lieut. Col. Edward B. Manwaring to be a colonel in the Marine Corps from the 16th day of May, 1929.

Maj. Calvin B. Matthews to be a lieutenant colonel in the Marine Corps from the 12th day of May, 1929.

Maj. Albert E. Randall to be a lieutenant colonel in the Marine Corps from the 16th day of May, 1929.

Capt. Archie F. Howard to be a major in the Marine Corps from the 12th day of May, 1929.

Capt. Raymond R. Wright to be a major in the Marine Corps from the 16th day of May, 1929.

The following-named midshipmen to be second lieutenants in the Marine Corps from the 6th day of June, 1929:

Raymond F. Crist, jr.	Charles D. Warfield.
William F. Coleman.	Raymond B. Sullivan, jr.
Frederick G. Lippert.	Clyde C. Roberts.
Homer C. Murray.	Samuel B. Griffith, 2d.
Frank H. Schwable.	William F. Bryson.
Edward C. Dyer.	James B. Lake, jr.
Chandler W. Johnson.	Harry C. Lang.
Melvin G. Brown.	Otho C. Ledbetter.
Manley L. Curry.	Deane C. Roberts.
Gordon Cone.	

POSTMASTERS

ALABAMA

Rosa E. Smith to be postmaster at Red Level, Ala., in place of J. W. Owen, resigned.

CALIFORNIA

Donald A. Parker to be postmaster at Etna, Calif., in place of D. A. Parker, resigned.

Retta F. Hildreth to be postmaster at Firebaugh, Calif., in place of Gladys McDonald, resigned.

Walter I. Clapp to be postmaster at Huntington Beach, Calif., in place of C. W. Conrad. Incumbent's commission expired December 17, 1928.

Minnie E. Dawson to be postmaster at Newhall, Calif., in place of Belle Kornelissen, resigned.

Florence M. Cole to be postmaster at Ross, Calif., in place of F. M. Cole. Incumbent's commission expired January 5, 1929.

GEORGIA

Royce G. Braselton to be postmaster at Braselton, Ga. Office became presidential July 1, 1928.

Annie R. Hutcheson to be postmaster at Buchanan, Ga., in place of A. R. Hutcheson. Incumbent's commission expired January 5, 1929.

Clarence W. Bazemore to be postmaster at Butler, Ga., in place of C. W. Bazemore. Incumbent's commission expired February 7, 1929.

Essie T. Patterson to be postmaster at Byromville, Ga., in place of E. T. Patterson. Incumbent's commission expired February 21, 1929.

James L. Dunson to be postmaster at Commerce, Ga., in place of J. L. Dunson. Incumbent's commission expired February 27, 1929.

Robert H. Manson to be postmaster at Darien, Ga., in place of R. H. Manson. Incumbent's commission expired February 17, 1929.

Lula Plowden to be postmaster at Edison, Ga., in place of Lula Plowden. Incumbent's commission expired January 10, 1929.

McCamie C. Gettys to be postmaster at Ellaville, Ga., in place of McC. C. Gettys. Incumbent's commission expired March 2, 1929.

Robert Turner to be postmaster at Jasper, Ga., in place of Robert Turner. Incumbent's commission expired February 21, 1929.

Francis L. Chapman to be postmaster at Ludowici, Ga., in place of F. L. Chapman. Incumbent's commission expired March 3, 1929.

James D. Lane to be postmaster at Monticello, Ga., in place of J. D. Lane. Incumbent's commission expired February 21, 1929.

William A. Garrett to be postmaster at Roopville, Ga., in place of W. A. Garrett. Incumbent's commission expired February 28, 1929.

Marion Lucas to be postmaster at Savannah, Ga., in place of Marion Lucas. Incumbent's commission expired February 28, 1929.

Susie M. Lunsford to be postmaster at Smithville, Ga., in place of L. L. Dean, resigned.

Ben H. McLarty to be postmaster at Soperton, Ga., in place of B. H. McLarty. Incumbent's commission expired December 10, 1928.

J. Percy Freeman to be postmaster at Stone Mountain, Ga., in place of J. P. Freeman. Incumbent's commission expired January 5, 1929.

Mark A. Greene, jr., to be postmaster at Tallapoosa, Ga., in place of M. A. Greene, jr. Incumbent's commission expired February 27, 1929.

Tilden A. Adkins to be postmaster at Vienna, Ga., in place of T. A. Adkins. Incumbent's commission expired February 17, 1929.

HAWAII

Paul F. Sakamaki to be postmaster at Olaa, Hawaii, in place of Wayson Weatherbee, resigned.

ILLINOIS

Glenn R. Adams to be postmaster at Carpentersville, Ill., in place of G. R. Adams. Incumbent's commission expired March 2, 1929.

John L. Sullivan to be postmaster at Kincaid, Ill., in place of N. M. Aull. Incumbent's commission expired December 13, 1928.

Bruno H. Marschinke to be postmaster at West Chicago, Ill., in place of L. J. Neltnor, removed.

Edward Walls to be postmaster at Wood River, Ill., in place of F. Z. Carstens. Incumbent's commission expired February 6, 1929.

IOWA

Frank Cook to be postmaster at Marengo, Iowa, in place of R. W. McKnight, deceased.

KANSAS

Fay Biggs to be postmaster at Barnard, Kans., in place of T. A. Biggs, deceased.

Estella Emrich to be postmaster at Longford, Kans., in place of Estella Emrich. Incumbent's commission expired March 3, 1929.

KENTUCKY

John F. Hubbard to be postmaster at Ashland, Ky., in place of G. P. Ginn. Incumbent's commission expired January 30, 1929.

Ernest E. Warnock to be postmaster at Greenup, Ky., in place of W. I. Myers. Incumbent's commission expired March 1, 1926.

Rex P. Cornelison to be postmaster at Paducah, Ky., in place of I. C. Byerley. Incumbent's commission expired February 1, 1928.

Guy M. Crowe to be postmaster at Stanton, Ky. Office became presidential July 1, 1928.

LOUISIANA

Daniel B. Wiggins to be postmaster at Kaplan, La., in place of O. H. Deshotels. Incumbent's commission expired December 11, 1928.

Olivier Dufour to be postmaster at Marrero, La., in place of Olivier Dufour. Incumbent's commission expired January 13, 1929.

Thomas H. Campbell to be postmaster at Morganza, La., in place of T. H. Campbell. Incumbent's commission expired March 18, 1929.

William L. S. Gordon to be postmaster at New Orleans, La., in place of W. L. S. Gordon. Incumbent's commission expired January 22, 1929.

MARYLAND

John Rankin to be postmaster at Western Port, Md., in place of F. E. Dowling, removed.

MINNESOTA

Wallace W. Towler to be postmaster at Annandale, Minn., in place of W. W. Towler. Incumbent's commission expired March 3, 1929.

MISSISSIPPI

James G. Carr to be postmaster at Centreville, Miss., in place of J. G. Carr. Incumbent's commission expired February 16, 1929.

Isaac N. Joyner to be postmaster at Houlka, Miss., in place of I. N. Joyner. Incumbent's commission expired February 16, 1929.

James L. Cooper to be postmaster at Maben, Miss., in place of J. L. Cooper. Incumbent's commission expired February 21, 1929.

Maude Barton to be postmaster at Mathiston, Miss., in place of Maude Barton. Incumbent's commission expired February 16, 1929.

John R. Trimm to be postmaster at Tishomingo, Miss., in place of J. R. Trimm. Incumbent's commission expired February 16, 1929.

MISSOURI

J. Chester Arnold to be postmaster at Forsyth, Mo., in place of I. H. Arnold, resigned.

Marvin E. Gorman to be postmaster at Mansfield, Mo., in place of C. H. Turner, resigned.

MONTANA

Horace C. Hoyt to be postmaster at Arlee, Mont. Office became presidential July 1, 1928.

NEBRASKA

Ruth Harrison to be postmaster at Beemer, Nebr., in place of A. E. Cates. Incumbent's commission expired January 6, 1929.

NEW JERSEY

DeWilton L. Anderson to be postmaster at Garfield, N. J. Office established March 1, 1928.

Sealah P. Clark to be postmaster at Pitman, N. J., in place of S. P. Clark. Incumbent's commission expired February 24, 1929.

NEW YORK

John J. Tidaback to be postmaster at Tarrytown, N. Y., in place of W. C. Wright, resigned.

Nelson L. Lobdell to be postmaster at Victor, N. Y., in place of F. T. Rowley. Incumbent's commission expired January 8, 1928.

NORTH CAROLINA

James P. Turnley to be postmaster at Cameron, N. C., in place of J. P. Turnley. Incumbent's commission expired January 31, 1929.

Thomas T. Long to be postmaster at Forest City, N. C., in place of R. K. Hallifield. Appointee declined.

NORTH DAKOTA

Redmond A. Bolton to be postmaster at Jamestown, N. Dak., in place of R. A. Bolton. Incumbent's commission expired April 19, 1928.

OHIO

Raymond Richards to be postmaster at Addyston, Ohio, in place of W. J. Fury. Incumbent's commission expired January 8, 1929.

Roger G. Cameron to be postmaster at Smithfield, Ohio, in place of C. S. Penn. Incumbent's commission expired December 19, 1927.

OKLAHOMA

Herbert L. McVay to be postmaster at Altus, Okla., in place of H. L. McVay. Incumbent's commission expired December 12, 1928.

Thomas P. Shira to be postmaster at Dewey, Okla., in place of S. E. Thomas, deceased.

Orlando J. Bradfield to be postmaster at Lamont, Okla., in place of O. J. Bradfield. Incumbent's commission expired September 8, 1926.

Susan E. Wright to be postmaster at Morris, Okla., in place of M. M. Bay, removed.

PENNSYLVANIA

Floyd C. Downey to be postmaster at Dravosburg, Pa., in place of E. E. McBride, removed.

James Matchette to be postmaster at Hokendauqua, Pa., in place of James Matchette. Incumbent's commission expired December 9, 1928.

Charles B. Rothenberger to be postmaster at West Leesport, Pa. Office became presidential July 1, 1928.

PORTO RICO

Cornelio D. Vargas to be postmaster at Guayama, P. R., in place of C. D. Vargas. Incumbent's commission expired March 18, 1929.

TENNESSEE

Valera E. Warren to be postmaster at Adams, Tenn., in place of E. M. Hill, removed.

Daniel C. Ripley to be postmaster at Rogersville, Tenn., in place of D. C. Ripley, resigned.

TEXAS

Felix F. Bridges to be postmaster at Como, Tex., in place of F. F. Bridges. Incumbent's commission expired March 18, 1929.

Henry C. Foote to be postmaster at Haskell, Tex., in place of J. T. Wilson. Incumbent's commission expired December 10, 1928.

August E. Dumont to be postmaster at Paducah, Tex., in place of A. E. Dumont. Incumbent's commission expired December 10, 1928.

Howell D. Greene to be postmaster at Sanger, Tex., in place of H. D. Greene. Incumbent's commission expired March 18, 1929.

VIRGINIA

James B. Dyson to be postmaster at Crewe, Va., in place of J. B. Dyson. Incumbent's commission expired March 14, 1929.

Willie R. Hall to be postmaster at Heathsville, Va., in place of W. R. Hall. Incumbent's commission expired January 23, 1929.

WEST VIRGINIA

Harry F. Cunningham to be postmaster at Grant Town, W. Va., in place of H. F. Cunningham. Incumbent's commission expired February 6, 1929.

WISCONSIN

Thomas D. Morris to be postmaster at Cambria, Wis., in place of T. D. Morris. Incumbent's commission expired February 20, 1929.

Homer J. Samson to be postmaster at Cameron, Wis., in place of H. J. Samson. Incumbent's commission expired January 10, 1929.

John H. Frazier to be postmaster at Prairie du Chien, Wis., in place of M. R. Munson. Incumbent's commission expired January 17, 1928.

James E. Finnerty to be postmaster at Redgranite, Wis., in place of C. J. Tice, resigned.

CONFIRMATIONS

Executive nomination confirmed by the Senate May 17 (legislative day of May 16), 1929

ASSOCIATE JUDGE, UNITED STATES COURT OF CUSTOMS AND PATENT APPEALS

Irvine Luther Lenroot.

HOUSE OF REPRESENTATIVES

FRIDAY, *May 17, 1929*

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Spirit of the Most High, be with us. We have a vivid realization of sin and its unworthiness. We come to Thee as the great inspiring cause for its resistance and growth in manly character. Thou art all-wise, all-holy, and all-loving. Continue with us, that in the fulfillment of our mission we may be wise and helpful, for everything that is created and fashioned here interprets us. Let these be the constraining principles that dominate our conduct—to deal justly, love mercy, and walk humbly with our God. Endow us with full and complete knowledge of our duty, and may we not disregard the dictates of our conscience. As we study, plan, and labor may we do so with a high ideal that shall make us strong, fit, and patriotic citizens of our country. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed a bill, joint resolution, and concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 101. An act to provide for producers and others the benefit of official tests to determine protein in wheat for use in merchandising the same to the best advantage, and for acquiring and disseminating information relative to protein in wheat, and for other purposes;

S. J. Res. 36. Joint resolution to amend Public Resolution No. 89, Seventieth Congress, second session, approved February 20, 1929, entitled "Joint resolution to provide for accepting, ratifying, and confirming the cessions of certain islands of the Samoan Group to the United States, and for other purposes"; and

S. Con. Res. 6. Concurrent resolution to provide for the printing of 2,000 additional copies of hearings on farm relief legislation.

FARM RELIEF

Mr. SNELL. Mr. Speaker, I call up a privileged resolution from the Committee on Rules, House Resolution 45.

The SPEAKER. The gentleman from New York calls up a resolution, which the Clerk will report.

The Clerk read as follows:

Whereas, in the opinion of the House, there is a question as to whether or not section 10 of the amendment of the Senate to H. R. 1 contravenes the first clause of section 7 of Article I of the Constitution of the United States, and is an infringement on the rights and privileges of this House; but in view of the present legislative situation and the desire of this House to speedily pass legislation affording relief to agriculture, and with the distinct understanding that the action of the House in this instance shall not be deemed to be a precedent so far as the constitutional prerogatives of the House are concerned: Now, therefore, be it

Resolved, That upon the adoption of this resolution it shall be in order to move to take from the Speaker's table the bill H. R. 1, with a Senate amendment, disagree to the Senate amendment, and agree to conference asked by the Senate, and that the Speaker shall immediately appoint conferees.

Mr. POU. Mr. Speaker, may we have an agreement as to the time?

Mr. SNELL. I was just coming to it. I think we should have an hour, and I will yield the control of one-half of that hour to the gentleman from North Carolina.

Mr. POU. Very well.

Mr. SNELL. Mr. Speaker, the resolving part of the resolution which has just been presented at the Clerk's desk is the usual normal method of sending a controversial matter to conference, and, so far as that is concerned, I do not know that anyone has any special criticism of it. I appreciate the fact that the preamble to this resolution is a little different from the average rule that is presented to the House. But, as everyone knows, we are only presenting a special rule to meet extraordinary occasion. That is the reason for the preamble at this time.

Personally I am not in entire sympathy with it and I would have preferred not to have had that preamble to this resolution at this time. But I well appreciate the fact that we are dealing with a subject in which there is a question about the constitutional rights and prerogatives of each of the two legislative bodies. My personal opinion is that in adding the debenture plan to the House bill No. 1, which was simply a declaration of Federal policy for farm relief, the body at the other end of the Capitol has violated the constitutional rights and prerogatives of the House. [Applause.] But I also well appreciate the fact that there are men in this body who doubtless are more able than I who do not agree with me in that contention. I also well appreciate the fact that if in the handling of this bill at this time the House stood on its dignity and insisted on asserting its rights it would probably provoke a constitutional argument at both ends of the Capitol that not only would last for several days but might extend into weeks and months.

This special session was called for two principal purposes—to pass a farm relief measure and a protective tariff measure. If we should start a constitutional argument that would delay the passage of the farm relief measure for a long time, the people of this country would not understand the situation and you could not explain it to them. The people of the country want relief at the present time and not next fall. [Applause.]

It is with that desire in view that I consented to recommend the resolution that has been submitted by the committee this morning. And further, the majority members of the Committee on Rules adopted this preamble for this reason: In future years, when this resolution is referred to, we do not want it to be used as a precedent against the rights and prerogatives of the House in this matter. [Applause.] And the explanation that is made in the preamble clearly states the reasons, so that if it is referred to at a future time it will be understood that we waived no rights but simply do not choose to raise the question at this time on account of the emergency that exists. The preamble was put on for the sole purpose of keeping this resolution from being used at any future date as a precedent for invading the constitutional rights and prerogatives of the House. We are all equally jealous of those prerogatives and should strive at all times to preserve them. I believe the present resolution and preamble will not only accomplish what we want to do and send this bill to conference, but fully explains why we do not raise any constitutional questions at this time, and it is entitled to your support.

Mr. Speaker, I reserve the balance of my time. [Applause.]

Mr. POU. Mr. Speaker, I yield myself five minutes.

The SPEAKER. The gentleman from North Carolina is recognized.

Mr. POU. Mr. Speaker, I am opposed to the rule not only because of the remarkable preamble but because the effect of the rule will be to stifle any opportunity that this House will have to vote on the debenture plan. The minority members of the Committee on Rules suggested that provision might be made by which the sense of the House could be taken upon that important amendment by the Senate. But we were not able to have our way, of course, being in the minority.

Now, the effect of this rule will be, as I will undertake to predict, if it is passed by the House, that the bill goes to conference and a report will be made which will not give to the House the opportunity to vote upon the debenture plan. It is the steam roller in action, and we might as well look the situation squarely in the face. Goodness knows we are not given credit for a great deal of courage. Let us not dodge a vote on the Senate amendment.

Now, if this House wants an opportunity to vote on the debenture plan—and I do not know whether the majority of you want to vote on it or not—but if you want to vote on the debenture plan, then this resolution should be voted down. If you want to dodge an opportunity to vote on the debenture plan and if you want to shift the responsibility, pass this resolution and you will succeed.

Mr. Speaker, I reserve the balance of my time and yield five minutes to the gentleman from Texas [Mr. GARNER]. [Applause.]

Mr. GARNER. Mr. Speaker and gentlemen of the House, I challenge a single Member of the House—this is one more challenge I am going to make—to find a situation of this kind which has arisen in the House of Representatives in the last quarter of a century. Here we have a resolution the author of which declares violates the constitutional privileges of the House of Representatives.

Mr. SNELL. Will the gentleman yield?

Mr. GARNER. I will.

Mr. SNELL. I respectfully submit that I did not say in the rule that it violates the constitutional privileges of the House, but I did say that we did not choose to raise that question at this time, and I was careful to make that statement.

Mr. GARNER. I challenge the gentleman's notes to show whether he did not say that, in his opinion, it violates the constitutional rights of the House of Representatives. That is what you said standing here five minutes ago.

Mr. SNELL. I said that was so, as far as my individual opinion was concerned, but I recognized the fact that there was a difference of opinion on this important question.

Mr. GARNER. The gentleman did not make any qualifications, but he, the author of this resolution, made the statement that he believed the resolution authorizes the consideration of a problem which violates the constitutional rights of the House of Representatives. I did not propose to qualify his statement, but he does. He says he comes in here and violates the constitutional rights of the House of Representatives because you can not explain to the people of this country why we do not have early action on the farm bill.

Mr. SNELL. Will the gentleman yield?

Mr. GARNER. Yes.

Mr. SNELL. Does the gentleman understand we are discussing the resolution before the House and not the personal opinion of the gentleman from New York?

Mr. GARNER. I understand that, but I want to refer to the gentleman's personal opinion, and that is what I am referring to. I am referring to that now, sir, and I say that if you and the Speaker of the House of Representatives believe that this violates the constitutional rights of the House of Representatives you have not the right to sacrifice the constitutional rights of the House of Representatives for any purpose. [Applause.] No emergency, no exigency, and no political advantage ought to justify you, sir, or any other Member of this House, to sacrifice the constitutional rights of this House to originate revenue legislation; and when you vote for this resolution, you vote for a resolution that the Speaker and the chairman of the Committee on Rules and the majority leader on your side have said violates the constitutional rights of this House. Do you believe you can say in good conscience that an emergency justifies you in violating the Constitution? Is not that a preposterous proposition to the mind of a man who holds up his hand to support the Constitution, as the Speaker of the House did and as every Member did, and then admit on the floor of the House that they are doing something which violates the Constitution of the United States?

Mr. LEAVITT. Will the gentleman yield?

Mr. GARNER. Yes.

Mr. LEAVITT. Will the gentleman state to the House whether he himself believes this violates the constitutional prerogatives of the House?

Mr. GARNER. I do not; but if I did, I would not vote for it. [Applause.] This Speaker will regret as long as he lives that he is in the attitude here of saying by formal whereases in a resolution that it is unconstitutional to originate this legislation in the Senate, but that on account of the emergency or the lack of leadership he is going to pass a resolution and violate the Constitution of the United States by sending this bill to conference and recognizing the fact that the Senate had the right to put it on.

Mr. CRAMTON. Will the gentleman yield?

Mr. GARNER. I yield to my friend from Michigan. I have to.

Mr. CRAMTON. Inasmuch as the gentleman from New York entertains one view and the gentleman from Texas entertains another, the gentleman from Texas will admit there is a serious question as to the constitutionality.

Mr. GARNER. Certainly there is a serious question, but if you had the same opinion that the gentleman from New York has and the Speaker has, would you vote for it?

Mr. CRAMTON. I have not that opinion.

Mr. GARNER. I am only criticizing those who have the opinion that this does violate the Constitution of the United States. Now, can you vote for a proposition when you admit it violates the Constitution of the United States?

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. POU. Mr. Speaker, I yield the gentleman three additional minutes.

Mr. GARNER. Let me say a word about the merits of this resolution. The object of this resolution is one thing and one thing only, and that is to prevent the House of Representatives from expressing itself on this debenture plan. Have you not courage? That is one thing you ought to cultivate when you come here. [Laughter.] If you had any courage you would agree to vote on this debenture plan and express yourselves, would you not? But instead of that you pass a resolution which questions the constitutionality in order to avoid exercising the right you ought to assert by voting on a proposition in the House that has already been passed on in the Senate. I offered to send this bill to conference by unanimous consent with an agreement that before you made the conference report complete you would bring back the debenture plan for this House to vote on it.

Why do not you want to vote on it? Are you wanting in courage; are you lacking in intellectual capacity to analyze the situation? What is the reason you do not want to vote on the debenture plan?

I repeat, are you afraid? Do not you want your constituents to know how you stand on public questions? If you do, you will vote down this resolution and then you will have an opportunity to vote on the debenture plan. I hope you will do this at least in the interest of the Constitution, if not in the interest of your own integrity to vote on a proposition before the House.

Mr. RANKIN. Will the gentleman yield?

Mr. GARNER. I yield.

Mr. RANKIN. As I understand the minority leader, a vote for this resolution simply means that the individual Member of Congress is trying to dodge a vote on the debenture plan, the only farm relief measure we have here.

Mr. GARNER. Yes. I will say to the gentleman from Mississippi that this means that the gentlemen on the other side want the Members over there to have an opportunity to go back home and find out how their constituents stand, and then declare they were that way too, without recording their votes in the House of Representatives. [Laughter and applause.] You just do not want the people in your district to know how you stand on this question, and these gentlemen in their opinion are violating the Constitution in order to give you that privilege. [Applause.]

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. SNELL. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Speaker, I must confess I expected an entirely different argument from the distinguished gentleman from Texas. I felt sure he would raise the point squarely that the Senate has infringed upon the prerogatives of the House, but, apparently, he is willing to surrender the rights of the House for political strategy. I had hoped that both sides of the House would resist this encroachment on a sacred constitutional right.

Let me read to the gentleman from Texas, and to others on the floor of the House who knowingly to-day are waiving one of the most precious prerogatives of the House of Representatives, what President Garfield said when a Member of this House.

A similar situation confronted the House of Representatives in 1871. The Senate placed on a House bill an amendment repealing the then income tax. There was as much demand for the repeal of that income tax at the time as there is to-day for farm relief, with this difference, of course, that there was no difference of opinion as to the repeal. All seemingly were united on the method to bring about the desired result, that is, by simply repealing the law. Notwithstanding the demand and the popular clamor for the repeal of the law, the House did not surrender its constitutional prerogative at the time. On March 3, 1871, on the report of the committee of conference, Mr. Garfield, of Ohio, stated that the difference arising between the House and the Senate was of the greatest importance. And his words then, in the face of what we are facing to-day, are applicable and directly to the point:

> I greatly regret also that this difference between the two Houses should have arisen on the bill to abolish what remains of the income tax, for I have no doubt that the best interests of the people and of the Government require the repeal of that tax. But infringements of the constitutional rights and privileges of the House are more likely to occur in cases where the public wishes can be used to force a surrender; and hence the necessity of repealing the tax should not be considered in connection with the subject now before the House.

This is exactly, gentlemen, what you are doing to-day. Consider for only a minute what is left of the rights and privileges of the House of Representatives. We have no more original jurisdiction in the question of appropriations. A budget is made out and handed to the House to rubber stamp. We are surrendering in the tariff bill that is before the House at this time part of the tariff-making jurisdiction through the flexible-tariff provisions and the Tariff Commission. We have little, if anything, to say, if you please, on the question

of allocation of public buildings, and now comes the Senate and infringes on one of the most important and the constitutional functions of the House. Partly because of politics and partly because of fear you are not men enough to stand up and send it back to the Senate, where it belongs.

I am going to vote against this resolution, if I am the only man on this side who does. It will not be the first time I have been alone. We should not surrender to the Senate on this proposition. There is not a man in this House who will not admit that this is a revenue measure which the Constitution provides must originate in the House. Let me say here that the revenue provision in the Constitution, giving the House original jurisdiction, is not there by any mere accident. At the Constitutional Convention this provision went in and out of the Constitution three times. When it was finally decided to give the little States equal voting power with the big States in the Senate, then this provision went back as a protection to the larger States. You can not get away from this. Otherwise a combination of small States, over in the other body, can tax out of existence every large State in the Union.

Where are you men now who always talk about the rights of the people? Here you have the rights of the people involved.

We were intended and supposed to be the popular branch of the Congress. We go before the people every two years for their approval or disapproval. In this way can the people retain control of their Government. Yet, with one side playing politics and the other side desiring to dodge this question, you are surrendering a most important and safeguarding right. The resolution states that you think the amendment infringes the rights of the House. You know it infringes the rights of the House and should say so and courageously send it back following the sound precedents of this House.

The thing to do, Mr. Speaker, is to face the situation squarely, and, as Mr. Garfield said in 1871, although there may be tremendous pressure for affirmative action on the bill pending, although it may be a matter upon which quick action is desirable, you can not permit a situation of that kind to destroy the power of the House. It is an old maxim of law that you must not permit a hard case to make bad law. Political expediency should not be permitted to make bad parliamentary precedents. That is what you are doing to-day. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired.

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I entertain the very highest regard for the opinions of the gentleman from New York [Mr. SNELL] on all matters of parliamentary procedure. I believe I can say without contradiction that there is probably no one Member who has contributed more to the integrity of the proceedings of the House in the last several years than the chairman of the great Committee on Rules, the gentleman from New York [Mr. SNELL]. And on that account I regret all the more to find myself in disagreement with him on this resolution.

It is also a matter of regret that a question of this nature must be submitted for the decision of the House, for as paradoxical as it may seem, the precedents created by decisions of the House and of Committees of the Whole have almost invariably proved to be bad precedents.

The explanation is very simple. A Speaker of the House or a Chairman of the Committee of the Whole is not only aided by an intimate knowledge of the subject on which he passes, but he is also constrained by a deep sense of personal responsibility, by the realization that in the years to come his decision will be reviewed and his status as a jurist fixed in the cold light of academic formulas far removed from the turmoil and bias which attended its inception. But the average Member is bound by no such restraints. In voting on questions of procedure the individual Member is lost in the mob. He takes refuge behind party policy. He is governed by considerations of political expediency. The result is, as a search of the RECORD will show, that decisions by the House and by the committee are the flies in the ointment of parliamentary codes. But the question submitted to-day is of such gravity as to warrant the hope that it can be divorced from political considerations before it is brought to a vote.

The truth is this is a question which properly should not come before the House. Cooley, in his admirable work on Constitutional Limitation, quotes Chief Justice Marshall as saying that the distinction between the functions of the three branches of our Government lies in the fact that the House legislates, the President executes, and the Supreme Court construes.

What is the proposition presented by the preamble of the pending resolution? It is a question of construction; a proposal to construe four words in the Constitution of the United States:

> Bills for raising revenue.

I think no one will deny that this is a matter which unquestionably comes under the jurisdiction of the Supreme Court and not within the purview of the House of Representatives. And the Supreme Court has in the last 50 years repeatedly passed on this very question. Beginning with the oft-cited case of United States *v.* Norton (91 U. S. 566), decided in 1875, and extending down to the decision in the case of Smith *v.* Gilliam (282 Fed. 628), handed down in 1922, it is laid down without a single dissenting opinion that—

> Revenue laws are those made for the direct and avowed purpose of creating revenue or public funds for service of Government * * * such as levy taxes in the strict sense of the word.

And do not—

> Extend to bills for other purposes which incidentally create revenue.

And the Supreme Court in the case of United States against Norton prescribes the test by which all revenue laws have been judged from that day to this. In delivering the opinion of the court on that case Mr. Justice Swayne said:

> The title of the act does not indicate that Congress in enacting it had any purpose of revenue in view.

Let us examine the title of the pending bill with that in view. Here it is:

> A bill to establish a Federal farm board, to promote the effective merchandising of agricultural commodities in interstate and foreign commerce, and to place agriculture on a basis of economic equality with other industries.

Certainly there is no intimation in that title of any purpose on the part of Congress to utilize it in raising revenue. By no stretch of the imagination can that caption be interpreted as proposing a revenue bill.

Mr. Justice Swayne, in his opinion, continues:

> Its intent as expressly declared at the outset in the first section was * * *. There is nothing in the context of the act to warrant the belief that Congress in passing it was animated by any other motive than that avowed in the first section. * * * In no just view, we think, can the statute in question be deemed a revenue law.

Likewise, the first section of the pending bill expressly declares its purpose, and there is no suggestion in the context of the bill, from the first section to the last, to indicate the slightest intent of Congress to affect otherwise than incidentally the revenues or revenue-producing machinery of the Government. To adopt verbatim the phraseology of the Supreme Court, in no just view can the bill in question be considered a bill for raising revenue.

And in the limited time remaining I desire to submit in support of that contention just one corroborating opinion—an opinion by one of the ablest men who ever sat in the American Congress, Mr. James R. Mann, of Illinois. On December 18, 1920, Mr. Robert Luce, of Massachusetts, himself a profound scholar, an author of note, and an authority on legislative procedure, raised this identical question. In reply Mr. Mann said:

> All laws which incidentally raise revenues are not laws for the purpose of raising revenue. Would the gentleman from Massachusetts contend, for instance, that the Senate could not pass a bill providing for the sale of a former public-building site and that it would not become a law if then passed by the House and signed by the President? The effect of the law would be to raise revenue. That is the only effect it would have. And yet no one has ever contended that the Senate could not originate a bill of that kind, the incidental effect of which is to raise revenue. The provision of the Constitution the gentleman referred to provides that bills for the purpose of raising revenue shall originate in the House of Representatives. It does not provide that laws which take the effect and which will have the effect either of raising revenue or producing a deficit shall originate in the House.

But this is beside the ultimate question presented here. The preamble of the resolution is merely the sugar coating of a very bitter pill. For this resolution is a gag rule of the most arbitrary character. It has been brought in here to prevent the House from expressing its views on the most important question that has arisen, or will arise, in this session of Congress. It has been brought in to prevent a vote on the debenture plan as embodied in the Senate amendment now before the House. That is the explanation of why we are now going through all this subterfuge and circumlocution in discussing an obsolete theory exploded half a century ago, and preemptorily taking this bill from the Speaker's table and sending it to conference

without permitting a vote on it. And in that respect it is but a part of a carefully planned program which has obtained since the opening of the extra session.

Everywhere it has been asserted that the House defeated the debenture plan and the equalization fee. The truth is the House has never been allowed to vote on either of them. And the reason the House has been denied that privilege is because the opponents of real farm relief know they would carry if brought to a direct vote. It is a matter of common knowledge that a majority of the Members of this House on both sides of the aisle, as well as a majority of the Senate, favor the debenture plan or equalization fee, and would vote for them if given the opportunity. This resolution denies the House two opportunities to vote on the debenture plan guaranteed under the general rules of the House. The first is the opportunity to vote on the Senate amendment when it is taken from the Speaker's table to be sent to conference. The second is the opportunity to vote to instruct conferees to concur in the amendment of the Senate.

The reason given for adopting the preamble to this resolution is "the desire of this House to speedily pass legislation affording relief to agriculture," when, as everyone knows, the quickest way to pass the bill is to agree to the Senate amendment. If you will agree to the Senate amendment this bill can be on its way to the White House one hour from now. If you are so anxious to speedily pass legislation affording relief to agriculture drop this gag rule you have brought in and let us consider the Senate amendment under the rules of the House, the rules which your able parliamentarian characterizes as the best rules of any parliamentary body in the world.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. POU. I yield the gentleman one minute more.

Mr. CANNON. In conclusion, why make the futile gesture of passing a resolution insisting that we are not establishing a precedent when, as a matter of fact, we are establishing a precedent? That is exactly what we are doing if we pass this remarkable resolution. If this resolution is agreed to and goes to the Senate and conference is had on the pending Senate amendment, every digest of parliamentary procedure published by this House in the next hundred years must carry this proceeding in detail. All future commentators on the procedure of the House must note that the House in passing this resolution disclaiming a precedent actually set a precedent—

"And whispering,
'I will ne'er consent'—
Consented."

[Laughter.]

Mr. POU. Mr. Speaker, I yield three minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, the gentleman from New York [Mr. LAGUARDIA] says he is going to vote against this resolution because he thinks the Senate violated the Constitution. He is the only man in the House that will vote against it on that ground.

The rest of you Republicans are going to vote for it because you are not willing to go on record and let the farmers know how you stand on farm relief legislation. Where are you men from the West, where are you fellows from Iowa, from Nebraska, from Kansas, and other Western States, where are you Members who have been the "pillows" of farm relief but now seem to be the "sleepers"? [Laughter.]

Where are you men who supported the McNary-Haugen bill in the last Congress?

The object of this resolution is simply to send the bill to conference in order to keep from voting on the only proposition before Congress that will help the farmers in their present distressed condition.

Every man who votes for this resolution to send the bill to conference, to bury the last hope of the American farmers for relief from this Congress, can take the responsibility, because the American farmer is going to know that in doing so you are denying to him even this small measure of the relief which you promised to give him.

Mr. COLE. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. COLE. The gentleman has referred to Iowa. I would like to have him cite me a resolution ever passed by a bunch of Iowa farmers asking for a bounty?

Mr. RANKIN. Oh, this debenture is no bounty, any more than the high protective tariff on steel is a bounty to the Steel Trust, any more than the high protective tariff on sugar is a bounty to the Sugar Trust, any more than the high protective tariff on manufactured articles is a bounty to the textile and other industries. [Applause.]

Mr. POU. Mr. Chairman, I yield three minutes to the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. Mr. Speaker, ladies and gentlemen of the House, no one is more jealous than I am of the rights of this body, but from a considerable study of the precedents, I am thoroughly convinced that the debenture plan can not be classed as a revenue measure within the terms of section 7 of Article I of the Constitution. The time allotted will not permit a discussion of that question at this time.

The preamble to this resolution is an idle gesture. It will not do any good to tap the Senate on the wrist and say, "Tut, tut," which is about what the preamble amounts to.

During the discussion heretofore and to-day, much has been said about the debenture plan as a subsidy. It has been so branded by those who have benefited most by the protective tariff. Every thinking person must admit that it is no more of a subsidy than the tariff.

I want to call your attention to an even stronger subsidy than the debenture can possibly be. I have in my hand the hearings before the Interstate and Foreign Commerce Committee, held in May, 1928, and I quote from the testimony of Commissioner Esch, of the Interstate Commerce Commission:

Mr. GARBER. * * * Has it ever been called to your attention or to the attention of the commission, through application or otherwise, that the rate on steel from Chicago to San Francisco for home consumption is $1 per hundred, but for export it is 40 cents per hundred?

Do you recall whether or not those figures have ever been presented to you?

Mr. ESCH. We have had figures indicating a very marked lower rate on export traffic than on domestic. The theory back of that is, I suppose, the development of our foreign commerce. * * *

Mr. GARBER. How does it come that that export rate for steel—it is a 60 per cent preferential, is it not?

Mr. ESCH. About that.

Mr. GARBER. How does it come that that was ever granted? On what theory was it granted? There is not such an export rate on wheat, is there?

Mr. ESCH. I do not know as to the rates, but it has been a general practice as to some commodities of putting in a lower rate to a port when the commerce is destined abroad, for the reason I have just stated, as a stimulus to our foreign trade.

In other words, for many years there has been an export subsidy on steel. They are given a 60-cent reduction when it is being exported. I understand it was a voluntary reduction, but it has the approval of the authorities. Right on the next page of the same hearing Mr. Hardie, the director of traffic for the Interstate Commerce Commission, in reply to a question, says:

* * * The rates on cotton to export ports are the same, whether for exportation or for domestic use.

Cotton is the greatest export commodity of America. If it is all right to grant an export subsidy or bounty on steel, how can it be so objectionable to grant it on surplus farm commodities? By what peculiar process of reasoning can you justify an export bounty on steel in the form of reduced freight rates to export points, which must be made up from all the people in the form of increased freight rates between interior points and at the same time denounce it when applied to wheat and cotton?

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. JONES of Texas. I regret I have not the time. How can you justify that sort of subsidy? No one of these gentlemen who find so much objection to the debenture plan has ever seen fit to raise an objection to that kind of a bounty when applied to the steel interests. If one will destroy the fundamentals, why will not the other? As a matter of fact, the debenture is not a subsidy. It is merely restoring to the farmer what is now taken away from him under the tariff system by way of increased prices on supplies he must buy. [Applause.]

Mr. SNELL. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. LUCE].

Mr. LUCE. Mr. Speaker, with characteristic adroitness the gentleman from Texas [Mr. GARNER] said that no situation like this had arisen in the last quarter of a century. He did not disclose that a situation almost precisely like this arose in the extraordinary session of Congress called at the heighth of the panic in 1837, at a time when there was not enough money in the Treasury, according to Mr. Cambreling, chairman of the Committee on Ways and Means, to meet with specie a draft for $811. In that exigency, when the Senate sent down a bill for the issue of Treasury notes, John Quincy Adams, then in the House of Representatives, after serving as President, rose, at the instigation of John Bell, of Tennessee, afterwards a candidate for the Presidency, and said, "If there ever was a money bill, this was one." It was on all fours with the present situa-

tion, and it was met then as a like situation is now to be met, by accommodation. Rather than take time for discussing the constitutional issue, the chairman of the House Committee on Ways and Means moved to lay aside the Senate bill and take up instead the House bill. Because to-day this is a matter of accommodation, I take a different view from my friend from New York [Mr. LAGUARDIA], though I am as firm a believer as he is in the privileges of the House. My rights in this matter run until this bill has passed. At any stage I may, prior to entry upon consideration of the particular motion then pending, rise to a question of the privileges of the House and throw the constitutional problem into the arena for decision. To-day I do not waive my rights permanently; I waive them temporarily, in the hope that there may be accommodation of the legislative issue between the two branches, so that there will be no necessity for raising the constitutional question.

Gentlemen have said that the precedents are against the view that the Senate has invaded our constitutional prerogative.

My good friend from Missouri [Mr. CANNON] whose gracious courtesy to me I would acknowledge, may have overlooked the fact that in 1915 in the Cotton Futures case (Hubbard et al. *v.* Lowe, 226 Fed. Rep. 135) Judge Hough, of the District Court for the Southern District of New York, made one finding directly in point here, a finding that confutes one of the more serious arguments now advanced. The Senate had sought to prevent the use of certain forms of contract for cotton futures by excluding from the mails matter relating to the business of those exchanges not using the statutory contract. The House struck out everything after the enacting clause and substituted an act seeking to prohibit the obnoxious contracts by the imposition of a prohibitive tax. The Senate accepted the House amendment and it became law, whereupon the court held the law unconstitutional on the ground that it was the enactment of a revenue bill which did not originate in the House. Said the court:

> I am perhaps saved from inquiry whether the cotton futures act is a "bill for raising revenue" by the agreement of counsel on this point. They have all asserted that, though everyone who has studied the investigations, reports, and discussions preceding and producing the passage of the act knows that nothing was farther from the intent or desire of the lawmakers than the production of revenue, nevertheless the result of their efforts is a revenue bill within the constitutional meaning.

The court went on to explain what it called "this familiar paradox" by citing the case holding that the motive or purpose of Congress in adopting a statute can not be judicially inquired into.

It is immaterial what was the intent behind the statute; it is enough that the tax was laid, and the probability or desirability of collecting any taxes is beside the issue.

The cotton-futures case was taken up to the Supreme Court by the Government, but before it would come up for argument the Solicitor General, John W. Davis—and no man on the Democratic side of the House or, for that matter, on the other side will dispute me when I say that he is one of the ablest lawyers in the land—recognizing how weak was his case, himself asked the Supreme Court to dismiss the motion of appeal, and the Supreme Court so did.

This would seem to dispose of the argument that the debenture amendment of the Senate is outside the injunction of the Constitution because whatever effect it may have on revenue is not its prime purpose.

Nobody has yet contended that the bill as it went from the House was a revenue bill. This brings us to the question of whether the Senate may add a revenue amendment to a nonrevenue House bill. It is a question that has been frequently at issue between the two branches. When it has been formally raised, and the House has believed an amendment to be a revenue amendment, it has never yielded, and it ought never to yield. The only legitimate dispute comes over what is a revenue amendment. Without attempting now to add anything to the great volume of argument thereon, I would point out that on the basis of the average exports of six of the major food products in the last three fiscal years it is expected that debentures issued for these products under the debenture plan would amount to about $150,000,000 a year. A debenture is a certificate of indebtedness, in this case a Government obligation, in principle no different from a Treasury note or any other financial responsibility of the Treasury. It may pass from hand to hand. It may be outstanding for 12 months. That it may be cashed only in a certain way does not affect its nature. It is in essence a debt. Will it be contended that the issuance of certificates of indebtedness to the extent of $150,000,000 a year is not a method of "raising revenue"?

If, however, it could be maintained that there is no element of revenue here, how about the element of appropriation? Go through the husk of the thing, get at the kernel, and you will find the Treasury is to have $150,000,000 less in its coffers at the end of the year than it had at the beginning. The shortage will have resulted from act of law. If that is not appropriation, what is it?

This, you will see, brings us to another of the great constitutional questions involved—the power of the Senate to originate appropriations. Here, too, the House has with reasonable consistency stood firm in denial. It has not chosen to cross swords over the little things, but in general it has contended that the Constitution meant to give it the power of the purse.

This power was given to it as an essential part of the compromise that alone made the Union possible. The smaller States and the larger States were at odds. Afraid of each other, neither side would yield and for days it looked as if the convention would be barren. The deadlock was broken by agreement that the smaller States should have equal voting power with the rest in the Senate, the larger should have the presumed advantage of originating money bills in the House, with its membership apportioned by population. One pillar of the arch of the Union rested upon the privilege the House has always defended and should always defend.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. LUCE. I regret to say that I want to use the rest of my time entirely in pointing out that this matter has been in dispute ever since 1830. The wisest men in both branches of Congress have discussed it. Argument can be presented on both sides. Discussion would be long, would be serious in its interference with the work of the House, and I for one am hoping that by this procedure we may save time, but I pledge the House that until this bill becomes a law I reserve my constitutional right to contest at any stage the action of the Senate and to defend the prerogatives of the House. [Applause.]

Mr. POU. Mr. Speaker, I yield the remainder of my time to the gentleman from Alabama [Mr. BANKHEAD].

The SPEAKER. The gentleman from Alabama is recognized for eight minutes.

Mr. BANKHEAD. Mr. Speaker and gentlemen of the House, I can not conceive that we would possibly have before us for consideration a more serious or vital question than has been raised, and directly raised, by the insertion in this proposed resolution of the preamble which precedes the resolving clause.

It involves the always profound and serious question of the proper construction of the Constitution of the United States. That can not be made, by virtue of any political expediency, a trivial question. There is only one thing to determine, whether you consider it from the standpoint of a jurist or from the standpoint of a Speaker or from the standpoint of the leadership of this House, and that straight, naked question is whether or not the Senate amendment involving the debenture plan does or does not violate section 7 of Article I of the Constitution of the United States. If it does violate it, as the gentleman from New York [Mr. SNELL], the chairman of this great committee, has said is his personal opinion that it does violate it; if that is the correct construction, then the chairman of this Committee on Rules should have assumed the responsibility in order to preserve the integrity of the rules and the dignity of the House and the Constitution itself, and should have stood up boldly and said, "I believe this violates the rules and privileges of the House," and then this rule would not have been brought in.

I want to refer for a moment to the gentleman from Connecticut [Mr. TILSON]. He has no doubt given careful consideration to this question as to whether the debenture plan violates section 7 of Article I of the Constitution.

Mr. TILSON. I can say, as was well stated by the gentleman from Massachusetts [Mr. LUCE], that there is a serious question here. It has been discussed on both sides through many years of our history, and I do not think this is the proper time to raise and decide that issue.

Mr. BANKHEAD. The gentleman did not answer my question. The gentleman declines to state whether or not he has a fixed opinion upon that point. I can well understand why the gentleman would hesitate to express his opinion, in view of our situation.

Mr. TILSON. I have views on this question, and they agree with those stated by the gentleman from Massachusetts. Reasoning by analogy, the debenture plan does, in my view of it, infringe upon the prerogatives of the House. But it is a doubtful question, as is apparent from the great difference of opinion among able men.

Mr. BANKHEAD. The distinguished leader on the Republican side has partly answered my question, and he has admitted that it is his conviction that probably it does violate

the Constitution. That also is the view of the chairman of the Committee on Rules, and if I had the privilege of ascertaining the opinion of the distinguished Speaker of the House I think he would express the same opinion, so that the great three of the board of strategy in the House agree in their opinion. Yet they follow the distinguished gentleman from Massachusetts and say, "We can waive the question of the Constitution of the United States." [Applause.] Gentlemen, it is either in violation or not in violation.

Mr. LUCE. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. LUCE. Does the gentleman think it is in violation of the Constitution?

Mr. BANKHEAD. Absolutely I do not; and I do not think any sound reasoning can make it a violation of the Constitution of the United States.

Mr. LUCE. Will the gentleman permit just one question on that?

Mr. BANKHEAD. Yes; very well; just one.

Mr. LUCE. Has the gentleman examined the contrary view set forth by Senator Underwood and Senator John Sharp Williams?

Mr. BANKHEAD. No; but I have read section 7 of the Constitution, which says that—

> All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Now, you constitutionalists, you leaders here, and you followers of the leaders who are so insistent on preserving the integrity of the rules and the Constitution, have waived this question before, because it is my recollection that when the McNary-Haugen bill came from the Senate in the first instance it carried an equalization fee, which was admitted to be a tax, and you did not at that time raise a constitutional objection to that provision of the bill. If you will examine even with slight care the provisions of the debenture amendment, as put upon the bill by the Senate, we do not see how, in all candor, even by a strained construction accepting the word "raise" in its ordinary acceptation and meaning, any parliamentarian can successfully contend that the word "raise" can be construed to violate a provision that merely proposes to issue debentures by the Secretary of the Treasury.

The debenture plan only provides that the Secretary of the Treasury shall have the right to issue debenture certificates. It does not take any money out of the Treasury or mention any specific rate or levy or "raise" any tax, but is simply an administrative feature of the law carrying out a certain policy.

Mr. LAGUARDIA. Does the gentleman construe a repeal, by his interpretation, as coming within the provisions of the Constitution?

Mr. BANKHEAD. That is not the question raised here. I want to say to my friend from New York, who says if nobody else has the courage to do it he will vote against this bill, that the gentleman, before we take a vote on the bill, can rise to a question of the highest constitutional privilege of the House and make the point that this rule is not in order because it violates a fundamental provision of the Constitution. [Applause.]

Mr. SNELL. Mr. Speaker, I desire to make simply a short statement. Several gentlemen on the Democratic side have said that we are waiving our rights. I want it to be distinctly understood that we are waiving no rights whatever, but simply have decided that this is not the proper time to assert that right. I made that statement in my original speech, and I want it distinctly understood.

Gentlemen on the other side, as I expected, have confined their remarks to questions not before the House at this time. The only question now before the House is whether we shall send this bill to conference in the usual way. I move the previous question, and ask for a vote on the resolution.

The SPEAKER. The gentleman from New York moves the previous question. The question is on agreeing to that motion.

Mr. STEAGALL and Mr. CANNON rose.

Mr. CANNON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair thinks the parliamentary inquiry can not be entertained during the taking of a vote. The question is on agreeing to the motion for the previous question.

Mr. POU. Mr. Speaker, I call for a division.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 275, noes 110.

So the previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

Mr. CANNON. Mr. Speaker, I would like to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CANNON. The rules provide that a report from the Committee on Rules may be divided into its substantive propositions. If this rule is divided in such a manner that the first section consists of that portion running down to the word "amendment" in the third line, and this section is agreed to by the House and the remainder of the rule disagreed to, would that bring the Senate amendment, including the debenture plan, before the House for a direct vote?

The SPEAKER. If it were possible to do it, it might.

Mr. CANNON. I would like to ask another question.

The SPEAKER. The gentleman will state it.

Mr. CANNON. If the rule were again divided running down to the word "Senate" in the fifth line, and all down to that word, inclusive, is agreed to, and the last provision, "that the Speaker shall immediately appoint conferees," is rejected, would that permit a motion to instruct conferees?

The SPEAKER. Yes. The question is, Shall the resolution pass?

Mr. CANNON. Mr. Speaker, I ask for a division of the pending resolution into its component parts in order that we may have a separate vote on each substantive proposition. There are at least four definite proposals in the rule. The preamble, for example, deals with the constitutional privileges of the House and is in the nature of a message to the Senate, while the remainder is purely a matter of program.

The SPEAKER. The Chair declines to recognize the gentleman for that purpose.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. Is this the proper time to raise the question of the constitutional privilege of the House?

The SPEAKER. The Chair thinks that the question of the constitutional privilege of the House may always be raised by the offering of a resolution.

Mr. WINGO. If that is not offered at this moment will the House lose its rights or can it call the bill back from conference for the purpose of raising that question?

The SPEAKER. The Chair does not think anything can be done until a report has been made by the conferees, in case this resolution is agreed to.

Mr. WINGO. The point I want to get at is this: This action of the Senate either does or does not violate the constitutional prerogatives of the House. Now, the parliamentary inquiry is: When is the proper time for the House to protest the invasion of its constitutional rights? Is it when it comes back from the Senate or can we waive it and then bring it up next Christmas?

The SPEAKER. The Chair thinks that question could be raised at any time when the House has possession of the papers.

Mr. WINGO. If the debenture provisions were excluded how could you raise it? Suppose the conferees should exclude them?

The SPEAKER. Then it could not be raised.

Mr. WINGO. Can it be raised at this particular moment?

The SPEAKER. The Chair thinks, as he said before, that the presentation of a resolution under claim of constitutional privilege would be in order, and then the House would decide whether it did or did not raise the question of constitutionality.

Mr. WINGO. If the chairman of the Committee on Rules, who says the Senate amendment does violate the Constitution, is willing to leave the Constitution unprotected, I do not think I will go to the rescue. [Laughter.] Personally I do not think the Senate has violated the provision of the Constitution providing that all bills raising revenue shall originate in the House. The debenture plan only incidentally affects the revenue, and the decisions of the Supreme Court are clear that such provisions do not violate the constitutional provision in question. If I thought, as does the gentleman from New York [Mr. SNELL], that the Senate amendment did violate the Constitution, I certainly would not "waive" the discharge of my duty under my oath.

The SPEAKER. The question is on agreeing to the resolution.

Mr. STEAGALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STEAGALL. The resolution refers in line 3 to a Senate amendment and provides that we disagree to the Senate amendment and that the bill go to conference. If I understand the facts, there are a number of Senate amendments?

The SPEAKER. There is but one Senate amendment.

Mr. POU. Mr. Speaker, I ask for the yeas and nays.

Mr. RAYBURN. Mr. Speaker, I desire to propound an inquiry to the Chair. My only desire is that the integrity of the

proceedings may be protected. Does the Speaker hold that this bill is now before the House?

The SPEAKER. The resolution only.

Mr. RAYBURN. Where is the House bill as amended by the Senate?

The SPEAKER. The resolution provides that it shall be in order to take it from the Speaker's table, but until the resolution is passed the bill is not before the House.

Mr. RAYBURN. The Speaker would hold, I presume, that the bill is before the House when some report comes back from the conference committee, and that the high privilege of a Member to raise the constitutional question would be in order at any time this bill is before the House?

Mr. SNELL. That would depend upon the conditions under which the bill was before the House.

Mr. RAYBURN. There is no bill before the House now?

The SPEAKER. The purpose of this resolution is to make it in order to take from the Speaker's table a House bill with a Senate amendment, disagree to the Senate amendment and agree to the conference asked by the Senate. The Chair does not think it would be in order to raise this question while the bill was in conference, but when it was returned to the House the question might be raised.

Mr. RAYBURN. The Chair then holds that in his opinion this is not a privileged question at any time that this bill is before the House? If the Chair will pardon me, if this rule is adopted, it appears to me that the whole question of the bill is then before the House of Representatives and at that time it would be proper to raise the constitutional question.

The SPEAKER. In the opinion of the Chair the bill is not before the House until sent there by a report of the committee of conference, and the bill would then be subject to the constitutional question.

Mr. CANNON. Did the Speaker give his reasons for declining to grant recognition at this time to ask for a division of the resolution? There was so much confusion that I did not hear his statement as to the grounds on which he overruled the demand for division.

Mr. SNELL. There is only one substantive proposition in the resolution. It has always been so considered.

Mr. CANNON. The Speaker made no such statement. I would be pleased to be heard on that point and would like to cite the authorities if the Speaker cares to hear argument. There is a notable decision by Speaker Cannon on a similar question raised by Mr. Fitzgerald in the Sixtieth Congress and another by Speaker Clark on a point raised by Mr. Mann in the Sixty-second Congress. There is an unbroken line of decisions extending over the last 25 years holding that resolutions reported from the Committee on Rules are subject to division, and the separate propositions in this resolution are apparent at the first glance.

The SPEAKER. At first blush the Chair thinks that the proposition is not divisible. The Chair regrets that the gentleman did not intimate to him beforehand that he had this proposition in mind, so that the Chair could have given some consideration to the question. It seems to the Chair, after a rather hasty examination, that this rule being the usual and regular way of sending bills to conference that it is one substantive proposition.

The question is on agreeing to the resolution, upon which the gentleman from North Carolina [Mr. POU] demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 249, nays 119, not voting 58, as follows:

[Roll No. 4]

YEAS—249

Ackerman	Britten	Connery	Eaton, N. J.
Adkins	Browne	Connolly	Elliott
Aldrich	Brumm	Cooke	Ellis
Allen	Buckbee	Cooper, Ohio	Englebright
Andresen	Burdick	Cooper, Wis.	Estep
Andrew	Burtness	Coyle	Esterly
Arentz	Butler	Craddock	Evans, Calif.
Aswell	Cable	Crail	Fenn
Ayres	Campbell, Iowa	Cramton	Fish
Bacharach	Campbell, Pa.	Crosser	Fitzgerald
Bachmann	Carter, Calif.	Crowther	Fort
Bacon	Carter, Wyo.	Culkin	Foss
Baird	Chalmers	Dallinger	Frear
Barbour	Chase	Darrow	Free
Beck	Chindblom	Davenport	Freeman
Beedy	Christgau	Dempsey	French
Beers	Christopherson	Denison	Garber, Okla.
Black	Clague	Dickinson	Garber, Va.
Blackburn	Clancy	Douglas, Ariz.	Gibson
Bohn	Clark, Md.	Douglass, Mass.	Gifford
Bolton	Clarke, N. Y.	Dowell	Glynn
Bowman	Cochran, Pa.	Dunbar	Goldsborough
Brand, Ohio	Cole	Dyer	Goodwin
Brigham	Colton	Eaton, Colo.	Guyer
Hadley	Ketcham	Niedringhaus	Sproul, Ill.
Hale	Kiefner	O'Connell, R. I.	Stafford
Hall, Ill.	Kiess	O'Connor, Okla.	Stobbs
Hall, Ind.	Kincheloe	Palmer	Stone
Hall, N. Dak.	Knutson	Parker	Strong, Kans.
Halsey	Kopp	Perkins	Strong, Pa.
Hancock	Korell	Pittenger	Summers, Wash.
Hardy	Kurtz	Porter	Swanson
Hartley	Langley	Pratt, Harcourt J.	Swing
Haugen	Lankford, Va.	Pratt, Ruth Baker	Taber
Hawley	Larsen	Pritchard	Taylor, Tenn.
Hess	Leatherwood	Ramey, Frank M.	Temple
Hickey	Leavitt	Ramseyer	Thatcher
Hoch	Lehlbach	Ransley	Thompson
Hogg	Letts	Reece	Thurston
Holaday	Luce	Reed, N. Y.	Tilson
Hooper	Ludlow	Robinson, Iowa	Timberlake
Hope	McClintock, Ohio	Robsion, Ky.	Tinkham
Hopkins	McCloskey	Rogers	Treadway
Houston	McCormack, Mass.	Rowbottom	Underhill
Hudson	McCormick, Ill.	Sanders, N. Y.	Vincent, Mich.
Hughes	McFadden	Schafer, Wis.	Wainwright
Hull, William E.	McLaughlin	Schneider	Walker
Hull, Wis.	Maas	Seger	Wason
Irwin	Manlove	Seiberling	Watres
Jenkins	Mapes	Selvig	Watson
Johnson, Ill.	Martin	Shaffer, Va.	Welsh, Pa.
Johnson, Ind.	Menges	Short, Mo.	Whitley
Johnson, Nebr.	Michaelson	Shott, W. Va.	Wigglesworth
Johnson, S. Dak.	Michener	Shreve	Williams, Ill.
Johnson, Wash.	Miller	Simmons	Williamson
Johnston, Mo.	Moore, Ohio	Simms	Wolfenden
Jonas, N. C.	Morgan	Sinclair	Wolverton, N. J.
Kading	Mouser	Sloan	Woodruff
Kahn	Murphy	Smith, Idaho	Wyant
Kearns	Nelson, Me.	Snell	Yates
Kelly	Nelson, Wis.	Snow	
Kendall, Ky.	Newhall	Sparks	
Kendall, Pa.	Newton	Speaks	

NAYS—119

Abernethy	Driver	Jones, Tex.	Prall
Allgood	Edwards	Kemp	Quin
Almon	Eslick	Kerr	Ragon
Arnold	Evans, Mont.	LaGuardia	Rainey, Henry T.
Bankhead	Fisher	Lambertson	Rankin
Bland	Fitzpatrick	Lanham	Rayburn
Bloom	Fuller	Lankford, Ga.	Romjue
Box	Fulmer	Lea, Calif.	Rutherford
Briggs	Gambrill	Lee, Tex.	Sanders, Tex.
Browning	Garner	Linthicum	Sandlin
Busby	Garrett	Lozier	Sirovich
Byrns	Gasque	McDuffie	Smith, W. Va.
Canfield	Glover	McKeown	Somers, N. Y.
Cannon	Green	McMillan	Spearing
Clark, N. C.	Greenwood	McReynolds	Sproul, Kans.
Cochran, Mo.	Gregory	Mansfield	Steagall
Collier	Griffin	Milligan	Steele
Collins	Hall, Miss.	Montague	Sumners, Tex.
Cooper, Tenn.	Hammer	Moore, Va.	Tarver
Corning	Hastings	Morehead	Tucker
Cox	Hill, Ala.	Nelson, Mo.	Vinson, Ga.
Crisp	Hill, Wash.	O'Connor, La.	Warren
Cross	Howard	Oldfield	Whitehead
Davis	Huddleston	Oliver, Ala.	Whittington
DeRouen	Hudspeth	Owen	Williams, Tex.
Dominick	Hull, Tenn.	Palmisano	Wilson
Doughton	James	Parks	Wingo
Doxey	Jeffers	Patman	Wright
Drane	Johnson, Okla.	Patterson	Yon
Drewry	Johnson, Tex.	Pou	

NOT VOTING—58

Auf der Heide	Doyle	McLeod	Stalker
Bell	Golder	McSwain	Stedman
Boylan	Graham	Magrady	Stevenson
Brand, Ga.	Griest	Mead	Sullivan, Pa.
Brunner	Hare	Merritt	Swick
Buchanan	Hoffman	Mooney	Taylor, Colo.
Carew	Hull, Morton D.	Norton	Underwood
Carley	Igoe	O'Connell, N. Y.	Vestal
Cartwright	Kaynor	O'Connor, N. Y.	Welch, Calif.
Celler	Kunz	Oliver, N. Y.	Wolverton, W. Va.
Cullen	Kvale	Purnell	Wood
Curry	Lampert	Quayle	Woodrum
De Priest	Leech	Reid, Ill.	Zihlman
Dickstein	Lindsay	Sabath	
Doutrich	McClintic, Okla.	Sears	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Purnell (for) with Mr. Carew (against).
Mr. Griest (for) with Mr. Igoe (against).
Mr. Leech (for) with Mr. Dickstein (against).
Mr. Reid of Illinois (for) with Mr. O'Connor of New York (against).
Mr. Magrady (for) with Mr. Cullen (against).
Mr. Wolverton of West Virginia (for) with Mr. Hare (against).
Mr. Kaynor (for) with Mr. McClintic of Oklahoma (against).
Mr. Lampert (for) with Mr. McSwain (against).
Mr. McLeod (for) with Mr. Cartwright (against).
Mr. Graham (for) with Mr. Woodrum (against).
Mr. Vestal (for) with Mr. Lindsay (against).
Mr. Hoffman (for) with Mr. Quayle (against).
Mr. Golder (for) with Mr. Brand of Georgia (against).

For this day:

Mr. Welch of California with Mr. Taylor of Colorado.
Mr. Merritt with Mr. Underwood.
Mr. Sears with Mr. Mooney.
Mr. Stalker with Mr. Oliver of New York.
Mr. Curry with Mr. Sabath.
Mr. Morton D. Hull with Mr. Boylan.
Mr. Doutrich with Mr. Auf der Heide.

Mr. Sullivan of Pennsylvania with Mr. Bell.
Mr. Wood with Mr. Buchanan.
Mr. Swick with Mr. Doyle.
Mr. Zihlman with Mr. Stevenson.
Mr. Kvale with Mrs. Norton.

The result of the vote was announced as above recorded.

Mr. HAUGEN. Mr. Speaker, I move to take from the Speaker's table the bill (H. R. 1) to establish a Federal farm board to promote the effective merchandising of agricultural commodities in interstate and foreign commerce, and to place agriculture on a basis of economic equality with other industries, with a Senate amendment, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The motion was agreed to.

The SPEAKER. The Chair appoints the following conferees: Messrs. HAUGEN, PURNELL, WILLIAMS of Illinois, ASWELL, and KINCHELOE.

SUGAR

Mrs. RUTH BAKER PRATT. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentlewoman from New York asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mrs. RUTH BAKER PRATT. Mr. Speaker and Members of the House, I have in my hand a letter, and because it has a direct bearing upon a subject which is so much under discussion at present, I would like to read it to the Members of the House. It is addressed to one of my colleagues:

AMERICAN FEDERATION OF LABOR,
Washington, D. C., May 16, 1929.

Hon. JAMES A. FREAR,
Congress of the United States, Washington, D. C.

DEAR MR. FREAR: I herewith reply to your two favors of recent date in which you call my attention to the proposed sugar schedule embodied in the pending tariff bill. Please understand that no one was justified in quoting my testimony before the Senate Agricultural Committee in support of farm relief legislation as an indorsement of the sugar schedule of the pending tariff bill. My statement before the Senate Agricultural Committee referred to the question of general farm relief legislation exclusively. Only one who sought to take an unfair advantage in order to advance some special interest would attempt to use any of the testimony I gave at the hearing of the Committee on Agriculture in support of the sugar-tariff schedule.

In my opinion the increase in the sugar schedule is unjustifiable and indefensible. If passed in its present form it would levy an unfair tax upon the millions of workers whom I have the honor to represent, for the purpose of protecting an industry which the facts show employs women, children, and Mexican labor at indecent wages and under intolerable conditions of employment. The great mass of our working people in the United States are unwilling to be taxed for the purpose of protecting an industry which resorts to such uncivilized practices.

In behalf of working men and women affiliated with the American Federation of Labor, I register my protest against the proposed increase in the sugar-tariff schedule.

With every good wish, I am, sincerely yours,

WM. GREEN,
President American Federation of Labor.

WASHINGTON, D. C., *May 10, 1929.*

Hon. WILLIAM GREEN,
President American Federation of Labor,
Ninth and Massachusetts Avenue NW.,
Washington, D. C.

DEAR MR. GREEN: In debate to-day TIMBERLAKE, on the floor, discussing sugar, was interrupted by COLTON, of Utah, who read what purported to be a printed interview from you in support of the sugar schedule. I assumed they would attempt to do just that thing, although I know in your interview you were discussing general principles of agriculture.

The sugar schedule is a vicious proposition, as I have shown in repeated speeches, and I have beet-sugar mills in my district. The only hope for them is in a straight bounty, for reasons I have discussed in the House, but I do not want these people to deceive the House into believing that the champions of labor are either in favor of the sugar tariff or of labor conditions which surround the western mills.

Very sincerely,

JAMES A. FREAR.

THE DEBENTURE PLAN AND DEMOCRATIC DOCTRINE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD briefly on certain phases of the farm situation.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LUDLOW. Mr. Speaker, with all due respect to the many able and patriotic men who advocate the debenture plan as a solution of the farmers' ills I can not accept it, either as a panacea or as a Democratic doctrine. If the debenture plan is Democracy, Thomas Jefferson was not a Democrat. It is because I have a sincere conviction that Thomas Jefferson was a Democrat, and a real one, and because it is my highest ambition to follow humbly and worthily in his footsteps that I elect to take my stand against the debenture.

Since I, who claim to be a Jeffersonian Democrat, find myself at variance with a large majority of my party associates in one branch of the Congress on this proposition, a decent respect for the opinions of my fellow Democrats requires that I should make known the causes that impel me to the separation. I want it understood that I am not a David posing as a challenger of Goliath; but, on the contrary, I concede that perhaps I am more like tiny Ajax defying the lightning. There is even a possibility that when I have finished elucidating my position and feel the impact of the reaction I may resemble the frontier woman who, when the railroad penetrated what was then the wilderness of Oregon, bedeviled her husband for weeks until he consented that they should drop their farm work and go on horseback to see the first train pass by. So they saddled two of the work horses and rode a day and a night, the husband grumbling all the way. Finally the iron horse approached with a mighty whistle, and just then there was a sudden gust of wind which so disarranged the wife's skirts that they obscured her vision and she did not see the train as it whizzed past. At this point the husband's wrath broke loose.

"We've rid 50 miles," he yelled, as the train rumbled in the distance, "and all you've done, gosh dern ye, was to show your legs to the engineer!"

It may be that in this statement which I am making to the House and the country, giving my views on the debenture plan, I will not accomplish anything more than was accomplished by that unfortunate pioneer woman; but I feel that the burden is on me to tell why, as a Member of Congress, I am not voting on the side of the debenture issue that has attracted so many of my colleagues of the Democratic faith.

SITUATION IS AMAZING

I am twice amazed by the situation in which I find myself. I am amazed to know that at the very beginning of my congressional career I am out of line with my party colleagues in one branch of the Congress, but I am amazed still more to know that the great men of my party, whose names are household words throughout the land, should hug to their bosoms such a heresy as the debenture plan and call it Democracy. Their wisdom is so much greater than mine that I hesitate to challenge their conclusions on any subject, but there is something that is higher than caucuses, higher even than Congresses, and that something is conscience. I can not conscientiously follow these men, great and altruistic and high minded as I know many of them to be, when they leave the beaten Jeffersonian path and wander into the wild morasses where debentures grow.

It would be unparliamentary for me to criticize by name another legislative body which occupies the opposite end of this Capitol, and I shall not do that. But there is nothing to prohibit anyone from guessing what legislative body I mean. I personally know most of the Democratic Members of that body, and I love them and respect them; but that does not wipe out of my mind a conviction that they have erred on the subject of debentures. They have made a colossal mistake, a mistake which I hope will not be repeated by the Democrats of the House if the time comes when we are to record our votes on the debenture plan. What surprises me most is that there should suddenly be such a flare-up of bad mass psychology in "another legislative body"—a sort of impenetrable and indefinable state of group mind that made ordinarily sound and conservative legislators rush to accept a fetich that is absolutely untenable from the Jeffersonian viewpoint and utterly at variance with the time-honored tenets of our great party. When, before now, was subsidy recognized as Democratic doctrine?

DEMOCRATIC PLATFORMS OPPOSE SUBSIDY

The Democratic Party—all glory to its name—made a heroic and winning fight against ship subsidy. After long years of sharp recurrent conflicts it won in that warfare against the hosts of special privilege, and ship subsidy is as dead as a last year's bird's nest. Time after time the Democrats of this country in national convention assembled, breathing the spirit of Jefferson and Jackson, true to the ideals of the fathers, have written into their platforms their renewed pledge to oppose all forms of subsidies, the latest pronouncement on the subject having been adopted at Houston last year when the followers of Jefferson and Jackson incorporated in their platform this restatement of their faith:

The solution of this [agricultural] problem would avoid Government subsidy, to which the Democratic Party has always been opposed.

To the proponents of the debenture I would say that, try as hard as you like, you can not make a Democratic doctrine out of a subsidy; you can not make it square with the immortal admonition of Thomas Jefferson that "an equal application of law to every condition of man is fundamental."

The subsidy contained in the debenture plan is worse than the proposed ship subsidy because, for one reason, it hits the United States Treasury from two directions instead of one: First, it cuts customs revenues by the full amount of the face value of the debenture and, secondly, it cuts the revenues again to the extent of the discount allowed the importer when he purchases the debenture. Both processes keep money out of the United States Treasury that rightfully belongs there. The debenture is a double-acting device and the Treasury gets kicked by both of its legs. If, for instance, the face value of the debenture certificate is $10 and it is sold to an importer at a 50 per cent discount the loss to the Treasury will be $15. Multiplied transactions of this character would starve the Treasury to an extent that would make necessary the raising of untold millions by taxation, in which intolerable levies the farmer would have to bear his share of the burden.

GREAT HARVEST FOR SPECULATORS

Again, the debenture plan is worse than ship-subsidy for another reason. Ship-subsidy is a plain, straight-out transaction. It would pay out the people's Treasury certain stipulated amounts to private enterprise. It is shrouded with no disguise. There is no doubt that the people would pay and that favored interests would receive. But this debenture thing is illusory. It purports to subsidize the farmers but it does not require, in my judgment, any great power of divination to foresee that it would be chiefly beneficial to importers, speculators, and hock-shop owners all over the country, from ocean to ocean. To them it would mean a great and continuing harvest. While the farmer would be credited with receiving help from a benign government the middlemen, brokers, and exporters would be waxing sleek and fat over the proceeds.

Let us try for a moment to visualize how this scheme would work. When once it is in operation—if that unfortunate day should come—the trafficking in debentures will begin. Great importing houses will put out their tentacles to grab as many of the debentures as possible at slashing rates of discount. The diamond merchants, who now pay as high as 80 per cent tariff on cut stones, will be hot after the certificates. Hock-shops will spring up everywhere to garner in the certificates at the behest of the great importing houses. In all probability the large importers also will establish their own chains of brokers to scour the country for certificates. After every bumper export crop the market will be flooded with debentures, the importers will jack up the rates of discount and, taking advantage of the farmers' necessity, will gather in the certificates at a cost that will enable them to beat the customs tariffs most magnificently on their succeeding importations. When and where, I ask, did we Democrats receive a commission from the rank and file of our party to subsidize the multi-millionaire John Wanamakers and Marshall Fields of this country?

PLAN IS A MISNOMER

In my opinion, the phrase "farmers' legislation" applied to this plan is a misnomer. I fear it would operate to fatten the importers and speculators and starve the farmer. Not only would the farmer not receive the full amount of the debenture, or even any of it at times, but he would be taxed, in common with all of our citizens, to make up for the loss of revenue that would be caused by the system.

When I say that in all probability there will be times when the farmer would not receive any part of the debenture on his exported crops I am thinking of honesty among men. The plan provides that the debenture shall be paid, not to the farmer, but to the exporter. How can the farmer who raises 2,000 bushels of wheat in Indiana and who hauls it to an elevator and dumps it on a pile of 100,000 bushels of wheat that is already there tell whether the wheat he has grown reaches a foreign market, or not? How can the cotton planter of the Southland tell whether the bales of cotton he raises find their way to the mills of New England or to the looms of some foreign country? In every instance the farmer must depend on some person's honesty, and all the while greed and cupidity are operating against the farmer, and the tempter is telling the exporter to take those certificates himself and cash them for his own benefit.

So I say this is not a farmers' plan of relief, but it will relieve the speculators by furnishing them a convenient negotiable instrument to traffic with and it will relieve the importers of a large amount of customs dues which they should pay. It is not a farmers' bill because three-fourths of all the farmers' crops, measured in value, are not exportable, and only one-fourth are exportable. Finally this is not a farmers' bill because, even if the payments were to be made direct and without discount from the Federal Treasury to the farmer, that is not the sort of legislation the farmer is asking. The farmer is not at the doors of Congress demanding a subsidy. He is not seeking any special privileges. The farmers of this country are right-thinking and right-minded. They are asking opportunities equal to those accorded to the men in industry—nothing more. As nearly as finite vision can accomplish the purpose their wants are met in the farm relief bill which this House passed on April 25 and which President Hoover will sign if it does not come to him encumbered by the debenture plan.

TRIFLING WITH THE VERITIES

It has been suggested to me by some persons that I ought to play a little politics on this measure and help to put the President in a hole by riveting the debenture plan onto the farm relief bill, and my answer is that we Democrats ought not to trifle with the eternal verities. From the very beginning of the Government Democracy has opposed special privilege and has stood for the interests of the common man. Let us keep the record clear and plain. The people, when they understand, will have more respect for us if we do. If they know that we are true to our ideals, even when political advantage seems to point the other way, they will give us their faith and will intrust us with power so that we may keep on and on doing their work in the high places of the Nation. No temporary political benefit can ever justify us for doing a wrong thing, and if our conception of duty is merely to put President Hoover in a hole we will wind up by being put in a hole ourselves. I think we ought to welcome the President over into the Democratic fold. When he opposes the debenture he stands for Jeffersonian principles. I congratulate him. I feel certain that the hosts of special privilege will find as time goes on that the President is a good deal of a Democrat, regardless of the party label he bears. I understand that right now he is displeased with some of the excesses that have been written into the new tariff bill, and is chagrined over the violation of good faith in bringing in a general-revision measure when a limited readjustment of schedules was promised. As long as he stands for the rights of the masses and for a public service based on the greatest good to the greatest number he will have my benediction.

LEAVE IT TO DEMOCRATIC EDITORS

I challenge the Members of "another legislative body," who are so ardent in upholding the debenture, to leave the decision to the Democratic editors of America. I have no right to speak for the Democratic newspapers of this country, but I have been a newspaper man all of my life and have lived pretty close to the editorial profession, and I think I know how unwelcome this debenture heresy is to the Democratic Press. Already the Louisville Courier-Journal, owned and edited by my friend, Robert W. Bingham, is thundering against the debenture in the same editorial columns through which Henry Watterson used to speak like the voice of Jehovah from the mountain heights. The Houston Chronicle, owned by one of the Democratic Party's greatest friends and patrons, Jesse Jones, sees only evil in it. Clark Howell's Atlanta Constitution is attacking it hip and thigh. The New Orleans Picayune, staunch old Democratic journal, in assailing the doctrine, says:

We hope that the House Democrats will refuse to play politics with farm relief and will vote their individual convictions on the issue. How can the Democrats who insist upon debentures or nothing, escape their share of the responsibility for the resultant failure of farm relief legislation?

The Baltimore Sun, the New York World, and many other Democratic newspapers of high standing are priming their guns for an attack on the debenture citadel. I challenge Democratic legislators to hearken to the voices of the Democratic editors of America, and if they do so there is no doubt that this false doctrine will be cut out of our Democratic curriculum and tossed on the ash heap of oblivion.

APPEAL TO GREAT DEMOCRATS

Mr. Speaker, in the House of Representatives there are many great Democrats who are worthy to walk down the corridors of time by the side of Thomas Jefferson. Among them is our brilliant, able, honest, courageous leader, JOHN N. GARNER. Among them are a former head of our national Democratic organization, Judge HULL, and the present head of our congressional committee, Mr. BYRNS, both from the State that gave to the Nation the militant foe of subsidies and other special privileges, Andrew Jackson. Among them are several Representatives from the glorious old Commonwealth that gave to

America Thomas Jefferson, the founder of Democracy, the greatest statesman of all our history, such men as the distinguished scholar and constitutional authority, HENRY ST. GEORGE TUCKER; the great lawyer and publicist, Judge ROBERT WALTON MOORE; and the renowned student, author, and man of affairs, ex-Governor ANDREW J. MONTAGUE. I appeal to these men, who must be bound by a golden thread of sentiment to the memory of the fathers, and to all equally true and loyal Democrats in the House to sustain the fine reputation which the lower branch of Congress now has throughout the country by helping to secure the adoption of the conference report on the farm relief bill when it comes from the conference room into the House, as it surely will, minus the debenture feature.

EXTENSION OF REMARKS

Mr. KINCHELOE. Mr. Speaker, Mr. John W. Moore, of Kentucky, a former Member of the House, is the Democratic nominee for Congress in the third district of Kentucky to fill a vacancy caused by the death of the Member elect. The election is the 1st of June. I ask unanimous consent to extend my own remarks on the character of Mr. Moore and the character of his services rendered in this House.

Mr. ROBSION of Kentucky. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman if he is undertaking to make a political speech for one of the candidates for Congress in Kentucky?

Mr. KINCHELOE. I propose to give in this speech the character of services he rendered here as a Member of Congress.

Mr. ROBSION of Kentucky. In view of the fact that it is to be used in a political campaign down there, I shall have to object, although I am sorry to do it.

Mr. KINCHELOE. If the gentleman wants to take that responsibility, he can do it.

Mr. ROBSION of Kentucky. I am taking the responsibility.

Mr. KINCHELOE. It is an extension of my own remarks.

Mr. ROBSION of Kentucky. I object, Mr. Speaker.

ADJOURNMENT OVER

Mr. TILSON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

Mr. GARNER. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Connecticut a question? As I understand, it is the purpose of the gentleman from Connecticut and the gentleman from Oregon [Mr. HAWLEY] to continue general debate Monday and Tuesday at least.

Mr. HAWLEY. Quite likely.

Mr. GARNER. It will take you at least that length of time to get a hold.

Mr. HAWLEY. I understood the gentleman from Texas had so much time requested on his side that we did not want to shut him off.

Mr. GARNER. I understand why the gentleman wants the debate to go on. I am just asking for the facts. I happen to know the gentleman's situation as well as he does.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for five minutes following the address of the gentleman from New York [Mr. SIROVICH].

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

SPEECH OF THOMAS JEFFERSON SANFORD, OF NEW YORK

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech by Thomas Sanford, a former tax commissioner of New York.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing a speech by Thomas Sanford, a former tax commissioner of the State of New York. Is there objection?

Mr. GARNER. Reserving the right to object, I wonder if the gentleman from Massachusetts [Mr. UNDERHILL] is in the Chamber?

The SPEAKER. Is there objection?

There was no objection.

The speech is as follows:

(Speech of Thomas Jefferson Sanford, formerly tax commissioner of New York, and author of the Wide Way to a Free Republic. Inserted at the request of constituents.)

Ladies and gentlemen, the ideas, with which I am dealing, are not original with me; they were taught me by a civil engineer, named David Reeves Smith, who has been lying in his grave for more than 30 years. He once wrote, in a letter to me, these words, "The science of government has been moving along definite lines since the beginning. There is only one right way to do anything. All other ways are necessarily wrong, in some degree. Fortunately, for mankind, reason, observation, and experience have been steadily improving political theories and practices throughout the past. In every generation some measure of advancement is discernible, until now it is possible to specify of what the framework of a perfect form of government must consist." This morning I shall give you a brief outline of that framework.

The theory of this Government, as expounded by Thomas Jefferson, Andrew Jackson, and Abraham Lincoln, can not be surpassed by anything offered by socialism, communism, Bolshevikism, or any other "ism," in existence. But the theory of this government is not carried into practice; because we have not a just system of voting, a just system of money, and a just system of taxation; all of which I shall explain a little later. We are also in need of logical definitions of the important terms used in discussing our social problems.

Socrates, who was forced to drink poison for teaching the one-god idea, said 2,300 years ago, "A logical definition ends most discussions." Voltaire, the great Frenchman who compiled the first encyclopedia, and was most powerful in overturning the French monarchy of Louis XVI, said, "If you wish to discuss with me, first define your terms." And Wendell Phillips, the great scholar and abolitionist, said, "A correct definition is often half way to the solution of any problem."

Consequently much that I will have to say deals with definitions. The theory of this Government, in detail, is as follows: All men have an equal right to life, liberty, and the pursuit of happiness. All men should be equal before the law. The sovereignty of this Government is vested in the whole people, to whom it of natural right belongs. Every truly democratic government is an agent of the whole people, and should exercise its power only with the consent of the governed. In production we should strive to exercise as much economy of time and labor as possible. Every person should have the privilege of pursuing whatever legal vocation he pleases, provided that in doing so he affects no person unjustly. Public officials should be public servants in practice as well as in theory. The income a citizen receives should be in direct proportion to the service he renders the community; that is, if his or her service is large, his or her income should be large; and if his or her service is small, his or her income should be small. Every person engaged in any legal vocation is supposed to render the community a service. Every person should pay annually a 2 per cent tax or public rent to the community for the wealth they are using in proportion to the value of the wealth they use. Those who economize should be permitted to enjoy the fruits of their economy. Those persons best qualified for doing specific work are the persons who should be encouraged to do such work. Every competent person should be required by law to produce at the least as much as each consumes. All men should be considered innocent of any criminal intent until duly proven guilty by the law of the land. The welfare of the individual should be subordinate to that of the community, limited by the inalienable natural rights of the individual. The higher ownership of all real and personal property is vested, by natural right, in the whole people. That act only should be done which results in the greatest good to the greatest number, without invading individual natural rights. The will of the majority should always prevail when individual natural rights are not invaded. No man should be deprived of life, liberty, or property without due process of law. An injury to one is the concern of all. The benefit of all is the concern of each. "There is only one right way to do anything; all other ways are necessarily wrong in some degree." The State should never do for an individual that which he can do for himself. "A truly democratic government should not engage in business of any kind unless it can do so in a better manner and at a less cost than the same business can be done by private enterprise." The safety of the people is the supreme law. No private citizen's property should be taken from him and given to another private citizen. "The intensity of our desires is correctly measured by the quantity of effort we are willing to expend in satisfying them." No special privilege should be granted any private individual. All men should be encouraged to supply their wants with the least legal exertion.

All competent citizens should be permitted to make or not to make any legal contract. Natural rights come from nature or nature's God, and not from any law enacted by any legislature composed of human beings. "Error of opinion should be tolerated as long as reason is left free to combat it."

Among the most important terms in our modern problem of sociology are ownership and sovereignty. Ownership is the right to use or utilize wealth. I will repeat it: "Ownership is the right to use or utilize wealth." And "sovereignty" is the right to define the right and to enforce the decision, which I also repeat, for emphasis: "Sovereignty is the right to define the right and to enforce the decision." The highest ownership is that of the whole human family.

Under the human family ownership comes the ownerships of the nations. Under national ownership comes provincial ownership. In this republic State ownership comes next to national ownership; under State ownership is county ownership; under county ownership is city ownership, which is subdivided into district and ward ownership, and ward ownership is divided into individual ownerships; which are for terms of life, for years, months, days, or hours, and so forth. This Government owns, as an agent of the whole people, all the real and personal property in this country and can take, for public purposes, under the law of eminent domain, any private property it needs for public purposes, provided the individual owner is given ample notice, his day in court, just compensation, power of subpœnaing witnesses, and is proceeded against in the condemnation of his property by due process of law. But it is the Government, as an agent of the whole people, that fixes the price of the property taken, and not the individual. Private ownership and common ownership exist together at the same time, but private ownership is always subordinate to the common ownership of the people.

To exercise the common ownership of the whole people, private property must be used by individual owners, on the basis of the value of the property; that is, the private owners of private property must pay taxes (which is public rent) to the Government in proportion to the true value of the property, which brings up before us the prodigiously important term and relation, value. When one understands the true meaning of this term it is an easy matter to understand the solution of the financial, tariff, taxation, land, capital, and labor questions. Therefore I shall go into some detail concerning value. Value is purchasing power. The value of a thing is the purchasing power which the ownership of the thing confers on the owner of the thing. Not one of you ever saw value or touched it; but you have seen many things that have this relation, value, which is a feature of the law of supply and demand.

The best illustration of what value is was given to me by my preceptor, the civil engineer. About the year 1850 he visited one of the Society Islands. On it was an innocent, happy people governed by a despotic queen whose will was law. The island had an abundance of breadfruit trees on it and anyone who wanted breadfruit had only to reach into a tree and help himself. Although the breadfruit was useful, it had no value—no one would give anything for it. A breadfruit was about the size of a baby's head; its meat was something similar to that of a banana; and when baked with heat it was a good substitute for bread. It nourished the body, tickled the palate, and satisfied hunger. It was the main food of the natives. They had to plant only a few vegetables and trap a little game in order to feed themselves. The climate was warm and congenial, and they lived in simple huts. As a result, life was no struggle among the natives; their main food cost them nothing but the gathering of it.

One day a French man-of-war sailed into the chief harbor. The commander spent two weeks with the queen and, upon leaving her, said: "These subjects of yours lead too easy a life. They are too independent. I'll tell you what to do. Select the best grove of breadfruit trees on the island and erect a high fence around it; and on some night, when the natives are asleep, cut down all the breadfruit trees outside of the fence. Then, when they ask for any breadfruit, make them give you something for it, such as gold dust, fancy-colored shells, game, or vegetables." She did as he directed, and the supply of breadfruit immediately became valuable because no one would afterwards plant a breadfruit tree and give its fruit to any one else for nothing. The queen did not make the breadfruit any more useful than they were formerly. She added no attribute to the breadfruit within the fence. She had not increased their utility a particle; she had only limited the supply and increased the demand for breadfruit by the destruction of a large part of the chief food of her subjects. What that despotic queen did by limiting the supply of breadfruit our, so-called, captains of industry are doing with our land, coal, food, clothing, and shelter by limiting the supply of these essentials, which limitation invariably shows in their increased value. Notice that I do not say "money price." The difference between price and value I'll explain later.

Here's another illustration: Land and air are indispensable to human existence and are both useful; yet, air, because of its unlimited supply, has no value; but land can be limited in supply by holding large areas out of use and, therefore, becomes valuable or confers purchasing power on its owners. No one will give anything for a mouthful of air, but many of us will give much for a quantity of land.

We frequently hear persons say, "Labor creates all value"; but that is not true. Take this chair as an example. The value of this chair is the purchasing power, which the ownership of the chair confers on the owner. Some of the value is due to nature or nature's God; some is due to the skill of the workman who made it; and some is due to the community. Without the material, made by nature or nature's God, and the presence of the community, there could be no value, no matter how great the skill of the workman. Therefore, labor creates only a part of the value of the chair, but not all of it. These mistakes in the conception of value lead both capitalists and laborers into avoidable conflicts. Because a few own the capital and the many own little or no capital, workmen must combine and insist on a collective contract, about the terms on which they will work, particularly when the owners of capital are also combining. If capital were more generally distributed, the laborer would employ himself; but with 2 per cent of the people in this country owning 65 per cent of our valuable wealth (which is capital whenever it confers purchasing power on its owners) the owners of little or no capital are forced, by high rents and high prices of the necessities of life, to organize in order to preserve themselves from starvation and a descent to the conditions of East Indians, who are without hope and so weak physically that they can not fight for their natural, God-given rights.

Before the decline of the Roman Empire 5 per cent of the population owned all the wealth; before the fall of the Egyptian dynasty 2 per cent of the population owned all the wealth; before the fall of the Persian Empire 1½ per cent of the population owned all the wealth; before the French Revolution the clergy owned one-half the land and the royalists owned the other half. Lloyd George says: "That 12,000 persons own all the soil of England, and the remainder of the population are trespassers." This wealth-ownership centralization must be stopped by a just system of taxation, based on the value of the property owned; but to have a just system of taxation we must have a system of money which will prevent the dollar from changing materially in value.

To prevent the dollar from changing materially in value, it must not be based on gold, or silver, or cotton, or iron, or any article owned and controlled by private individuals; for the reason, that the private owners of said articles, will change the supply, so as to regulate the value of the basic money, and thereby regulate the value of the money resting on the basic money. And we must not leave the regulation of the supply of money to any private individual or Federal Reserve Board, which will reduce the per capita circulation of legal tender money, and its related money, from $53.60 per capita, in circulation outside the United States Treasury in 1920, down to $40.52 on June 30, 1928. The Secretary of the Treasury of the United States should alone regulate the supply of money.

We must make average labor the common denominator of dollars, commodities, real estate, and any article bought or sold in the marts of trade. Gold can be cornered by its owners; so can silver, platinum, cotton, or any commodity, but average labor can not be cornered. That is, no one can lock up or take from the market a quantity of labor and thereby increase the price of labor outside of the "lock-up." Labor will flow to any place in which its environments are most congenial, in spite of any law enacted by legislators, who do not understand the functions of money or who do not want to understand a just system of money. A dollar should be a true measurer of value, just as a yardstick is a practical measurer of distance. As the dollar should not change materially in value the best method of measuring the dollar's value or purchasing power is to find out, by reliable statistics furnished by all employees throughout the United States, how much average labor must be given by workmen in an hour, to get the dollar. If it takes more than an hour of average labor of the men working for employers to earn the dollar, then dollars are becoming too scarce, and if it takes less than an hour of average labor of said men to earn said dollar, then the dollars are becoming too plentiful, and dollars should then be held from circulation when they come into the Treasury of the Government, by way of taxation.

Everyone, consciously or unconsciously, measures the things they want by labor, and when average labor can supply its wants and satisfy its desires easily, the condition of general humanity in this country is good. By measuring the value of a dollar by the difficulty to get it we can learn when bankers or money speculators are making the supply of dollars scarce in order to increase the difficulty to earn them by average labor; and as average labor will not change in supply, materially, whether or not the supply of potatoes, cabbages, or anything else is becoming scarce, can be seen in the increased or decreased money price of said articles.

Great injury has been done our workmen and merchants by a reduction in the supply of money. All money tends to contract itself by the loss, destruction, or exportation of dollars; and the banks should not reduce the supply of money, especially when the population is increasing. Merchants who have bought goods when the supply of money was large—in 1920—are forced to reduce the money price of their merchandise when the supply of money has been reduced, and workmen are laid off or reduced in wages as a consequence, because money prices of merchandise and manufactured products fall, on the average, throughout the country. But the merchant's debts and workmen's debts are more difficult to pay, due to the fact that money is becoming scarce and higher in purchasing power.

The value of money is not stabilized by reducing the supply; the value of money is additionally increased. Average labor is the only thing that will justly show whether or not the value of money is going up or down. The value of money should never change materially, otherwise some party to a money contract is injured.

We are told by the papers carrying banking advertisements that we are properous; but this is the old game of trying to make a man in debt and with a pocket full of pawn tickets believe it is good for him to be out of work, to have his wages reduced, and to be unable to pay

the debts he contracted at a time when the supply of money was abundant. This game was played in 1873, 1893, 1907, and is being played to-day; the money cornerers are using the same falsehoods to deceive the masses.

While it is a good thing for the few wealth owners to have the value or purchasing power, exercised by the few owners of valuable wealth, high, it is not a good thing for the nonowners of valuable wealth; nor is it a good thing for the many to have money prices to go down as a result of a decrease in the supply of money. Value and price are very different. Two men by contract can fix the money price of an article, but they can not fix its value.

A man may agree to give $100,000 for a house that rents for only a hundred dollars a year, and the house owner may agree to part with the house and receive the money, and in this manner fix the price between the buyer and the seller, but the value of the house is determined by the supply of houses, the demand for them, what they will rent for, the repairs, and a hundred other things. The price of a thing can be fixed by two persons only, but value must always take into consideration the community and the supply of houses. When two things are exchanged, one for the other, each is the price of the other, or the price of a thing is that for which it will exchange.

When the value of essentials goes up, crime increases; when it goes down crime decreases. Henry Buckle says in his History of English Civilization that "When it was difficult to live in any century in England crime increased, and when it was not difficult to live in any century in England crime decreased." The value of essentials measured in average labor is increasing in this country, and so is crime. If we had only one pail of water for every 1,000 inhabitants the value of water would go so high that people would perjure themselves, steal, and murder for a glass of water. Scarcity makes increased value.

An Irishman in Ireland was carrying two pails of water to a small pond which he was making for young ducks. An Englishman standing by remarked: "Pat, hif 'e 'ad them ducklings in Lunnon, they'd be worth six and ha penny ha piece." "Yis," said Pat, "and if I had this water in h—l, it would be worth tin dollars a glass." Environments affect value.

We have 20 acres of soil for every man, woman, and child in this country; we have plenty of willing and skillful workers; we have rain and sunshine in proper proportions; we have endless public improvements to be made; yet we suffer from periodical depressions, due to the stupidity or cupidity of some of our legislators.

We are like a ship's crew which was wrecked off the eastern coast of South America. They had drifted about for several days, until their fresh water had all given out and they were suffering horribly for a supply of fresh water. Finally a ship saw their signal of distress and changed its course in order to give the crew relief. As the vessel approached the shipwrecked crew shouted, "Water! Water! For God's sake, give us water!!" A voice from the ship, through a megaphone, shouted, "Dip down into the water in which you are sailing. You are in the mouth of the Amazon River, and all the water is fresh."

We are in the midst of plenty, but we don't know how to dip into the abundance with which God has blessed us. Heed my advice, and what all mankind have hoped for will be realized in a shorter time than that of which we dream.

What do I propose to do? Not a single radical thing. I only strive to have carried into practice the theory of this Republic as expounded by Jefferson, Jackson, and Lincoln. I want everyone to record his real and personal property in a small recording office in each assembly district, where anyone else can see it, under penalty of forfeiture to the first person who finds the unrecorded property and records it, in the finder's name. Real property law now makes the owner record his property and, in some instances, he forfeits it when it is unrecorded. The National Government at present confiscates the imported property of importers when not recorded in the bill of entry.

I want every man to be his own assessor; but at whatever assessment price he records his property he must pay taxes on it at that assessment price, or sell it to the first buyer who will pay the owner cash for it at the assessment price. This is less severe than what our National Government does with importers who underestimate the value of their imported property, more than 50 per cent of its true value; the Government in such cases seizes the property and gives the owner nothing.

I want every man, and his widow in the event of his death, to be exempt from taxes and free from levy under an execution issued under a judgment for nonpayment of debts when the home he or she owns is worth $2,000 or less. If bonds can be exempt from taxation, so can small homes when occupied by the owner.

I want the financial laws of this Nation so changed that money can and will be earned into circulation instead of being borrowed into circulation on paper bonds drawing interest at excessive rates; and I want the value of money measured by the average labor it requires from men working for employers to earn a dollar in one hour.

I want the National Government to adopt the idea of Moses's year of the jubilee, as stated in Leviticus, chapter 25 of the Bible, namely, to make the owners of real and personal property pay one-fiftieth of the full value of their real and personal property annually into the Public Treasury and then have the National Government expend it in public improvements, giving employment to the unemployed. Then there will never be another industrial depression, because one-fiftieth of the value of all real and personal property will go into the Public Treasury and come out again each year, and in 50 years all the centralized wealth will have gone back to the people. Instead of taking the whole in the fiftieth year, as Moses did, I propose to tax into the National Treasury one-fiftieth or 2 per cent of the full value of all property in the United States each year.

I also want to change our election laws so that a man can change his vote when he thinks it is necessary and vote out of office as well as vote into office any official with whom he is dissatisfied. This does not mean that people will be constantly voting; but it places in the hands of the voters the power to remove from public office any official who has betrayed his constituents. It makes it possible for the citizens of this community to remove from office those officials who are responsible for loading this community with $440,000 of 5½ per cent interest-bearing bonds designed to meet the expense of eliminating grade crossings and yet not eliminate them, but leave our citizens and children exposed to the loss of their precious lives at the most dangerous spots while the inside schemers revel in luxury from the fruit of their ill-gotton bonds and our taxes are meanwhile made more burdensome than ever. Fifteen years ago you voted to eliminate the grade crossings and they are still here.

The voting plan I am advocating requires that an election office in each election district shall be open within reasonable hours every day in the year excepting Sundays and legal holidays. When a voter desires to vote, he goes to the election office which is in charge of one clerk elected by the voters of each respective election district, and announces to the clerk that he wants to vote for governor, or any other office. The clerk then hands him a card with a blank space in which to write the name of his candidate. The voter then writes down his choice, the voter's name, his residence, the date, and gives it to the clerk, who copies the voter's card onto a similar card and hands it to the voter as his receipt of how he has voted. Then the clerk copies into a public record how the voter has voted, so anyone can see how the voter has voted, and then the clerk files in an index file the original card of the voter. No fraud is possible under this system of voting which can not be detected.

These improvements on our present system of collecting taxes, issuing money, and conducting our elections will enable us to carry into effect the principles of Jefferson, Jackson, and Lincoln; and make out of this Republic a permanent republic which will never share the fate of the Grecian Republic, the Roman Republic, the Venetian Republic, and other of the republics which no longer exist.

We are soon to have a new era and enjoy the same progress in just government that has been made in the line of invention. We will yet eliminate involuntary poverty, take the gamble out of life, remove the fear of old age, sweeten the atmosphere of our homes, elevate the morals of all our people, and realize the prayer of the lowly Nazarene when He said: "Thy kingdom come, thy will be done on earth, as it is in Heaven."

But we must do our own thinking; use the brain God gave us for a righteous purpose; eliminate the delusion that gold, an inanimate metal, must limit our happiness, and never forget the lines of Gerald Massey—

O, Men, bowed down with labor,
O, Women, young yet old,
O, Hearts, oppressed in the toilers' breast,
And crushed with the power of gold;
Keep on, with your weary struggle,
Against triumphant might;
No question is ever settled
Until it is settled right.

WHAT THE HEBREW RACE HAS CONTRIBUTED TO AMERICAN HISTORY

The SPEAKER. Under the order of the House the Chair recognizes the gentleman from New York, Doctor SIROVICH, for 30 minutes.

Mr. SIROVICH. Mr. Speaker, ladies and gentlemen of the House, the State of Virginia has contributed some of the most distinguished names to the history of our Nation. Out of 56 men who signed the Declaration of Independence, 7 of them came from the great Commonwealth of Virginia.

In the early history of our Government the Old Dominion gave four of its most eminent sons as President of the United States—George Washington, Thomas Jefferson, James Madison, and James Monroe. A quartet of famous names that have never been equaled or been surpassed by any State in the Union. [Applause.]

Next to the founder of our country, George Washington, stands the name of Thomas Jefferson, the founder of the great Democratic Party of our Nation.

The life and character of Thomas Jefferson symbolizes, to my mind, all the ideals and virtues that prompted our forefathers

to establish this great democratic-republican Government of ours. [Applause.]

When the Sage of Monticello passed beyond the Great Divide he left a will in which he requested that when a tombstone was erected to commemorate his memory only three sentiments should be expressed thereon. First, that he was the author of the Declaration of Independence; second, that he was the founder of the University of Virginia; and third, that he was the author of religious liberty and freedom of worship in the State of Virginia.

What an extraordinary trinity of ideals Thomas Jefferson consecrated his life to! First, education; second, the right of worshiping in conformity with a man's own conscience; and third, the author of that immortal document, that great charter of human rights, worthy of God himself, the Declaration of Independence. [Applause.]

Mr. Speaker, ladies, and gentlemen, picture to yourselves the modesty of that extraordinary intellectual giant, Thomas Jefferson, the greatest man of his day. He never put upon his tombstone that he was twice President of the United States. He never had inscribed upon his eternal shaft that he was Vice President of the United States. Never did he declare to those who might read his epitaph that he was first Secretary of State in the administration of George Washington. Nor did he state that he was ambassador of the United States to France and helped to bring to a successful conclusion the great Revolution which brought liberty and freedom to our forbears through the assistance of France in aiding the American cause in its hour of need. [Applause.]

Seven famous names are penned to the great Declaration of Independence from the State of Virginia—George Wythe, Richard Lee, Thomas Jefferson, Benjamin Harrison, Thomas Nelson, jr., Francis Lightfoot Lee, and Carter Braxton. Where is there a school boy to-day throughout the length and breadth of our country who has not heard of the militant Maccabean sentiments of Patrick Henry in his clarion call to the people of our Nation when he said, "Give me liberty or give me death." Such is the contribution of the State of Virginia to the early history of our country. [Applause.]

A century has passed since the death of Thomas Jefferson. The great Commonwealth of Virginia has 12 distinguished men who represent that great State in the House and Senate. Let me have them pass before you in panoramic fashion as their names come to my mind. ANDREW JACKSON MONTAGUE, former Governor of Virginia, and named after the militant and aggressive leader of Democracy, Andrew Jackson; R. WALTON MOORE, a descendant of Lewis Morris, the New York signer of the Declaration of Independence, and also a descendant of the Walton family of New York, a family of merchants in the old days, one of whom was mayor of New York, and all of whom are buried in the churchyard at Trinity Church; SCHUYLER BLAND, PATRICK HENRY DREWRY, CLIFTON ALEXANDER WOODRUM, Senators CARTER GLASS and CLAUDE SWANSON, and last but not least, Virginia's illustrious son, HENRY ST. GEORGE TUCKER. [Applause.]

Where is there a State in our Union that can match these names for brilliancy in their accomplishments, and for extraordinary manifestations in service to our people? [Applause.]

For 14 decades the distinguished family of Tucker has been represented in the Congress of the United States. The original Thomas Tudor Tucker served as a Member of Congress during the administration of Gen. George Washington. George Tucker, a kinsman of St. George Tucker, our friend's great-grandfather, was a Member of this historic forum. In 1825 Thomas Jefferson appointed him as professor of moral and intellectual philosophy in the University of Virginia. Henry St. George Tucker, the grandfather of our colleague, served from 1815 to 1819 in the Congress of the United States.

Thus we behold the picture of great-grandfather, grandfather, father, and son serving the best traditions of our people and our Nation.

The present HENRY ST. GEORGE TUCKER, in my humble opinion, is one of the greatest constitutional lawyers in the Congress of the United States. [Applause.]

As former acting president of Washington and Lee University, as former president of the American Bar Association, as a Member of this House on and off since 1889, and as professor of law, he is one of the outstanding and distinguished representatives of the great Commonwealth of Virginia. [Applause.] He comes from the town of Lexington, Va. Lexington that was the home of Robert E. Lee, the illustrious general and distinguished soldier of the Southern Confederacy. Lexington, Va., where that distinguished soldier, Stonewall Jackson, taught mathematics.

In the center of that community is the city of Staunton, which is the birthplace that cradled and nurtured the greatest exponent of the philosophy of democracy, one of the greatest Presidents of all times, Woodrow Wilson. [Applause.]

Since the inception of our Government four successive generations of Tuckers have represented the State of Virginia in the House. HENRY ST. GEORGE TUCKER, the present incumbent, carries in his vest pocket a watch, an heirloom from colonial days, whose ticks and beats were heard by John Randolph of Roanoke, its original owner. Edmund Randolph, of this distinguished family, was the first Attorney General in the administration of George Washington.

Surely, with all these antecedents that I have enumerated, anything that Mr. TUCKER would say on the floor of this House carries great weight. The other day our distinguished colleague delivered a speech in this historic forum on the "power of Congress to exclude aliens in the enumeration of the population of the United States for Representatives in Congress." It was a brilliant effort. A masterpiece of forensic lore. A debatable constitutional question, his main contention being that when the Constitution was adopted in 1787 aliens were not present. Therefore he infers they should not be counted now.

As a matter of fact, immediately after the Revolution, proportionate to its population, we had as many aliens then as we have now. In our midst were the Tories, hill billies, the Hessians, English troops, and other soldiers of fortune, who fought against our forebears in their desire to establish a republican form of government. But when the Constitution was adopted, a general amnesty was declared and everybody was permitted to participate as citizens of our Republic. That was why we had so few aliens.

However, when the fourteenth amendment to the Constitution was passed, after the abolition of slavery in 1868, section 2 declared—

> Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed.

Surely, in 1868 we had millions of aliens then as now, and it was the intention of our forefathers to count all of its people. They left nothing to be inferred and only excluded Indians not taxed. Therefore, it is my contention that an alien is a person under the fourteenth amendment to the Federal Constitution, and should be included upon the basis of fixing representation, excluding only "Indians not taxed." As a matter of justice all the people living in our country are aliens or the descendants of aliens. The only true Americans are the Indians, whom we have deprived of their land and even disfranchised by not permitting them to vote. [Applause.]

While we are on the subject of the aliens I would like to inform my distinguished colleague from the State of Virginia [Mr. TUCKER] that there are 45,000,000 people in the United States to-day who are the sons and descendants of former alien immigrants, who, since their entrance into this country, have contributed to our happiness, glory, and prosperity in times of peace and have fought upon every battle field in defense of our country in times of war. For almost 100 years these aliens, who are to-day the football of States that are likely to lose in representation, have, through their sweat and blood, helped to build our great American railroads, have perfected our great American industries of steel and iron, have worked in the mills, in the looms, and in the factories. They have gone down into the bowels of the earth to bring forth the hidden mineral resources of our Nation, have dug the subways, have built the great skyscrapers and dwellings, which have made our Nation and our people the most wonderful, the most respected, and the richest of all the world. [Applause.]

Directly in front of the home of the President of the United States there are monuments on each corner erected to perpetuate the name and fame of five aliens who gave up everything they held near and dear to help our colonist forefathers establish this mighty Republic of ours.

Pulaski, a Polish count, who organized the Foreign Legion, marching these soldiers through Maryland, Virginia, North and South Carolina, fighting all the way for our cause, until he fell wounded in the Battle of Savannah and was buried at sea. Gen. Baron von Steuben, the great German strategist, who trained and disciplined the American soldiers at Valley Forge and made it possible for Washington to win his subsequent victories. Rochambeau, the great French soldier, who, in conjunction with Lafayette and Washington, was responsible in lowering the colors at Cornwallis at Yorktown, that brought victory to the arms of America. Kosciusko, the great Polish engineer, who designed and built West Point and was wounded on the battle field of Saratoga, that caused to bring about the defeat of Burgoyne. And last, but not least, the distinguished and gifted General Lafayette, who brought the aid of the French people to the cause of the American Revolution, that made success possible. Every-

where, throughout the length and breadth of our land, there are humble shafts that commemorate the lives of these alien immigrants who worked for our happiness in times of peace and were ready to die for our Republic in times of war. [Applause.]

Mr. Speaker, ladies and gentlemen, my purpose in addressing the House to-day is to take exception to the peroration of my distinguished colleague, Mr. TUCKER. In his concluding remarks he said "aliens from the commonwealth of Israel and strangers from the covenants of promise were never intended to be given participation in the Government of the United States." If this figure of speech, this Biblical sentiment of Mr. TUCKER were literally interpreted, exclusive of its text, it would cast aspersions upon one of the most patriotic and loyal group of citizens in our country.

Since no religious test is required by our Constitution to hold public office to serve our people, why pick out one group of people and say "aliens from the commonwealth of Israel and strangers from the covenants of promise were never intended to be given participation in the Government of the United States"?

Let me tell my colleague [Mr. TUCKER] who these strangers from the covenant of the land of promise are.

For 25 centuries these covenanted people from the land of promise have been persecuted and been proscribed. They have been pillaged. They have been plundered. They have been burned at the stake. They have been driven from the land that God covenanted as their own. As wanderers in the world, they have gone through pogroms, massacres, and inquisitions, and while all these monarchies, emperors, and others who have persecuted them have been forgotten in the ashes of time, these aliens from the commonwealth of Israel lived on, and will continue to live wherever the influence of civilization and humanity exist, because Judaism stands for three ideals that it has preached from the creation of the world. First, the belief in one ever-living God. Second, the belief in the inspiration of the Holy Bible containing within it the Ten Commandments given by God to Moses on Mount Sinai. Third, the belief in the immortality of the soul. For these reasons the Jewish race will and must continue to live. [Applause.]

When the Assyrian king destroyed the commonwealth of Israel, many of these people settled in Phœnicia. Prior to the Christian era the Phœnicians were the Yankees of the East. Living near the forests of Lebanon, they hewed down the trees and converted them into ships. They settled Greece, the lower part of Italy, and particularly Venice, which is called Venetia the same as Phœnicia and Carthage.

As their ships plowed through the Mediterranean and through the Straits of Gibraltar, they went to England. There they went down into the mines and brought back the iron ore, which they mixed with tin, and were known as the first bronze makers of the world. It was these Phœnicians, the most civilized and cultured people of their day, who called England British. The term "British" comes from two Hebraic words, "brith," which means covenant, and "ish," which means son. Therefore "British" means "the covenanted son."

In 1492 two of these sons of the covenant, Spanish marranos, Louis St. Angel, and Gabriel Sanchez gave 20,000,000 maravedis, which amounts to about $200,000, to Queen Isabella to finance the expedition of Christopher Columbus. On the three ships, the *Pinta*, the *Nina*, and the *Santa Maria*, that set sail with Columbus for a northwest passage to India were 108 men; 18 of them were Jews—sons of the covenant. Doctor Maestral and Doctor Marco were physician and surgeon, respectively, on the ships. Rodrigo Sanchez was superintendent of the vessels. The first man to sight land was Rodigro de Triana. The first man to set foot on American soil was Louis de Torres, who Christopher Columbus took along with him to act as interpreter with the Grand Kahn of India. Jehuda Cresques, a Jew, was the man who perfected the compass for the first time that made it possible for Columbus to sail away from the harbor and guide his destiny. Abraham Cecuto presented Christopher Columbus with the astronomical charts that made it possible for him to follow the North Star and wend his way westward. So you see, fellow Members of the House, it was aliens from the commonwealth of Israel who not only financed the expedition of Columbus but were present with him in those strenuous and frightful months that he must have gone through ere he discovered this wonderful country of ours that our forefathers and divine Providence decree should be the haven and home for all the oppressed of the world. [Applause.]

When Washington was at Valley Forge, and the cause of the American colonists looked helpless and hopeless, General Washington sent his emissary to one of the sons of the commonwealth of Israel in the person of Chaian Solomon, who was an immigrant from the city of Lodz, Poland. Mr. Solomon was one of the richest men of his time. He took out $675,000, all the money he had in the world, and sent it to General Washington to help our colonial forbears. For this act of generosity he was imprisoned, court-martialed, and sentenced to be hung. Chaian Solomon died in prison, but his money helped to save the cause of the American Revolution. This money was never returned to his wife and children, who were left penniless.

In the city of Charleston, S. C., in 1777, Col. Emanuel M. Noah gathered together 100 sons of the covenant, who fought under the leadership of Captain Lushington, with General Moultrie as their presiding officer, all throughout the American Revolution. Since that time the children of Israel—first, last, and all the time true American citizens and patriots—have contributed to every line of human endeavor to make our Nation the greatest, the most glorious in the world. In science, in art, in literature, in philosophy, in journalism, in medicine, in law, in jurisprudence, in banking, and in statesmanship the Jew has contributed his all upon the altar of our Nation. In every war, from the American Revolution, the War of 1812, the Mexican War, the Civil War, the Spanish-American War, the allied war, Jewish blood has saturated and hallowed the soil of every part of our country that our institutions might be preserved. [Applause.]

I appeal to you, Mr. HENRY ST. GEORGE TUCKER, an illustrious citizen of the State of Virginia, distinguished Member of the greatest representative body in the world, the Congress of the United States, to name any group of citizens within the confines of our country who are more loyal, patriotic, sincere, and devoted to the institutions of our Nation than are the children of the covenant, the Jewish people, of whom I have the honor to be one. [Applause.]

During the Civil War your sainted father was a soldier of the Confederacy. During the darkest hour of this fratricidal war Judah P. Benjamin, a son of Israel, was Attorney General, Secretary of State, and Secretary of War of the Southern Confederacy. He dined in your home and took from his back his own coat to give to your honored father. You have served in the Congress of the United States with many men who were members of the Jewish faith, such as Isidore Straus, who was your devoted friend and broke bread in your home.

In view of the respect and regard that everyone has for you, Mr. TUCKER, I contend it is your privilege, nay, I should say it is your duty, in justice to your name and fame, to define what you meant when you said that—

"aliens from the commonwealth of Israel and strangers from the covenants of promise" were never intended to be given participation in the Government of the United States.

[Applause.]

I yield now for a reply to my friend from Virginia [Mr. TUCKER]. [Applause.]

Mr. TUCKER. Mr. Speaker, I have been greatly distressed to learn from my eminent and distinguished friend from New York [Mr. SIROVICH] that the remark made by me in what was a legal argument last week has been construed by some a reflection on the great Jewish race. It gives me pain. I know that there is no man who knows me who will say that I ever could have been guilty of such a thing.

Mr. Speaker, I would be false to the tenderest memories of my life, I would be false to some of the most ennobling companionships of my life if I could ever, by word or act, say or do anything to reflect upon the great Hebrew race. [Applause.]

All through my argument I spoke of aliens as "unnaturalized foreigners"—applying to all races. This was a mere figure of speech and in no sense was it intended to diminish the accomplishments of the Hebrew in the march of human progress in science and law, in philosophy and theology, and in the highest development of family life known in American life.

I thank my distinguished friend, Dr. WILLIAM IRVING SIROVICH, for giving me this opportunity to explain the expression used by me in the close of my speech referred to by him. I deeply regret that anyone has seen in that phrase any evidence of any intention to disparage or criticize the Jewish race. Nothing could be further from my thought. No act or word of mine would ever be so construed by you who know me. The words used were from the Apostle Paul—it was his language, not mine.

Mr. Speaker, I desire to reiterate, in closing, my profound respect for the citizenship of our Nation of every race and creed, and especially for those of the Jewish race. [Applause.]

Mr. SIROVICH. In behalf of the Jewish race I want to thank you for the manly way in which you have corrected the sentiment that you have expressed and for the great regard and respect that you have for the citizenship of the Jewish race.

In this country we pledge allegiance to one flag and to one nation. As an American of Jewish extraction, I extend to you,

HENRY ST. GEORGE TUCKER, the hand of brotherly love, and sincerely hope that you will live far beyond the Biblical threescore and ten in happiness and in contentment with your people.

Within the great Liberty Bell in Philadelphia there is a sentiment taken from the third book of the Holy Testament which says: "Thou shalt proclaim liberty and freedom to all the inhabitants of this land." When that bell rang it spread liberty and freedom to all the people of our country. Your manly and courageous sentiments to-day will bring happiness and contentment to the descendants "from the commonwealth of Israel and strangers from the covenants of promise." [Applause.]

The SPEAKER. The gentleman's time has expired.

Mr. SIROVICH. Mr. Speaker, may I ask for five minutes more?

Mr. HAWLEY. I object; I am sorry.

ENROLLED BILL SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 22. An act to provide for the study, investigation, and survey, for commemorative purposes, of battle fields in the vicinity of Richmond, Va.

THE PROHIBITION OF POISON GAS IN WAR

Mr. FISH. Mr. Speaker and Members of the House, the whole country was shocked and saddened by the terrible disaster that occurred at the Clinic Hospital at Cleveland a few days ago, when over 100 American citizens were stricken down by poison gas.

I rise to call the attention of the American Congress to the fact that the United States of America is the only civilized nation in the world that has not signed the Geneva protocol to outlaw the use of poison gas. Our distinguished former colleague from Ohio, THEODORE BURTON, now in the United States Senate, represented the city of Cleveland for many years in the House of Representatives. He was a delegate at the Traffic in Arms Conference held at Geneva in 1925, where he initiated the protocol to outlaw poison gas, supported by President Coolidge, former Secretaries of State Root, Hughes, and Kellogg, and by General Pershing and by the General Staff of the Army and of the Navy. But up to this moment we are the only great nation in the world that has failed to ratify the protocol, because of the propaganda that emanated from the chemical manufacturers of this country and because the American Legion, I am sorry to say, were put on record against it, not understanding fully what the poison-gas protocol was intended to accomplish. It merely amounts to a mutual agreement among the nations that sign not to use poison gas against each other in case of war. It does not prohibit research work or the production of gas masks, or even of poison gas, in time of peace or of war. Despite the fact that we sponsored the protocol, we are the only great nation that has refused to sign. What rank hypocrisy!

Poison gas is the abomination and desolation of modern civilization. The frightful tragedy at Cleveland has brought home to the American people the horrors of poison gas. In any future war in which we are engaged millions of noncombatants might suffer the same sudden and horrible death that occurred to 130 American citizens in Cleveland this week unless we arouse public opinion to demand the immediate ratification of the Geneva protocol.

In future wars what is to stop the nations engaged in them from dumping poison gas from airplanes upon noncombatant women and children in the large cities? The poison gas used during the greater part of the war was comparatively harmless, but toward the end of the war new and deadly gases were invented which were invisible, odorless, and fatal. I hope this stark tragedy will bring home to the American people the full realization that we have not done our duty toward humanity and that we are out of step with the rest of the civilized world. The time has now come for the peace societies to appeal to Congress, not as pacifists but as humanitarians and as men and women who want to put an end to the use of poison gas and do away with man's inhumanity to man, as far as humanly possible in war. I say to you that those people should be condemned who claim that poison gas means nothing but inhaling a little pleasant perfume that puts you to sleep and brings you back to the battle field after a brief rest. That is the argument used by those who do not want the United States to ratify the protocol to outlaw poison gas. Now, you can see for yourselves what poison gas is, because this was approximately the same kind of gas that was used during the last few months of the war. The French called it Yperite, the Americans mustard gas, and the Germans yellow-cross gas. Hundreds of thousands of human beings were destroyed by it. Their lungs were burned up and their eyes burned out, and they met the same kind of a sudden, horrible death that occurred in Cleveland this week.

I hope that Members of Congress and all other peace-loving people in America will use their influence to see that the United States follows up what our eminent colleague, former Representative BURTON, did at Geneva some four years ago and insist on the immediate ratification of the protocol to mutually outlaw the use of poison gas. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired.

CESSIONS OF CERTAIN ISLANDS OF THE SAMOAN GROUP

Mr. KIESS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate Joint Resolution 36 and agree to the same.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table Senate Joint Resolution 36 and agree to the same. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

Resolved, etc., That paragraph (d) of Public Resolution No. 89, Seventieth Congress, second session, approved February 20, 1929, entitled "Joint resolution to provide for accepting, ratifying, and confirming the cessions of certain islands of the Samoan group to the United States, and for other purposes," is hereby amended as follows: In line 1, strike out the word "six" and substitute therefor the word "seven"; in line 3, strike out the word "two" and substitute therefor the word "three"; and in line 3, between the words "chiefs" and "of," insert the words "or high chiefs," so that the said paragraph (d) will then read as follows:

"(d) The President shall appoint seven commissioners, two of whom shall be Members of the Senate, two of whom shall be Members of the House of Representatives, and three of whom shall be chiefs or high chiefs of the said islands of eastern Samoa, who shall, as soon as reasonably practicable, recommend to Congress such legislation concerning the islands of eastern Samoa as they shall deem necessary or proper."

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, is there any objection on the part of the delegates?

Mr. KIESS. No; they are all agreed.

Mr. PATTERSON. Mr. Speaker, reserving the right to object, is this the same as we passed it, except that there is a commission provided for?

Mr. KIESS. It adds one chief. It seems that instead of there being two divisions in Samoa headed by high chiefs there are three.

The SPEAKER. Is there objection?

There was no objection.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the joint resolution was passed was laid on the table.

THE TARIFF BILL

Mr. HAWLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. SNELL in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The Chair will state that up to the present time the gentleman from Texas has used 28 minutes more than the gentleman from Oregon.

Mr. HAWLEY. Mr. Chairman, I yield 30 minutes to the gentleman from Pennsylvania [Mr. ESTEP].

Mr. ESTEP. Mr. Chairman and gentlemen of the committee, I want to take this occasion to publicly pay my respects to the chairman of the Committee on Ways and Means, and to say that his courtesy, fairness, his patience and tireless energy were an inspiration to the committee in the long period of preparing this bill.

I had not intended to take the time of the committee in connection with the tobacco schedule, of which I was chairman of the subcommittee, for the reason that all of the facts which governed the committee in its final decision were fully set out in the report filed by the committee and obtainable by any Member interested. However, a statement made by the gentleman from Texas [Mr. GARNER] in his address of Thursday, May 9, seems to me to warrant a reply in justice to the two gentle-

men who were members of the subcommittee, namely, Mr. CROWTHER, of New York, and Mr. KEARNS, of Ohio.

Mr. GARNER insisted that this bill was drawn by 11 members of the committee who live east of the Mississippi and north of the Ohio River. Geographically, he was slightly wrong, because the Ohio rises at Pittsburgh and I happen to live on the south side of the Ohio at that point. So it only leaves 10 members in that particular district that Mr. GARNER referred to.

I want to say, further, in connection with his statement, he intimated that no one drew up this tobacco schedule that was interested in agriculture. I will say for his benefit that the three members on that committee live in States that are represented in agriculture in this degree: The State of New York is the eleventh State in the value of its agricultural products; the State of Ohio is the tenth State in the value of its agricultural products; and the State of Pennsylvania is the thirteenth State in the value of its agricultural products.

So that the men who wrote the tobacco schedule came from States vitally and materially interested in the cause of agriculture.

The statement of Mr. GARNER to which I refer is on page 1082 of the CONGRESSIONAL RECORD:

The leaf-tobacco people made out as clear and complete a case as it was possible to make out on behalf of the farmer. They were not manufacturers. I will not say that they were "hill billies," but they were log-cabin folks; they were people who worked with their hands, and they told their story in a plain, unvarnished way. They made out a case. There is no doubt on the face of the earth about it. I suggested that we give them relief. The tobacco growers of Pennsylvania, Wisconsin, and Ohio were afraid that if you increased the duty on the leaf it would increase the cost of the 5-cent cigar to where they would have to sell it for 6 cents, and they feared they would lose the sale of their filler tobacco. That was the only contest—the contest between the Ohio, Pennsylvania, and Wisconsin tobacco growers against a protective tariff for the tobacco farmers who produced the wrapper. Those who needed the protection came from Georgia and Florida. The people who did not want the protection were from Pennsylvania, Ohio, and Wisconsin.

Do you know who made up the bill on that schedule? A Representative from Pennsylvania, one from Ohio, and one from New York. Gentlemen, that is what I complain about. That is not the spirit of fair play. That is the spirit of selfishness, so characteristic of the tariff; nothing but selfishness and local conditions in making up the tariff. This is demonstrated in many ways otherwise.

I have no patience with those who, in making statements to the House, distort facts in order that they might gain some momentary political advantage.

Talk about selfishness! The gentleman from Texas excelled them all in his advocacy of a tariff on the hair of the Angora goat, and when that was obtained he immediately lost interest in the needs and wants of every other section of the country. Selfishness is the one thing that he can analyze by applying it to himself.

In further reading of the remarks of the gentleman from Texas it is evident that in order to create the impression that he seems desirous of making, he must, to sustain his case, pick out the industrial States of the East and undertake to criticize any request made by these States for a tariff protection, and that anyone who might represent those States in Congress and advocate such protection necessarily was doing something that was not entirely fair or in keeping with facts of the case.

Speaking for the State of Pennsylvania, the greatest industrial State of the Union, the second largest State in population, the fifteenth State in the value of its agricultural crops, and the thirteenth State in the value of livestock produced, and the greatest Republican State of them all, with 1,000,000 majority in the November election, I, for one, believe that we have a right to come in and ask Congress to protect our industries without apology to the gentleman from Texas or to any other section of the country.

In answering the statements of the gentleman from Texas in connection with the tobacco schedule, I also answer the gentleman from Georgia [Mr. CRISP], who on Wednesday, May 15, made an address criticizing that same schedule.

The gentleman from Georgia quoted from the report of the committee, on page 68, setting out this statement made by the committee in said report:

The statement of the Georgia and Florida growers of shade grown as to Sumatra entering into direct competition with their product is, in all probability—true so far as wrappers for class A cigars is concerned.

But he did not give you the benefit of certain other facts contained in the report which tend to show that because of the black-shank disease, the total venture in Florida seems to have lost its standing as an economic business proposition.

At the present time the duty on unstemmed wrapper tobacco is $2.10 per pound. Those advocating an increase ask that it be raised to $4.62 per pound. On the other side were many agriculturalists asking that the duty be lowered to $1.50 or $1.85 per pound. Those asking an increase represent about 23,000 acres in sun-grown tobacco and 11,800 acres in shade-grown tobacco. Those asking for a decrease in duty represented 40,000 farmers, 110,000 acres, and 150,000,000 pounds of tobacco yield.

You on the Democratic side insist that the special session of Congress was called to legislate on tariff and farm relief. I say to you that in permitting the duty to remain as it is, the tobacco schedule gives farm relief to a greater number of dirt farmers than a revision upward. The situation in the Florida tobacco section with the black-shank disease present and to which, according to the statements made by the growers of tobacco in that section, is as follows:

Due to this disease it is absolutely necessary to move shades each year for "self-preservation" and which accounts for the extra cost that has not been in existence in former years and makes the cost to growers fully 20 to 23 cents per pound more.

This is one reason why we need a higher tariff on tobacco so better prices could be averaged to the farmer.

It is therefore self-evident that by reason of this disease the cost per pound to the tobacco grower has increased 20 to 23 cents. This is an unfortunate situation, but I do not believe that an increase in the tariff is the proper remedy. What they require is some attention from the plant-disease experts of the Department of Agriculture, and, as I have said before, unless the disease can be eradicated the venture seems to have lost its standing as an economic business proposition.

I want at this time to read an excerpt from a report in connection with this disease and then to incorporate the report and letter as a part of my statement.

Abstract of Report on Phytophthora (black-shank disease of tobacco), by W. D. Tisdale and J. G. Kelley, University of Florida Agricultural Experiment Station, Bulletin 179, May, 1926.

When the tobacco investigations were begun in the Florida-Georgia district in 1922 the most serious disease found was the so-called black-shank disease. Although this disease had been prevalent for several years, the fields where it first appeared were somewhat isolated from the main tobacco-growing sections. Only a small part of the total acreage of the region was infested prior to 1922. The disease spread at an appalling rate, so that by 1926 few tobacco fields were free from infestation. In consequence, the total acreage planted to shade tobacco in 1925 was only about one-third of that of previous plantings. The cultivation of commercial types of wrapper tobacco in this district will be hazardous in the future, unless plantings are made on new land each year. Various methods of soil treatment have been tested for controlling the disease but none has proven effective.

It is the consensus of opinion in the Department of Agriculture that they will be unable to eradicate this disease, and, again, I emphasize that if this is the fact, it is not a sound economic venture and they ought not to ask for tariff legislation to protect a situation of that kind. [Applause.]

Therefore the subcommittee having analyzed all these facts and wanting to be fair in the matter, arrived at the conclusion that being unable to help Florida by reason of any tariff, because tariffs could not cure its ills, that to increase the present tariff would be detrimental to the interests of the grower of binder and filler tobacco not only in the States of New York, Ohio, Pennsylvania, and Wisconsin but also the State of Indiana and several other States that have undertaken to raise tobacco in the near past.

The matter referred to by Mr. ESTEP is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF PLANT INDUSTRY,
Washington, D. C., April 17, 1929.

Hon. HARRY A. ESTEP,
House of Representatives.

DEAR MR. ESTEP: I have received your letter of April 15 relative to the tobacco disease known as black shank which is prevalent in Florida and southern Georgia. This disease appears to have been first observed in the Quincy, Fla., tobacco district in 1915, but did not become serious until some seven or eight years later. This disease, or a similar one, has long been known in Java. So far as known, black shank does not attack any crop other than tobacco under natural conditions, and at present is practically confined to the Quincy cigar-tobacco district. The disease is caused by a fungus belonging to the species technically known as phytophthora. It is primarily a disease of the roots and basal portion of the stem, causing these parts to blacken, hence the popular

name. Eventually the upper portions of the stem and the leaf become diseased. The leaves commonly wither and usually the plant dies before reaching maturity. In less advanced stages the lower leaves may develop spots in the field or even after having been placed in the curing barn. Locally black shank is one of the most serious tobacco diseases known in this country.

The Florida Experiment Station maintains a branch station at Quincy, where a very intensive study of the black shank disease has been made. We have done only a limited amount of work on the disease in Florida, our principal efforts thus far having been directed toward prevention of the northward spread of the disease through southern Georgia and the Carolinas. From the standpoint of the shade-tobacco industry, the most hopeful method of control appears to lie in the development of highly resistant strains of cigar-leaf tobacco which conform to trade requirements with respect to the various elements of quality influencing the usefulness of wrapper leaf. Work of this sort, however, necessarily requires considerable time for completion. In the meantime frequent shifting of the tobacco acreage seems to be the only effective safeguard. In the cigarette-tobacco district of southern Georgia, where this disease has not as yet gained a foothold, the tobacco acreage can be shifted as required at little expense, and it is hoped that suitable rotation of crops will serve to hold this malady in check.

Very truly yours,

WM. A. TAYLOR, *Chief of Bureau.*

UNITED STATES TARIFF COMMISSION.

Memorandum for the Hon. HARRY A. ESTEP

Subject: Additional information concerning the costs of production of wrapper tobacco in Florida and the black-shank disease in that region.

1. Abstract of report on Tobacco Culture in Florida, by W. D. Tisdale, University of Florida Agricultural Experiment Station, Bulletin No. 198, June, 1928.

The cost of producing wrapper tobacco grown under shade varies considerably between farms and from season to season. A variation may be caused by fluctuations in the prices of shade materials and fertilizers, by differences in weather conditions, and by differences in the skill of management. The principal items of cost are livestock, curing barns, steam boilers, shade materials, fertilizers, labor, insect poisons, tools, and twine. A curing barn of standard size costs approximately $2,000. The cost of the erection of slat shades averages $500 per acre. Slat shade is seldom used when the land is to be planted but one year. Cloth shades can not ordinarily be used more than one year. The second year the cloth may be used only for making walls. Since shade tobacco is usually grown on sandy or sandy loam soils, which are not naturally fertile, heavy applications of stable manure and commercial fertilizer are necessary. Large yields of good quality wrapper tobacco have resulted from the highly intensive 1-crop system employed. The land after the tobacco harvest is left in a fertile condition for truck crops or corn. Labor requirements for shade tobacco are heavy, especially at certain seasons of the year. Considerable land is available for an expansion of the wrapper tobacco industry if prices are sufficiently high.

The average cost per acre of producing tobacco under cloth shade on the larger farms in 1927 has been estimated as follows:

Shade materials and labor for construction	$225
Fertilizers	135
Labor, cultivating, harvesting, curing	200
Insect poisons, tools, twine, charcoal	50
Total	610

The cost on small farms may be considerably less than on the large plantations, especially where the stable manure used is produced on the farm and where little or no labor is hired. The yield in the Florida wrapper tobacco region varies from 700 to 1,500 pounds.

2. Abstract of Report on Phytophthora (black-shank disease of tobacco), by W. D. Tisdale and J. G. Kelley, University of Florida Agricultural Experiment Station, Bulletin 179, May, 1926.

When the tobacco investigations were begun in the Florida-Georgia district in 1922, the most serious disease found was the so-called "black-shank" disease. Although this disease had been prevalent for several years, the fields where it first appeared were somewhat isolated from the main tobacco-growing sections. Only a small part of the total acreage of the region was infested prior to 1922. The disease spread at an appalling rate, so that by 1926 few tobacco fields were free from infestation. In consequence, the total acreage planted to shade tobacco in 1925 was only about one-third of that of previous plantings. The cultivation of commercial types of wrapper tobacco in this district will be hazardous in the future unless plantings are made on new land each year. Various methods of soil treatment have been tested for controlling the disease but none has proven effective.

Progress has been made in developing a resistant strain of wrapper tobacco, but up to the time of writing no strain has been developed sufficiently resistant for commercial growing on old soil.

DESCRIPTION OF DISEASE

Black shank is primarily a disease of the roots and basal portion of the stem. If plants are attacked within 10 days or 2 weeks after transplanting, a damping off of the stem appears at the surface of the soil. Plants so affected drop over, and during humid weather the disease advances in both directions on the stem and quickly involves the entire plant. With less moisture, invaded parts may dry out rapidly until the soft decay is not apparent. If attack is delayed until the plant has attained a height of 12 inches or more, the first sign of infestation is a sudden wilting of the entire plant which is usually permanent. Examination of the underground sections of such plants reveals a dark-brown lesion on the lower part of the main root or crown, having the consistency of dry rot. Subsequent invasion develops very rapidly so that the entire root system and basal portion of the stem becomes involved in a few days. It is not unusual for the stem finally to turn brown or black a foot or more above the ground. Wilting is followed by yellowing and drying out of the lower leaves progressively upward and finally they shrivel and turn brown. In a later stage the disease appears in the form of blotches on the leaves. These are first lighter green than the rest of the leaf, and afterwards turn to different shades of brown. When two or three of these blotches occur on a leaf it is rendered worthless for wrapper.

Black shank has no peer in economic importance among the several field diseases of tobacco occurring in the Florida-Georgia district. "Connecticut round tip," a type of tobacco recently introduced from Connecticut, planted in fields previously showing infestation, is a complete failure. The local type, "Big Cuba," fares but little better. Four years of experimenting have shown that all types of nicotiana tabacum (to which belong all the common varieties of tobacco) are highly susceptible to black shank. Nicotiana rustica is much more resistant to the disease, but efforts to produce an acceptable wrapper type by crossing nicotiana rustica with different types of cigar-wrapper tobacco have been unsuccessful.

Mr. ESTEP. I was also a member of the subcommittee which submitted to the Republican members of the Ways and Means Committee recommendations on Schedule X—flax, hemp, jute, and manufactures of.

We raised the tariff on flax. We did this because it was felt that the flax-growing industry of the United States should be encouraged to extend their production in order that if it is possible to raise flax in this country sufficient for domestic consumption, such an industry ought to exist. It is true that domestic consumption of flax amounts to about 2,000 tons per year, while the domestic production has only averaged 500 tons per year for the past 10 years. The facts brought before the committee indicate that the flax grower has perfected new methods in connection with the growing of this product, and there are possibilities of greatly extending those cultivations and productions. We have faith in the American farmer and are trying to encourage him. Because of the increased duty on flax, it was necessary to add certain compensatory duties in connection with manufactured articles made from this product.

I listened with a great deal of attention to the remarks of the gentleman from Georgia in connection with the jute paragraphs and I am wondering whether he was much interested in having an increased duty on this commodity.

A number of Members of Congress living in cotton-growing States appeared before the committee, asking an increase in duty on jute and burlap, but I want to call to your attention the fact that a representative of the Chamber of Commerce of Vicksburg, Mr. W. H. Fitzhugh, appeared before the committee and made this statement.

Mr. FULMER. Will the gentleman yield?

Mr. ESTEP. I would rather finish my statement before yielding.

Mr. FULMER. Is it not a fact that he was the only man appearing from the South who made that type of statement, whereas we had all of the mills passing resolutions and various other people from the South coming in and advocating a duty.

Mr. ESTEP. I might concede that he was the only man appearing from the South, but I might suggest that there had been numerous men appearing from different sections of the United States, and this was illustrative of the feeling of a chamber of commerce in the heart of the Cotton Belt of the South. I think I have answered the gentleman.

Mr. FULMER. I will say that the only parties appearing from any other part of the country were Mr. Stone, of Massachusetts, who represented Mr. Ludlow, and Mr. Emery, and perhaps one other party directly interested in what we might term the Jute Trust.

Mr. ESTEP. The gentleman's remarks will appear in the record.

Mr. RANKIN. Would the gentleman mind giving us that man's reasons for opposing the duty?

Mr. ESTEP. I am going to give you his statement made at that time. Of course, the record is full of it and I do not undertake to give it all to the House, but I am going to call your attention to this:

Mr. FITZHUGH. Mr. Chairman and gentlemen, our association is composed of merchants in Vicksburg, and all of them are vitally interested in the price of cotton and in the prosperity of the farmer. Eighty per cent or more of their customers are interested directly or indirectly in cotton, in the farmer, and in the price he gets for his cotton. I just mention that to show that we have the interest of the cotton farmer at heart quite as much as my old friend, Senator RANSDELL, or as any member of this committee.

I think I ought to add further that I am a dealer in jute bagging or in any kind of bagging that the farmer wants that I can get. I have been such a dealer for the past 30 years, and I have sold all sorts of bagging, mostly bagging made out of jute. There were times, though, when it could not be had, and I have sold bagging made out of sugar-bag cloth and out of burlaps. I have never handled any cotton bagging, because I never saw any and never was offered any.

We are unalterably opposed to the tariff on jute bagging and jute products which is suggested or proposed in Senator RANSDELL'S bill, as I understand it. I want to mention the reasons why we think instead of being a benefit to the farmer it would be a great injury to him and a loss to him which he could not recover by any advance in the price of his cotton.

I will not undertake to go into the manufacture of burlap bags or into the price of them. We do not handle them and I am not familiar with them, but I do know and it is proved that if this tariff on burlap bags were raised to 10 cents a bag it would make bags that cost 12 cents now cost at least 20 cents. For instance, a bag of oats is 5 bushels. That bag now costs about 12 cents. If you made that bag cost 22 cents, that would mean that 2½ cents a bushel would be added to the cost of every bushel of oats.

Mr. Fitzhugh made a further statement in connection with what it would mean to the American farmer if an increase of duty were placed on jute.

Mr. FULMER. Will not the gentleman add that he is a dealer in jute bagging and really a part of the same crowd?

Mr. ESTEP. I believe that is included in his own description of his occupation and business.

The proponents for a tariff on jute have argued that cotton could be substituted. Mr. Fitzhugh said, on page 5943, in answer to a question by Mr. BACHARACH:

Did I understand you correctly to state that you had never seen any of this cotton bagging?

Mr. FITZHUGH. You understood me correctly. I never saw a yard of cotton bagging. I never saw a bale of cotton covered with cotton bagging. I do not mean to say that there are not some, but I live in the heart of the Cotton Belt. I go to Memphis and New Orleans frequently in cotton time. I do not go to the compresses to look at it, but you see cotton going through the streets and you see it stored in the yards, but I have never seen a bale of cotton covered with cotton bagging.

This would seem to demonstrate beyond a doubt that a duty on jute would have been unfair to the American farmer, been unfair to the consuming public, and would have been hypocrisy, because the cotton growers do not use cotton bagging on their own bales of cotton, yet at the same time would undertake to mulct the other Americans by forcing cotton as a substitute.

Mr. RANKIN. Did anybody give any figures to show how much a tariff on jute would increase the cost of wrapping a bale of cotton?

Mr. ESTEP. Yes, Mr. RANKIN, that is in here. I do not want to go into all the records, but I think the figures indicated that the increase would cost possibly $7,500,000 more to wrap a 15,000,000-bale crop. That is my recollection of the figures; but the gentleman can verify that from the records.

Mr. RANKIN. About 50 cents a bale.

Mr. ESTEP. As a member of the Ways and Means Committee, I think it is a good bill. This bill does not please everybody. No tariff bill has and no tariff bill ever will, but I sincerely believe we can send this bill to the people of the country with the assurance that to the great majority it will measure up to and in many ways excel the standard of the Republican bills of the past. [Applause.]

I might say to you that some of the Members from my State of Pennsylvania are not entirely satisfied; in fact, some are disappointed because the bill does not take care of their problems, but they will, I believe, in the interest of harmony and the solidity of the Republican Party, indorse the measure and the entire delegation of 35 Republican Members will vote to pass the bill as reported by the Ways and Means Committee.

I voted for every item that would tend to help agriculture. I voted when the commodity was on an export basis, such as wheat, corn, and a number of other products of the farm, yet I heard that very situation criticized here when a duty or an additional duty was placed on some manufactured article which was on an export basis. Although certain factors had resulted in the article having serious competition in the domestic market, I voted for these things because I believe in the cause of agriculture, in the farmer, and farm laborer. I also believe in the cause of the man who works in the mine, the mill, and the factory. Without them and without the earnings that come to them by reason of their labor there would be no market for agricultural products and the farmer would not be in a position to profit by reason of his labor and skill. [Applause.]

I voted for an increase on sugar in the interest of those agriculturists of the West who are undertaking to diversify their crops by the raising of sugar beets, and as an added reason I voted for it because I believe that, so far as possible, we of this country should endeavor to make the country and its people a self-contained nation on all commodities that it is possible to raise in our wide scope of soil and climate. I do not believe the American consuming public will much object to a small increase in cost if it tends to bring about this result.

I listened Thursday with great interest to the speech of my good friend the gentleman from Mississippi [Mr. COLLIER], and I submit to a fair decision of the House whether within the whole speech there was one suggestion made or one thought enunciated which would tend to enlighten the House or the country as to his reasons for being for or against the bill. I have hopes before the final vote is reached Mr. COLLIER, possessing that good sense with which I have always credited him, may become one of its strongest sponsors.

Now, I am sincere when I say that I believe this is a good bill; and, having listened to the arguments made by the Democratic side of the House against it, I am more than ever convinced of the fact it is a good bill, because there has not been one reasonable thought suggested as to why it is not, and I would like to see, when this bill comes up for final passage, the solid support of the bill by the Republicans of this House and no change made in the bill on the floor of the House. Let it go to the country as a Republican measure and let the Republicans either win or lose by it. [Applause.]

Mr. PATTERSON. I am sure the gentleman does not want to be incorrect, but I understood him to say at the outset of his address that he had never known any of the Representatives from the cotton States to be interested in anything but cotton. I hope the gentleman does not mean that.

Mr. ESTEP. I may be mistaken in the full sense of it, but I am only referring to the times when I have happened to be in the Chamber and have listened to their speeches. There may have been some speeches made when I was not here that indicated an interest in some other commodity.

Mr. PATTERSON. Knowing the gentleman's great patriotic State, I do not think the gentleman would want that statement to stand.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HAWLEY. Mr. Chairman, I yield 30 minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman, I first entered this Chamber as a Member of Congress just 18 years ago, in response to a call upon the Congress by President Taft for the ratification of the Canadian reciprocity treaty.

The Canadian reciprocity treaty had been entered into with the primary purpose of reducing to some extent the then complained of "high cost of living."

The Dingley law had been in force between 1897 and 1909, a period in which agriculture had enjoyed unprecedented prosperity. So manifest was this that those outside of agriculture made an investigation, and found that farm-product prices had far outstripped those of all other classes. A table showing this fact I herewith present:

Relative to wholesale prices and per cent of increase over 1897

Commodity	Price 1897	Price 1900	Increase over 1897	Price 1919	Increase over 1897
Farm products	85.2	109.5	28.5	164.6	93.2
Food	87.7	104.2	18.8	128.7	46.7
Clothing	91.1	106.8	17.2	123.7	35.8
Metals and implements	86.6	120.5	39.1	128.5	48.2
Drugs and chemicals	94.4	115.7	22.5	117.0	23.9
House furnishing goods	89.8	106.1	18.1	111.6	24.2
Miscellaneous	92.1	109.8	19.2	133.1	44.5
All commodities	89.7	110.5	23.1	131.6	46.7

In the Payne-Aldrich tariff law the farming element in Congress was not thoroughly alive to the defense of agricultural interests and unwarranted concessions were made to the demands of industry. Among these unwarranted demands yielded to was the taking of hides from the free list at the behest of the shoe men, who pledged a reduction in the prices of shoes. The organized consumers of the country had obtained the ear of a large section of the Republican Party, not strongly interested in its success, and the practically unanimous support of the Democratic Party, very deeply interested in its own success.

As a result of this condition, the House convening here in 1911 was overwhelmingly Democratic, and the ratification of the reciprocity treaty, through a bill, merely whetted the appetite of the militant Democratic Party of the House to attack the farmers and thereby reduce the "high cost of living" to the extent that a so-called farmers' free list bill was taken up and passed by the House, being supported by nearly all the Democratic Party and many Republicans. All this was to reduce the high cost of living, and the method was to radically reduce or remove all protection on farm products.

The Senate being Republican, in the interest of the farmers and producers, were able to thwart these two moves, until after the political debacle of 1912, when a 2 to 1 Democratic House and a strongly controlled Democratic Senate completed in the Underwood law the attempted work of the House in 1911.

I give this bit of political history not for partisanship. I mention parties only that classification may be preserved. The Underwood tariff law removed practically every vestige of protection to farm products and in an expressed purpose disclaimed any protective feature.

Said the eminent author of that measure, Mr. Underwood, for whom I entertained a genuine admiration, that grew into affection as the years went by, when asked what protective features there were in his bill, "If there is a scintilla of protection in this measure, I do not know it; if it is there, it got in by mistake."

At this special session—18 years later—we are convened under the presidential call to pass a tariff measure whose primary purpose and object are to protect the products of the farm and bring them in tariff favor, up to a level with industry.

Back of this stands not the antagonism of 18 years ago but the support of the President, the active historic support of the Republican Party, and its platform, the platform favor of the Democratic Party, the loudly proclaimed support by its last national leader, and the expressed favor of many Members on the Democratic side of the House.

In transportation, in finance, commerce, peace, war, and diplomacy, marvelous changes have been wrought in the last 18 years, but none more marked and distinct than the about face, at least in expression, of the attitude toward the farmer and farm products.

Personally I appear, after an absence of 10 years, and recall my futile efforts to obtain support for farm tariff while here. But the change has almost persuaded me that instead of attempting to cure by potion, drug, instrument, or manipulation that the treatment known as the absent treatment has accomplished much more manifest results. I find, however, that all is not changed. In the personnel of the Ways and Means Committee out of 15 Republican members only 2 remain—the wise, powerful, and eloquent chairman, Mr. HAWLEY, who made such a lucid presentation of this measure, and the adroit, industrious, and influential Member from Massachusetts [Mr. TREADWAY].

The mortality, however, on the other side has not been so great. I come back and find nearly all the old faces here. I find this rule, that while Republican Members come and Republican Members go, and some of us now and then come back, our Democratic friends, like Tennyson's brook, "go on forever." [Laughter and applause.]

Despite their faults and fallacies, I am glad it is so, because their charming personalities, knowing that they are in a safe minority, and therefore restrained from doing great damage, overcome all their shortcomings, and we perhaps can judge them better from the elevated seat of majority, which I never occupied before in this House, than when we looked up to them moving the most remorseless and crushing parliamentary machine that was ever constructed, oiled, cranked, started, and guided by the past masters of Democratic recklessness and ruthlessness.

I render no mere lip service when I speak of the courageous, resourceful, adroit leader of the minority, Mr. GARNER. These qualities you all know, but I desire to speak of his courage. When his party was ruthlessly sweeping away protection from all farm products in 1913 he looked ahead and found in his district as many extraordinary interests as he could, different from most districts in the United States, so that in the face of the general policy of his party he was able to obtain special dispensations for the protection of his special farm products.

Yea, and as I saw him succeed, I beheld in him the Democratic John the Baptist of protection. Perhaps I should say I heard him as a voice crying in the wilderness above the moaning of the Rio Grande. He was politically clad in goat hair of the Angora variety. I know not whether he used any wild locusts, but he certainly captured all the protective honey that was smuggled into the Underwood bill. [Laughter and applause.]

Members on this side invite, taunt, and dare him to vote for this bill. This he will not, he is too adroit; and should he do this his occupation, like that of the mournful Moor, would be gone.

It was in a moment of weakness, perhaps, that the great National Democratic Convention was inveigled into Texas. Once there, it was at the mercy of the minority leader. GARNER surrounded the delegates. They were as helpless as were the heroic defenders of the Alamo, with more discretion, and, of course, less valor and bloodshed. The delegates surrendered, renounced their former free-trade heresy, declared for protection, which was emphasized by their intrepid, though beaten, leader.

I am in favor of the gentleman from Texas succeeding himself in the next Congress as minority leader.

Mr. RANKIN. He will be the majority leader in that House. [Laughter.]

Mr. SLOAN. The gentleman from Illinois has been with us for a long time; a prophet of evil, and always a mistaken Lochiel of disaster. I have often wondered why he plays this rôle, because I have always seen in him personally all the qualities and many virtues in the gamut running from pulchitrude to purity. I have wondered why he occupied the position of self-constituted seer of sorrow, being met by so many disappointments in the fulfillment of his predictions, why he does not become the official mourner for his party; because there would be more frequent occasions for his activity and less disappointments. His concern has always been, as appeared from his eloquent address the other day, for the consumer rather than the producer, the more for the palate that enjoys than the brain which conceives and the brawn which exerts.

If he were cultivating corn armed with a whip on a sweltering day and saw a gadfly torturing the laboring horse, he would use the whip on the horse and protect the consuming gadfly. [Laughter.]

If the doleful disasters predicted at frequent intervals for these many years of the losses which were to follow the enactment of Republican legislation were gathered together in one mighty sum, the limits of the Arabic notation would not be sufficient to numerically express it.

Some day after I shall again read Dickens's Tale of Two Cities, I shall write the story of two ravens, the one by Edgar Allan Poe, America's most mystic and original poet, the other will be RAINEY's Ravin,' by our most persistent pessimist in public life. [Laughter.]

Really, if my friend from Illinois ever wants to accomplish anything, he seems to gather together these three forces: The hole in the doughnut, the fly in the ointment, and the skeleton at the feast; and then tries to do constructive legislation. [Laughter.]

His gloomy predictions of the effects of this bill are worse than Macaulay's picture of the lone New Zealander, sitting at the front of deserted London, and the ruins of the harbor of 10,000 masts, surveying the dead and gone civilizations, and contemplating his own pending dissolution. Worse than Campbell's Last Man—

> When all earthly shapes shall melt
> In gloom, and the sun himself shall die.
> E'er this, mortal shall assume his immortality.

This picture by the gentleman from Illinois would show his people with nothing to eat, but food; nothing to wear, but clothes; no way to move, but fly; nothing to pay, but debts; everything to do, but don't.

Gentlemen, I am glad the constitutional amendment permitting woman suffrage carried. It is the nineteenth amendment I am going to speak about. I am glad the nineteenth amendment became part of the fundamental law of the land, because if the several gentlewomen that have been elected since that was adopted had not been in this House I can just imagine the sulphurous language that would have been used by the gentleman from Illinois in denouncing this great measure. Worse than "monstrous" and other words to that effect. I wondered that the gentleman did not go further—not with anything actually profane. I thought he would have gone perhaps to the extent

of Daniel O'Connell, when in a verbal battle with Meg of Billingsgate Daniel finally got the best of her by calling her "a rectangular hypothenutic triangle with a parallelepipedon appendix." [Laughter.]

It is an increased pleasure to listen to the applied political metaphysics of the gentleman from Tennessee [Mr. HULL]. He has not moved up with GARNER, COLLIER, CAREW, or the brilliant gentleman from Georgia, Mr. CRISP, who found out years ago that the universe was moving and that the thoughts and policies of men were "widening with the process of the sun." And that protection was not only the dominant but the unified doctrine of the Nation. The gentleman from Tennessee would have made a great private secretary to Richard Cobden and could have far excelled Perry and Sumner writing a textbook in the defense of free trade.

I just thought if Robert Peel and Richard Cobden could be reincarnated and put in company with the gentleman from Tennessee, what a glorious free-trade trinity that would make. [Laughter.]

I notice on page 6 of the gentleman's answer to the Ways and Means Committee report that if five disinterested persons could be found, who would say that the duties on the eight chief agricultural products were beneficial, he would give $500 to any charity. Well, I am satisfied that in all the cases mentioned there is a large benefit; but where in the world could they get five disinterested persons who would not decide against him? Where would he get on the floor of this House five Members friendly to him who would decide in his favor? He shrewdly refrains from telling to what charity he would give this $500. I refuse to enter into the contest, because I am sure he would hand it right over to reduce his party's campaign deficit, as the most deserving charity. [Laughter.]

What I have said adverting to certain leading minority members of the Ways and Means Committee is not designed to be partisan, but possibly slightly critical.

Do you know, I like to see the wholesome change that is coming over the Democratic Party. I do not mention the Democrats in a partisan way—only for classification purposes. And if I say anything that might be considered critical, I want it understood that it is only the divine spark in my make-up that those whom I love I chasten. [Laughter.]

But my criticism is not to be wholly adverse; I desire to commend them, or some of them, with the virtue of consistency in their antagonism to America's corner stone of economic and industrial independence and source of our commanding supremacy in the business and financial world, namely, the protection of Hamilton, followed and amplified by Clay and Webster, Lincoln and McKinley, and the Republican leaders of to-day. I emphasize this, because I am a protectionist by conviction, influenced somewhat perhaps by heredity; but, if so, strengthened by my study, experience, and observation. I am a protectionist as a matter of principle and not, as it sometimes would appear, a matter of interest. The gentleman from New York [Mr. CROWTHER] said, better than I can, that the doctrine of protection is a national doctrine, as broad as the Union, and should be as uniform in its application as the reasonable demands of its industries may intelligently and fairly suggest.

My grandfather, whose full name I bear, was obliged to leave the extreme north of Ireland, in a community adjoining the ancestral home of President McKinley, on account of the free trade act of Peel and Cobden. He came to America and lived the rest of his days in Philadelphia. It strengthened his faith in the American system, hence my protective inheritance.

When at school it was the period when the free-trade text writers, Sumner and Perry, dominated the political science class rooms of that day. Yet, when I wrote my final thesis, it was on the subject of protection. That was to be the protection of American industry, whether the same was for the inclosed factories of the cities or the open-air factories, which means the American farms.

I was greatly influenced in my study by the course followed by the two great European statesmen of that time—Gladstone and Bismarck. The one following the course of Peel and Cobden, depending upon British efficiency in factory and farm, and the superior means of transportation which that nation enjoyed. The other, looking into the future not for the purpose of war preparation, but for industrial and agricultural rivalry, if not supremacy, followed the lines of our American protective system, but emphasizing and intensifying it, with the result that when he passed from power and broke with Germany's war lord, the industries of Germany were a challenge to the world. The agriculture of Germany, considering its vast spaces of almost unproductive land, Germany became the agricultural marvel of the world.

Efficient as were the armies of Germany in the struggle against a large portion of the world, they did not demonstrate an efficiency and stability equal to that of the Empire's agriculture, as I have indicated. One of the weaknesses which have arisen in the Republic which succeeded the fallen German Empire is the socialistic grasp of governmental affairs and the subordination of the interests of agriculture. The policy of protection inaugurated and carried on by Bismarck is not followed by Germany so far as farm products are concerned. One of the leading men from my district, Hon. Ben Scifkes, last year made an extended trip to and a visit in Germany. He found that the butter, cheese, grains, and forage of Denmark and other adjoining countries were being shipped into Germany low duty, or duty free, reducing the price of German competing farm products, so that the condition of farmers and agriculture generally was at a low ebb. This man was a man of public affairs in his county, and also a successful and extensive farmer, who was able to see and fairly judge the condition of agriculture in the land of his forefathers, and he brought back to this country an intelligent statement to his farmer neighbors and friends, giving them wise counsel, based on actual observation.

Hon. Henry Bock, of David City, Nebr., an extensive and successful farmer and able public official, and who does not belong to the same political party as I do, in a recent letter, gave some very wholesome comment. The already great length of this speech prevents my giving the letter in full, but, among other things, he says:

> There seems to be more farm-relief sentiment in the Congress than there is over the entire farming area. To make a long story short, I will tell you what us farmers want most is simply a square deal.
>
> * * * * * * *
>
> We want a change in governmental policy. We want the Government to be for her home people, first, last, and all the time. We want the foreign competition cut out that takes the bread out of the farmer's mouth. The beef grower had to compete last year with $35,000,000 worth of frozen beef from Australia. We have free cattle from Cuba, Mexico, and Canada. Canada comes in under a small duty. We have Argentina to contend with. The embargo for hoof-and-mouth disease is only holding them back temporarily. If the importer of beef products undersells our packers, they slump the price, and we get it in the neck.

The change—yes, revolution—in sentiment the last 18 years has strengthened and reinforced my belief in protection, especially in its application to agriculture, in whose interests this session of Congress has been called by the most efficient President who ever sat in the White House, and the most capable Chief Magistrate presiding anywhere on the globe.

Yesterday there was a spectacle presented here that warmed the cockles of my heart. I saw a Representative from Texas come to the front of the Republican rather than the Democratic side. His name was CROSS, and as he talked I thought it the finest cross between a nominal Democrat and a Republican protectionist I ever saw. [Laughter.] It was a fine tribute and evidence of JOHN GARNER'S leadership and breedership. [Laughter.]

Hence, I say he has done well in producing here the next thing to a thoroughbred, a cross between a nominal Democrat and a protective Republican. [Laughter.]

I compliment not only the producer but the product. It was a good speech. It was in favor of many things that I favor in protection of farm products.

I remember other Members on the other side who have since become protectionists. There was CHARLEY CRISP, of Georgia, noble son of a distinguished sire. He made one of the finest protection arguments that I ever heard on that side of the House. It was not hard for him to do. But then, CRISP, of Georgia, was always as near a protectionist as the safety of his seat in this House would permit him to be. [Laughter and applause.] The man at his side, who seems to have also eaten of the same hidden manna and come up here favoring protecting some products, is the gentleman before me, the intrepid son of Mississippi [Mr. COLLIER]. When he stated in his argument that he was in favor of some protection, that was about the longest stretch that I ever expected to see in this world. When I hear this protective business agreed upon on both sides, I desire to say that mine eyes have seen the glory, not of the coming but of the arrival of political sanity in this country, applied to the protection and prosperity of a great nation. [Applause.]

I like to listen to the gentleman from Mississippi, who would, and could, charm a bird off a tree if he had a fair opportunity and the bird was not watching. He spoke specially, and at length, of one of the Republican members of the Ways and Means Committee who really indorsed his own product. I

thought that I as an outsider might indorse a large portion of this committee's work, just to vary the monotony of criticism a little without making too great a rift in the lute. However, there did come upon this floor a Republican member of the committee who seemed to have imbibed the same Republican protective instincts that I did. He spoke for protection and protection for all American industries. Not seeking alone the fly in the ointment or the hole in the doughnut, but for the indorsement of the wholesome doctrine of the protective policy. When he was questioned by a Member on the other side he stated, in effect, that he was in favor of protecting American industry and American agriculture and that he believed in Americans buying American goods. He said that in a very inspiring way. So much so that my friend from Mississippi [Mr. COLLIER] rose in his place at opportunity and called him Prince Rupert, for the dashing cavalry officer in the days of revolution in England. I do not like that, though I had not known Mr. CROWTHER long. He made himself acquainted with me very quickly and very permanently in his one hour's speech.

No; the simile was not good. Here Mr. CROWTHER was speaking for the products of his own country, to be favored by his own country, and rejecting the importations liable to be unwholesome, and my friend from Mississippi up and called him Prince Rupert.

Who was Prince Rupert? He was the continental nephew of the unfortunate King Charles the First of England. When trouble arose in the United Kingdom and they needed somebody to put down that great rebellion, King Charles, who was a free trader or for revenue only, perhaps, looked over the heads of the admirals and great generals of England, Scotland, and Ireland, and imported perhaps under an ancient democratic platform the continental product. King Charles lost his head twice. Once in selecting his general. Next on the scaffold. He put Prince Rupert, born in continental Europe, over the heads of the generals and admirals of the English forces. The result was, as I take it, it always will be when you favor the foreign product over that of the home. Prince Rupert, the imported, without paying a sovereign of duty, took his place at the head of the armies. You remember how he surrendered to Lord Fairfax. No; if I were to give my friend a place and compare him to a dashing leader, I would select one who was successful, and one who in his place fought against the foreign band. I would select Navarre, who battled against the united host of three nations, and who, fighting for his country and leading his own hosts, when about to go into that fateful battle gave this order, as Macaulay has interpreted it:

Should my standard bearer fall, as fall full well he may,
For never saw I promise yet of such a bloody fray;
Press where ye see my white plume shine, amidst the ranks of war,
And be your oriflamme to-day, the helmet of Navarre.

I submit to you no Prince Rupert, no imported article, but I present to you a home-grown product of France, who fought for his Nation. I submit to the gentleman from Mississippi that he was very unfortunate in his simile, and I prefer, instead of Prince Rupert for Mr. CROWTHER, the appellation of our Henry of Navarre. [Applause.]

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. COLLIER. When I was addressing my good friend from New York as Prince Rupert he was the most dashing cavalryman that I could think of, and one of the most dashing leaders; but if the gentleman from Nebraska thinks Henry of Navarre a better man, and that that would be a better appellation, I am perfectly willing to put in my speech Henry of Navarre wherever I mentioned Prince Rupert. [Laughter and applause.]

Mr. SLOAN. That is fine; and let the amendment be so reported.

Mr. RANKIN. Would not that require unanimous consent?

Mr. SLOAN. I beg the gentleman's pardon?

Mr. RANKIN. If we are going to change the RECORD of the former day, we ought to get unanimous consent.

Mr. SLOAN. I hear no objection from one to whom I hope I may refer as the Rankin' member on the minority side in the Committee of the Whole. I now have the right of way, with no more Mississippi obstructions, I hope. Is that right?

Mr. RANKIN. That is correct.

Mr. SLOAN. The grace with which the gentleman from Mississippi [Mr. COLLIER] acknowledges the error, if error it may be, prompts me to suggest a military appellation for him, the "General Sheridan of minority." I do not do this on account of any dashing ride COLLIER made from Winchester. When a boy I read in the Youths' Companion, published long ago, a story about General Sherman. A society lady said to General Sherman, "What do you think General Sheridan said when mounted at Winchester, about to make that 20-mile ride? What sublime thought do you think obtained utterance there?" General Sherman rather quizzically said, "I do not know, madam, unless he said, 'You had better shorten up these stirrups.'" [Laughter.]

I feel like personally commending the committee on some of its amendments to the existing tariff law. That wheat remains where President Coolidge left it is wise for the future, though not greatly important at present. It is to be expected that with the functioning of the new farm bill under the leadership now existing, and to be supplemented under the terms of that bill, the wheat men of the country will devote many acres to other crops for which there will be more of American and probably foreign demand than for wheat. It is one of the problems which the good sense of the far-seeing farmers must work out for themselves, that their future wheat may have a fairly good market.

Every wheat-producing nation in Europe is producing to its present utmost, supplementing wheat with large acreage of rye. Then in the course of years we must vision the return to sanity and relative thrift of the great Russian people. When that day comes demand for our wheat outside of the United States will be almost a negligible quantity. Pools and associations may function, but against that day the wheat producer must see that he, and in so far as he can his neighbor, shall limit the production of the great bread grain.

Along the great Mississippi River there are dikes built to hold flood waters in the channel. Should the dikes break, a very small percentage of that flood would do a maximum of damage to the crops along the stream. Residents of that valley are asking this Government to combine with the States to build an adequate restraining and walled protection. That walled protection can only be built in the dry season. After its construction they may have to wait years before it is fully tested. When the flood comes then the test will be made.

Our tariff wall for wheat is not of great value when we create our own great surplus. Who will say along the Mississippi River that the wall shall be torn down in the dry years, when they are not needed. Who will say that the tariff wall for wheat should be torn down before the day shall come when our production shall equal our consumption, then will the wall of 42 cents be effective in protecting the wheat producer.

Corn receives a substantial increase. It is 25 cents per bushel. It is sufficient to meet the competing conditions now wherein the ocean transports from Argentina to eastern and western ports, made possible by the Panama Canal, if regular rates of transportation are adhered to. But we know that the agreements made by the great grain transporting companies on the ocean are not adhered to but are reduced to the almost irreducible minimum on the slow-going freight boats. I give a table of the rates, as they are published and understood, showing the considerable disadvantage at which the mid-nation corn producers are, in competing at the great ports with Argentina corn shipments.

It is idle to say that the corn produced in the Argentine is not of the character of ours. Otherwise we might at times be shipping corn to southern countries in either the Eastern or the Western Hemispheres. But our corn will not endure the heat and humid conditions crossing the Tropics, like the hard, flinty grain coming to us from the Argentine. But we know that the grain imported into this country, which amounted to considerable during the pre-war existence of the Underwood Tariff Act, takes the place of the United States corn in the manufacture of corn products. The Panama Canal, thought to be a great blessing for the United States, has proven only an advantage to its coastal regions and is a serious disadvantage to the interior.

COSTS OF TRANSPORTATION

From the focal point of production in Nebraska, shipping corn to New York costs 35.6 cents. From the focal point of production in Argentine inland charge, tide water, 10.6 cents. The water rate to New York is 11.2 cents. Rate difference in favor of the Argentine to New York over Nebraska is 13.8 cents per bushel.

Nebraska focal point of production to the Pacific coast is 31 cents.

The rate from focal point of production in Argentina to the Pacific coast points is 25.9 cents. From the focal point in Nebraska to the coast, all rail, the freight is 34.16 cents, giving the Argentinian producer over his Nebraska competitor with a market at San Francisco, 8.2 cents the advantage.

The figures submitted above represent the general water rates, which are not controlled by any government. They are sharply competitive. And where the shipper does not require great speed, the slow-going freighters cut their rates drastically, frequently making them less than half the usual rates.

CHICKENS AND EGGS

The increase in this measure of duties upon chickens and eggs gives better protection to as many people as the tariff favors in any industry. The hen and her product have stood between the merchant and the farmer for the necessities of the one, and the incidental protection against bankruptcy, resulting from bad book accounts, of the other.

They furnish the nourishing elemental solid food. Mythological writers describe in vague and general terms the ambrosia of the gods. There was no detailed description or chemical analysis preserved. But modern research has revealed that ambrosia then meant, as it does now, a proper grouping of rainbow bacon, ruby ham, pearl and golden eggs.

The serious present competition we have is from China, which has been shipping into this country in different forms and stages of preservation, the equivalent of 319,896,000 eggs per annum. We need no China eggs, except possibly for nest eggs, and the industrialists of America under Schedule 2 can lay under reasonable protection all those we need.

The Chinese "know their eggs," as we "know our onions," and just as soon as they dispose of the majority of their rebellions and all their revolutions, they will be putting their eggs over our tariff walls.

Let me say to the consumers interested in this bill there is no other popular animal food where the price responds more rapidly to scarcity or overproduction than eggs. Because so many people are interested in a wide range of investment, and many can drop out of the egg business so quickly, if prices are too low, and the importer is of that trading species, quick on the trigger to break a market, and when broken sufficiently, to tighten and elevate it.

POULTRY

Perhaps there is no agricultural interest that is so widely diffused as poultry. Whether it be the production of the villager or suburbanite, or the poultry farm, it has and does serve the people as a matter of economy and convenience. Now, large numbers are raised, but always the Sunday meal is thriftily provided and the unexpected guest has the best of fare from our fowls, whether of split toes or web feet.

In many other countries the children, the lame, and the old men and women do the poultry work, and can produce at small cost the barnyard monarch and his subjects.

Throughout the Corn Belt for some years, following the war, we needed no guards to prevent our bank doors being opened. What we did need was efficient guards to keep the doors open. The old hen and the old cow did loyal service in this line, and they are entitled to the protection which this bill gives them.

MILK PRODUCTS

The United States, with unlimited vigilance and at large expense, is cleaning our herds of southern tick, foot-and-mouth disease, and tuberculosis. The secondary source of our elementary food runs through nature's channels to the young and to the old, life giving, brain prompting, and muscle building.

The same literature relating to ambrosia tells us of the nectar which the gods used to sip. If it was for exhileration, or immediate stimulation, and dissipation, it came from the vine which was tilled in the early days by Cain; but if it was for health, growth, strength, and endurance, it came from the members of the herd, the production and protection to which Abel devoted his life and found favor in the eyes of the Almighty. Milk, not wine, was the nectar.

I have just been advised the milk product of 1918 in its various forms represented 87,906,000,000 pounds, while 10 years later it amounted to 123,000,000,000 pounds, or an increase of 40 per cent, ranging from America's great recent focal date. During that time the production of butter increased 82 per cent; ice cream, 50 per cent; cheese, 14 per cent; and evaporated or condensed milk, 10 per cent. That is the greatest economic increase, I believe, in all the departments of our country's activities and industries. It is well that it should be protected.

We read years ago of a great city of the North that derived its fame from an amber fluid bearing an evanescent crown of pearl. That city was Milwaukee.

But in the last decade the nectar I have described—rich, wholesome, substantial fluid of pearl—has made all Wisconsin prosperous. Let me submit, as a matter of pride, the fact that within the confines of the agricultural district which I represent the two greatest creameries in the world originated.

There are changes in this bill, which, were I writing them without having to consult 24 other Members and the interests of 120,000,000 people, many agreeing, many not agreeing, and some earnestly disagreeing, I should have written differently. But, as a believer in protection as a matter of principle and not of interest and belief, that it should apply to all the people and all the industries in a proper way, I shall take occasion to only criticize one feature of the measure, and that is, with all the protection spread about, hides of cattle, sheep, horses, and goats, and other skin animals remain on the free list.

Duties were placed upon hides in the Dingley Act at the low rate of 15 per cent. Had that low rate of duty remained up to this time, the Treasury of the United States would have been $395,956,800 richer had the same amount been imported under duty. The shoes and leather goods of the American people could not have been greatly increased to the individuals. In 1909 hides were placed upon the free list. In 1913 nearly all meats were placed upon the free list, so that the 1909 bill got our hides; the Underwood tariff bill got our carcasses. It was against the producer, a skin game all through.

Hides, under a protective tariff, has uniformly brought a higher price than has the aggregate weight of the carcass per pound. In determining the value of a hide-bearing animal, there are many factors. The two principal ones are the muscle and fat, that we call beef, pork, or mutton; and the other is the hide. The more highly finished the animal the greater is the ratio of value the meat to the skin; and conversely the more depleted the condition of the animal the higher the ratio of hide is to the meat. The citizen who owns an animal, where he has the capital to place it in prime condition, is less interested in the hide than the one who in the period of necessity, his own poverty, the extreme age of the animal, or the accident that brings about its death, finds hide relatively more important. When the dairy cow has filled her mission and becomes, as the dairyman calls it, a star boarder, and she gives her body, as she had up to that time given of her body, the hide is especially important. In the great campaign which has been going on for some years in the United States, to clear the bovines of tuberculosis, every general reactor whose slaughter has been found necessary, has for its salvage, first, its hide; second, its bone and horns; and, third, the remaining elements which may, or may not, have to be reduced to ashes.

When the intelligent seller meets the intelligent buyer of a bovine, whether in the yard at home, or in the public market, the hide element occupies at least no lower than a secondary consideration. Its weight runs ordinarily from 5 per cent to 10 per cent of the weight of the animal. The condition of the hide is a distinct factor in the sale of the animal.

Early in this debate it was asserted in pamphlet and brief by those opposing duty on hides that:

> No country in the world places a duty on hides, the raw material of the tanning industry, or, in fact, on any of the raw materials of the tanning industry, such as barks, woods, etc.

I called up the State Department and propounded that proposition to the statistician, and received this answer: "Raw hides and skins are dutiable in Bulgaria, Greece, Portugal, Russia, Spain, and Switzerland," representing more than one-half the area of all Europe and well on toward one-half of the people of that continent.

Further investigation shows that with but two exceptions all nations producing hides and skins to any material extent collect an import duty thereon.

There was, in the beginning of the debate antagonism on the part of the shoe producers against a duty on hides, and an effort had been made, and was being made, to provide a duty on shoes. While this was going on there was general propaganda throughout the country, which was taken up by the local shoe men in nearly every town in the Northwest, opposing a duty on hides, under the theory that a duty on hides would materially raise the duty on shoes. Hence western Congressmen were besieged with petitions to resist the placing of a duty upon hides. In other words, the retailer at home was doing what he could to hold the hands of the Congressmen here, while the shoe men were endeavoring to obtain a duty on shoes and no duty on hides.

I do not blame the shoe manufacturers for attempting this in their own interest. Were it successful, the blame should be attached to the petitioners at home and the Congressmen who, without independent information and without courage to fight, should permit a plan like this to succeed.

Who is asking for a duty on hides? Every livestock dealer—national, State, and local—in the Corn Belt and westward have for years been demanding duties upon hides; also all farm organizations have been asking a duty on hides. It was said by the opponents of the hide duty that leading agricultural economists had declared against a duty on hides.

I wired three of the agricultural economists in the Corn Belt in whom I reposed the most confidence in their fairness and judgment. One was Chancellor Burnett, of the University

of Nebraska, who for a quarter of a century prior to his recent elevation to the chancellorship was dean of agriculture of our university, and this is his answer:

Believe substantial duty would help farm prices and not greatly affect the price of leather goods.

I asked Charles F. Curtiss, for more than 30 years dean of agriculture of the Iowa State College, and this is his answer:

It is of vital importance that there be an adequate duty on imported hides. Hides declined 4½ cents a pound during last September, due mainly to excessive importation. One big leather concern marked off $1,000,000 loss in inventory during that month. This and other losses were immediately passed on to the cattle industry by reduction in prices of stock. A year ago hides were selling at 25 cents a pound. To-day they are worth about half that.

I wired Prof. Charles W. Pugsley, of the State Agricultural College of South Dakota, and received the following answer:

Telegram just received. Firmly believe that increased duty on hides will work to the advantage of all livestock and dairy farmers, and urge that Congress makes such increase as one means of substantial help in farm legislation.

I have read from the hearing the expressions of the following eminent men, who know agriculture and know the livestock business in all its phases:

C. E. Collins, Kit Carson, Colo.; Victor Culberson, Silver City, N. Mex.; F. E. Mallon, Denver, Colo.; Dan D. Casement, Manhattan, Kans.; Claude H. Ress, State senator, Rifle, Colo.; J. H. Mercer, Topeka, Kans. (secretary Live Stock Association); John Morrow, Representative from New Mexico; Addison T. Smith, Representative from Idaho; Robert Graham, Alliance, Nebr. (Nebraska Stockgrowers' Association); C. G. Selvig, Representative from Minnesota; J. J. O'Dale, Drain, Oreg.; A. P. Vankirk, Fairfield, Nebr.; George Bailey, Lowell, Ind.; Henry Boice, Phoenix, Ariz.; Clyde Brenton, Des Moines, Iowa; Charles D. Carey, Cheyenne, Wyo.; W. A. Cochel, Kansas City, Mo.; James Cox, Dayton, Ohio; Eugene D. Funk, Bloomington, Ill.; F. W. Harding, Chicago, Ill.; W. C. Harris, Sterling, Colo.; H. O. Harrison, San Francisco, Calif.; Harry Hopley, Atlantic, Iowa; Heber Hord, Central City, Nebr.; Wallace Huidekoper, Two Dot, Mont.; R. J. Kinzer, Kansas City, Mo.; R. M. Kleberg, Corpus Christi, Tex.; R. P. Lamont, jr., Larkspur, Colo.; H. C. Moffit, San Francisco, Calif.; John E. Painter, Roggan, Colo.; Dante Pierce, Des Moines, Iowa; Hubbard Russell, Los Angeles, Calif.; J. Blaine Shaum, Tarkio, Mo.; F. S. Snyder, Boston, Mass.; G. F. Swift, Chicago, Ill.; Oakleigh Thorne, Milbrook, N. Y.; W. H. Tomhave, Chicago, Ill.; F. Edson White, Chicago, Ill.; Thomas E. Wilson, Chicago, Ill.; and W. W. Woods, Chicago, Ill.

Each and all express themselves as in favor of a duty on hides in the interest of the livestock man and farmer. These are authorities from every part of the Union.

TARIFF COMMISSION'S FINDINGS

We have heard during the last 20 years that the owner of the animal would receive no advantage from the duty on hides. Second, that the advantage would be to the packers alone. An extensive investigation by the United States Tariff Commission, in 1922, published under Tariff Information Series, No. 28, show, among others, the following findings:

Cattle hides constitute the bulk of the world's supply of hides and skins. They comprise at least 60 per cent of the total international trade of approximately 2,000,000,000 pounds, and a much larger proportion of the annual production. Calf and sheep skins constitute an additional 25 per cent of this total. Since the numbers of cattle and sheep have failed to keep pace with increases in population and new uses for leather are constantly developing there is a tendency toward an increasing shortage of hides and skins.

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The United States is the most important source of hides and skins, although production falls far short of domestic manufacturing requirements. Argentina is the leading exporting country; most of her product is exported to the United States and Europe.

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It would seem that the tariff problem chiefly concerns cattle hides. Table 1 shows that the annual American requirements of hides and skins, for the domestic and export trade in leather and its manufactures, is about 1,500,000,000 pounds (green basis), of which slightly less than half, or about 700,000,000 pounds, is imported.

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Our extensive import trade in the raw material is counterbalanced to a certain extent by exports of leather products. Were we to depend exclusively on the domestic market, our own production of hides and skins would supply about two-thirds of that need.

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Hides and skins are the most important by-products of the meat-packing industry; in the case of cattle about 6½ per cent of the live weight consists of hides, and about 11 per cent of the value of the live animal is in the hide.

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In this connection the position of the packer may be contrasted with that of small butchers and local packers. Hides removed by most of the latter, and by all of the former, are classed as country hides, which also include those removed by farmers and ranchers. In fact, country hides may fairly be taken as a trade name for those removed in establishments not subject to Federal inspection. Such hides, therefore, constitute about 40 per cent of those produced in the United States during recent years, and approximately 25 per cent of the consumption.

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However, there is a fairly constant normal relation between the prices of these two main divisions, and any effect which the large packers may have on the hide markets would seem to be reflected almost immediately in case of country hides under normal market conditions.

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The relative values of dressed meat, hides, and other by-products may vary considerably from time to time, according to the changing supply of and demand for the respective products. However, in order to give a rough indication of a normal situation it may be said that the meat packer obtains about 79 per cent of his total returns of the beef-packing end of his business from the dressed-meat carcass, 11 per cent from the hide, and about 10 per cent from a large number of minor products, such as tallow, oleo oil, stearin, casings, and the like.

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In the long run, therefore, higher hide prices, like higher beef prices—only to a lesser extent—mean that higher prices can be paid for live cattle. Though temporary or short-time variations, arising from local or other conditions, may cause the price of hides to move one way and the price of live cattle in the opposite direction, nevertheless, over a period of years the two price curves show a fairly close relation. On the basis of yield, a 1,000-pound steer of fair average quality will yield about 550 pounds of dressed carcass and 60 pounds of green hide. An increase of 1 cent per pound in the price of hides is equal to a credit of about 11 cents per 100 pounds on the dressed beef, or 6 cents per 100 pounds on the live weight.

Briefly, then, there appears good reason to believe that competitive buying in the livestock markets forces the packers to pay the true market value for live cattle purchased and for the hides they carry.

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It has already been indicated that, owing to the necessity to import nearly one-half of the hides and skins required, a tariff on hides probably would raise the price of domestic hides over the foreign level laid down in our ports by approximately the amount of the duty, assuming that there is a world hide market.

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This is well shown by the fact that, owing partly to high freight rates, during 1921 country hides often had little or no value at country points, while in the markets they sold for only 50 to 60 per cent as much per 100 pounds as packer hides. Normally they sell for 80 per cent of the packer price. The immediate effect of a duty probably would be a temporary restriction of imports. Heavy stocks on hand in the United States should then move more freely and country hides should be in greater demand than at present. Their price then should rise relative to packer hides until approximately the normal price relation was reached.

In the many pages of the hearings, devoted to the livestock interests, and I think in every case involving expression of opinion upon the propriety, value, and necessity for duty on hides, there is not one that strikes an adverse note.

I am not fully convinced that the objections, coming mainly from the classic city of Boston, are entirely a matter of prejudice; and yet it may be largely so. You will recall that L'Enfant, the great engineer selected by Washington, laid out our Capital City with intersecting streets, dividing alleys, and meandering avenues. We now see and enjoy the result. Not so with Boston. In the early day, so the literary men in that part of the United States told us, they let loose a bovine suckling, who wandered through the marsh and brush and over the commons at will. In his wake, in the course of time, he left the streets and avenues of that great center of learning and population. I am not quite convinced that the descendants of those people are taking out their vengeance now upon the bovine, doing all they can to deny protection, to the progeny, on account of that unruly calf.

I was wondering whether or not the men of the United States, who have invested their time, their toil, and wealth in livestock, few or many, and who now properly look upon the farm feed yards and the pasture as their open-air factories, are not entitled to the same consideration and privilege as the inclosed factories of the cities of the United States. Are we going to let the injustice perpetrated in 1909, continued in 1913, permitted in 1922, to be perpetuated in 1929?

Men have asked that should there be a fair duty placed upon hides, would we be willing to favor a compensatory duty on leather and shoes.

I am not of those, who in asking justice would deny justice. Recollect that we have no extended palms for pity, we are not sounding any S O S, we are asking the simple-handed justice, contemplated by our protective system and especially provided for in the call by the President of the United States for this extra session in the interest of the producers, livestock men, and farmers.

If the Tariff Commission can find what would be a fair compensating duty, and the Members of this House believe that it should be allowed, you will not find the livestock men in the selfish rôle which others seem sometimes to delight to exhibit themselves.

It may be well to say that while the amended terms of the Hawley bill do not fully meet our desires or expectation, a measure of justice has been done. Under the Dingley Act hides bore 15 per cent ad valorem and shoes 25 per cent. Under the Hawley bill hides bear 10 per cent and shoes 20 per cent. The same arithmetical differential.

The provision in this bill is not as fair to hides as was the Dingley law. To make it equal to the terms of that measure it should be 15 per cent for hides and 25 per cent for shoes, or 12 per cent for hides and 20 per cent for shoes. But values of the other portions of the carcass are greatly increased over the Dingley period, and there should be a specific duty of at least 5 to 6 cents a pound for green hides and 7 to 9 cents a pound for the dried.

Hides are strictly competitive. Only four other products are imported into this country in larger amounts than hides and skins. They are raw silk, coffee, crude rubber, and cane sugar.

Our chief imports in 1928

Rank	Commodity	Value	Per cent of total imports
1	Raw silk	$367,997,000	9.0
2	Coffee	309,648,000	7.6
3	Crude rubber	244,855,000	6.0
4	Cane sugar	207,025,000	5.1
5	Raw hides and skins	150,810,000	3.7
6	Standard newsprint paper	139,411,000	3.4
7	Dressed and undressed furs	115,916,000	2.8
8	Crude petroleum	90,413,000	2.2
9	Tin bars, blocks, pigs, etc	86,983,000	2.1
10	Wood pulp	83,465,000	2.0
11	Burlaps	80,086,000	2.0
12	Unmanufactured wool	79,856,000	2.0
13	Unrefined copper	67,598,000	1.7
14	Works of art	65,753,000	1.6
15	Diamonds	57,088,000	1.4
16	Unmanufactured tobacco	55,160,000	1.3
17	Cocoa, or cacao, beans	47,205,000	1.2
18	Leather	43,308,000	1.1
19	Unmanufactured cotton	42,797,000	1.0
20	Boards, planks, and deals	40,436,000	1.0
21	Fish	38,556,000	1.0
22	Nitrate of soda	36,991,000	.9
23	Bananas	35,377,000	.9
24	Gasoline, naphtha, etc	31,518,000	.8
25	Flaxseed	31,245,000	.8

So that we have, following the rules of the chairman of the Ways and Means Committee, a strict and strongly competitive product in which probably more people are interested than in any other product of the United States, where there is a substantial import competition. Moreover, those interested have asked that a rate of duty be placed thereon, backed up by the judgment of men and associations capable to know and who have given their evidence. This product is one especially contemplated and included within the purview of the presidential call for this extra session.

Livestock, with all their factors, developed in the South, would be the greatest possible boon of that section of the United States. In 1860 there were 29,000,000 head of cattle in the United States. The war reduced them to 28,000,000 in 1870, the South losing 3,000,000 and the North gaining 4,000,000. In 1910 the Southern States had only 15,000,000 cattle; in 1920, only 15,272,000; 1928, 12,533,000.

That section of the country has a wonderful property. The Muscle Shoals is a great project; but I venture that if the southern livestock interests were pressed to their reasonable possibilities, with the attendant fertilization of the soil and the necessary diversification of its products, there would be a period of unprecedented development and prosperity, whether the waters of the shoals were harnessed or whether, like the centuries passed, permitted to run purposeless to the sea. So that a deep interest to the far-seeing Representatives of those States can be profitably taken in seeing that the future development of your industries are properly protected and stabilized for your use.

Gentlemen of the South, some family connections of mine led me to the South, and during my visit there I saw many wonderful things. I will confine myself to one.

In Mr. STEAGALL's district there is a city prophetically named Enterprise. I have listened here and elsewhere to the eloquent statesmen of the South. But one of the most profound speeches that ever impressed me—if a great and continuous silence broadcasted day and night can be properly called a speech—came to me in that little city in Alabama.

It was in the black-soil belt. They had been exhausting it by the continued production of cotton for many years. The boll weevil came along, and they thought the sun was down and their doom set. But no, these people said, "We will no longer carry all our eggs in one basket; we will produce cereals, we will produce legumes; we will diversify our industries." They came here to a Republican Congress and obtained what they were entitled to—protection for their various products. That community followed this path from year to year, producing great crops, filling their banks, and increasing their prosperity. Then a day came when, looking back a decade over their accomplishments, they contributed $25,000 and erected a noble bronze monument—to whom? A great man in the community, a saint, a sinner, or who it might be? No; they erected it to the boll weevil—the boll weevil that taught them the lesson to diversify their crops and put themselves in line with the onward movement of the Nation, making it protective—North and South. [Applause.]

That broadcasting silence of that enduring bronze is worth more to the people of that neighborhood and the whole South than all the free-trade speeches that were ever uttered. It compares favorably with the new protective speeches by the orators and statesmen of the South, who, following their platform utterances and wise economic judgment, are saying to the North, "Look to your economic laurels in industry. Look well to your supremacy in agriculture." [Applause.]

Mr. GREEN. Will the gentleman yield?

Mr. SLOAN. If I have any time I would give you one-half my kingdom.

Mr. GREEN. I have enjoyed the gentleman's talk and here is an item in which I trust he will cooperate with us. It is relative to obtaining protection on raw turpentine and pitch, and here is a telegram——

Mr. SLOAN. Well, pitch right in and give it to me quick. [Laughter.]

Mr. GREEN. Here is a telegram I have just received:

JACKSONVILLE, FLA., *May 17, 1929.*

Congressman R. A. GREEN,

United States House of Representatives:

Many thanks for your efforts of the 15th. Large northern naval-stores distributor states, "Now in position offer French rosin delivered American ports lower than American market." Need of protection will increase.

C. F. SPEH.

We want tariff of 10 cents on naval stores and also a tariff on tar.

Mr. SLOAN. I will tell my young friend that I am greatly prejudiced in his favor. [Laughter and applause.]

Mr. GARNER. Mr. Chairman, I yield 30 minutes to the gentleman from North Carolina [Mr. DOUGHTON]. [Applause.]

Mr. DOUGHTON. Mr. Chairman and Members of the House, I am glad of this opportunity of submitting a few observations on this very important measure. I am a member of the committee that reported this bill, and regret that I am not a member of the group that helped to prepare the bill. The minority members of the Ways and Means Committee, to which I belong, were accorded every courtesy and consideration by our worthy, able, and distinguished chairman so long as the hearings were being conducted, but at the conclusion of the hearings the doors were locked against us for some reason, I know not why. They say it is a Democratic precedent. Well, it is strange, as often as they have the opportunity to cite a Democratic precedent for doing right they never do that; but if they want a precedent for doing wrong they try to go back and dig up some old Democratic custom and assign that as a reason for their wrongdoing. I am very fond of, in fact have an affection for, every member of the Ways and Means Committee. No man could have been treated with more uniform courtesy or unvarying kindness by every member of that committee, both on the majority and minority sides, than I have been treated. To our able and impartial chairman I wish to personally extend my thanks and appreciation for the many kindnesses he has shown me. He has

been uniformly courteous and kind and has in every way measured up to the highest standard of a presiding officer.

The bill now under discussion is the solution proposed by the majority party in Congress, or in the House of Representatives, for the admittedly serious and distressed condition of agriculture. But, in my judgment, instead of being entitled "A bill to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes," it should be entitled "A bill to decrease revenue, to raise Republican campaign funds, to stifle foreign commerce, to further burden agriculture, and for other ulterior and insidious purposes." The bill is ostensibly intended to benefit agriculture, but, so far as any net relief or benefit to agriculture is concerned, this bill is the most astounding, stupendous, and colossal failure ever attempted in the history of the Government. It is not surprising that the press reports that there is insurrection and mutiny in the ranks of the Grand Old Party over this proposed legislation. Never within my knowledge has any important bill received such universal criticism or stirred up so much opposition within the ranks of the party from which it came.

In the Sixty-ninth and Seventieth Congresses legislation demanded by the farmers, farm organizations, farm representatives in Congress, and those who know by actual experience the real distress of agriculture and understand the matter in all its relations, submitted and passed through both branches of Congress, two separate bills, both of which were vetoed by President Coolidge. Of course, Mr. Coolidge understood all farm problems, as he on one occasion had his picture taken while throwing a fork of hay into his father's barn.

Now, what do we have in this bill? Does it carry out the wishes and views of any of the farm organizations of the country or the Members of this body who represent agricultural States and districts? Does it fulfill the pledges made by both parties in their last national platforms? Not in any manner. It only expresses what those who have always fattened at the expense of agriculture are willing that the farmer may have. Relief measures proposed by the gentleman from Iowa [Mr. HAUGEN], chairman of the Committee on Agriculture, who has made a lifetime study of the problems of agriculture, who represents the great agricultural section of the Central West, and others who represent farming districts and who have made long and thorough study of the farmer's condition and needs, and the legislation indorsed and urged by the various farm organizations of the country is flatly rejected in this bill, and instead the views entertained by the gentleman from Oregon, Chairman HAWLEY, and those holding similar views are substituted.

The Hawley bedstead they fetch upon which to operate on the farmer. Stretch him out if too short and cut him off if too long. Chairman HAWLEY, or Doctor HAWLEY, as we will call the gentleman from Oregon, believes the farmer is suffering from overnourishment and prescribes bleeding as a remedy for his ills and ailments.

Previous tariff bills have been referred to as "revisions" of the tariff, but as the people had learned that the word "revision" as used in a Republican tariff law invariably meant increase and desiring, I suppose, to avoid giving this impression at the outset, it is referred to by Doctor HAWLEY as a "modification" and "readjustment" bill and not a "revision."

I have always understood the word "modification" to mean less severe or milder in form, but certainly the opposite is true as to this bill, as the changes or "modifications" and "readjustments" are practically all increases, especially on manufactured articles.

If this bill should ever become a law, which, of course, it will not in its present form, its application would demonstrate that it imposes far more burdens than it confers corresponding benefits upon the farmer, and his future state would be much worse than his present. I predict that when this bill comes off the operating table of the other body Doctor HAWLEY, the gentleman from Oregon, chairman of the committee, will disown his own child and turn it over to a wet nurse. [Laughter.]

If it were a "readjustment" of the tariff in the interest of agriculture, as claimed, I would be delighted at the opportunity of contributing my vote and voice to aid its passage.

The Democratic Party favors reasonable tariff rates that will afford ample protection to American labor, American capital, and, so far as can be done, to the American farmer. Individually, I believe in a tariff based upon sound economic facts, such facts to be adduced by a nonpartisan commission, free from political or selfish influences, with the aim and purpose in view of raising a reasonable portion of the Nation's revenue at the customhouses, and at the same time a tariff that will fully equalize the cost of production, as far as can be ascertained, in this and foreign countries, and, if any difference, give even a reasonable advantage to the domestic producer. Also with the aim in view and for the purpose of giving steady and remunerative employment to the American laborer, thereby enabling him and his family, if industrious and frugal, to enjoy a comfortable living, own his own home, educate his children, and save and lay by something for future needs and declining years. In other words, as he works in most hazardous places and toils early and late to produce the things the world must have, I would make his condition just as fair and favorable as can properly be done by legislation.

Moreover, conforming to this policy, I would be fair to American capital, giving it also the opportunity of largely supplying our American markets, of earning fair and reasonable dividends, making it attractive and profitable for individuals to invest in American industries and enterprises, giving employment to American labor, who consume largely the products of the American farmer, thereby widening and extending our manufacturing industries through mass production, efficient, improved, modern machinery, unlimited capital, well paid, contented, and happy labor. In this way we would not only produce the greater portion of goods for our American market but cross the seas with our surplus products and be welcomed as a fair and legitimate competitor and capture a large proportion of the export trade of the world.

This can not be done, however, by a narrow, selfish policy of embargo tariffs, as proposed in this bill. This policy would incite the ill will and hatred of other nations, producing retaliations and reprisals, causing all other nations to regard us as a nation of Shylocks. Trade to be profitable must be reciprocal.

I would also, as far as it is possible to do by tariff legislation, place the farmer upon an economic plane with industry, giving him all the benefits that can possibly come from well-balanced and equitable tariff laws.

Everyone who is informed knows, and everyone who is honest will admit, that it is impossible to place the farmer fully upon an economic level with industry through tariff legislation. We produce a surplus of the great basic crops and must look abroad for a market for them; consequently, a tariff, no matter how high, affords the grower of these crops no protection.

If the farmer can be placed upon a level or parity with industry by the tariff, then the party now in power is guilty of committing an unpardonable crime for not taking care of him through tariff during the last eight years and preventing his present deplorable condition. [Applause.]

Neither the present law nor the pending bill conform to the formula I have mentioned nor the policy in which I believe. This bill, even to a greater degree than the present law, is bottomed upon the principle of favoritism and is a continuation and extension of the accepted theory and long-continued practice of the Republican Party, that tariffs should be levied in fulfillment of party obligations to privileged and specially favored classes which have made large campaign contributions in the past and upon which they can rely in the future.

The tariff question will never be taken out of politics until some way is found or devised to prevent favored interests from contributing to the campaign funds of any party. If a way can be found to prevent this the tariff will be divorced from partisan politics and will be purely and solely an economic question, and its fair and correct solution will be greatly simplified and hastened.

There has been much said in this debate about the position of Governor Smith on the tariff in the last campaign. I can not quote all of his Louisville speech, but there are a few paragraphs of this speech which I wish to quote, in which he gives his prescription for the tariff.

In paragraph 3 he says:

> I condemn the Republican policy of leaving the farmer outside our protective walls. On import crops he must be given equal protection with that afforded industry. On his other products means must be adopted to give him, as well as industry, the benefits of tariff protection.

In his seventh he says:

> I will oppose with all vigor I can bring to my command the making of a tariff shelter of extortion and favoritism or any attempt to use the favor of government for the purpose of repaying political debts or obligations.

And in his eighth he says:

> To the very last degree I believe in safeguarding the public against monopoly created by special tariff favors.

I wish to commend this statement to the earnest, careful, thoughtful—and if you ever pray—prayerful consideration of my Republican colleagues. [Laughter.]

I was anxious to have the committee prepare and present a bill that I could support, as I know my colleague the gentleman from Texas [Mr. GARNER] and some of the other minority members of the committee were.

We did not demand or even expect as a basis of our support a bill that would fully conform to our views. This would have been too much, of course, to expect from a Republican committee, but it was our expressed purpose to support the bill if it were better—or perhaps I should say less harmful to the farmer—than the present law. We realized in the last analysis that this was the choice we would have to make, as we would have no opportunity in this Congress of voting for a Democratic measure or one that would meet fully our views on the tariff.

If I could possibly bring myself to believe that there is more good than bad in this bill, especially for agriculture, I would cheerfully give it my support, but I am convinced from a study of its provisions that it will add to the burden of agriculture, increase the living and operating costs of the farmer by adding to the price of the things he must purchase, to wit, clothing for himself and family; building material, such as brick, cement, shingles, and hardware used for building homes, schoolhouses, churches, and farming tools, such as scythes, rakes, hoes, forks, rope, glassware, sugar, and other articles too numerous to mention. Of the changes in more than 1,000 rates, perhaps not 100 will affect agriculture and very few will benefit the farmer in the slightest. The additional cost to the American people on sugar will be over $100,000,000 annually.

The only way this bill will relieve the farmer is to relieve him further of what little money he may have or be able to get. From this standpoint the bill is a huge success. For every crumb he gets through this legislation he will contribute out of his own pocket a loaf to the already overly protected industries. [Applause and laughter.]

If this bill is Mr. Hoover's prescription or remedy for afflicted agriculture and this is the means by which he proposes to abolish poverty, as he is pledged and committed to do, then, in my opinion, the relief will be worse than the disease. It will be one of these "successful operations" from which the patient dies. [Laughter.]

During the campaign the Republican leaders always meet and greet the farmer with a kiss, but after election all they give him is higher taxes and increased burdens.

A delegation came here from North Carolina, headed by Representative JONAS, and requested an increase in duty on mica and other commodities produced in that section. It was urged by those who appeared before the committee that the mica industry was paralyzed and lifeless as the result of foreign competition and excessive imports, and they importuned the committee for increased duties, but were turned down. The long-staple cotton growers of the South also made out a strong case, as did the cattle raisers, who requested a duty on hides. The dairy people also asked for increased duty on casein, for which there was evidence conclusive that they were suffering from imports from Argentina, but they were likewise slapped in the face. Potato growers also begged for a higher duty, but received it not. All the representatives of these varied and various industries were turned down with the statement that they had failed to make out their case.

The fact is, the way they failed to make out their case was they had not made sufficient contribution to the last Republican campaign fund. That seems to have been the only sure way to make out a case before the committee which framed this bill.

My colleagues, this is too serious a matter to play politics with. What are we here for anyhow? We are here because a great national emergency confronts the country, and to remedy the situation the President of the United States has called this extra session of Congress. The matter is so serious with me that I would not permit any party tradition or thought of party advantage to sway or control me in the slightest in my vote, but I can not support a measure that in my judgment fails in every essential and material sense to accomplish the purpose for which it is intended.

As proof of the statement that I do not favor a low-tariff policy, but have been consistent in my advocacy of fair dealing to all classes of our people in tariff matters, I remind the House of my record in the Sixty-second Congress. This was my first session and Mr. Taft was President.

It will be remembered that he called the Sixty-second Congress into extra session on April 4, 1911, for the sole purpose of having ratified by Congress the trade agreement he had negotiated with the Canadian Government, or what was known as Canadian reciprocity.

This agreement provided for admitting certain commodities from Canada, mostly agricultural products, into the United States free of duty or at a very low rate, in exchange for the privilege of having our manufactured goods admitted on the same terms into Canada. This was free trade for agriculture so far as Canada was concerned.

This bill had passed the House, which was Republican, in the Sixtieth Congress, but had not passed the Senate. So here was a Republican President using all the power of his great office to place the farmers of the United States on a free-trade basis with our greatest competitor in agricultural products. Not only was President Taft doing all he could for this measure but I find recorded in the list of those who voted for this bill our distinguished Speaker, Mr. LONGWORTH; our distinguished Republican leader, Mr. TILSON; and also the name of the late lamented James R. Mann, at that time minority leader on the Republican side.

Of course, many of the leading Democrats favored that measure and it passed the House, then Democratic, and the Senate, then Republican. I just mention this to show that I have been consistent in my position in demanding justice and equality for the farmer, and that some men on the other side who now claim they favor equality for agriculture have not always shown their faith by their works.

This bill is even too objectionable for the Washington Post to support, and every one knows it is the avowed and accepted mouthpiece of high protective tariff and special privilege. I quote from the Post, as follows:

> The attempt to boost the tariff to extravagant heights at the expense of the consumer is meeting with resistance. President Hoover is looking into the question through expert advisers, who will study the effect which some of the proposed new rates would have upon the cost of living. Other inquiries looking into the ramifications of foreign trade relations will be submitted to the President in due time.
>
> No one can say that the bill submitted to the House is a "limited" revision, as proposed by Mr. Hoover. Scores, if not hundreds, of articles are given increased duties where it can not be shown that additional protection is needed. The aim of tariff revision as promised by the Republican Party and Mr. Hoover, as its nominee, was to give relief to agriculture and to readjust a few rates where it had been found that conditions had changed since the enactment of the present tariff law. The country has not demanded general revision upward. So far as can be ascertained from the expressions of public opinion, the country is opposed to any increased duties that are not absolutely necessary to protect American industry and labor. Although a specious argument has been made in the House in defense of every proposed increase, some of the pleas for higher duties are palpably absurd and without warrant.

Mr. CRISP. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. CRISP. I know the gentleman was diligent in his attendance upon the hearings of the committee for this revision. Was the gentleman not impressed after listening to the evidence that at least 95 per cent of the manufactured articles under the Fordney law have ample protection, if not a monopoly?

Mr. DOUGHTON. In response to the inquiry of my colleague and friend from Georgia I would say that, to my mind, the evidence was conclusive that most of those who appeared before our committee represented industries that were amply protected. I believe that I read between the lines what their motive was. It had been advertised and proclaimed to the country as a revision of the tariff, which was supposed to mean a reduction. Fearing that there would be some reduction, they felt that if they did not appear, as they did, with lamentations equal to those of Jeremiah, there might be a cut in some of the rates. You would have thought that the whole country was about to fall to pieces. The motive that inspired most of those statements was the fear that if they did not appear and argue for increased duties, some of the exorbitant rates they now enjoy would be reduced. At least, that is my opinion on the subject.

Moreover, practically all the farm organizations in the country have criticized and condemned this bill. They have rejected in a statement addressed to the Senate and House of Representatives in which, among other things, they say:

> The bill generally will not satisfy agriculture because it does not provide adequate duties on major crops of the farmer.

This statement is signed by Fred Brenckman, representing the National Grange; Chester H. Gray, representing the American Farm Bureau Federation; Charles W. Holman, representing the National Cooperative Milk Producers' Federation; A. M. Loomis, representing the American Dairy Federation and the National Dairy Union; B. W. Kilgore, representing the American Cotton Growers' Exchange; T. E. Mollin, representing the American National Livestock Association; C. B. Denman, representing the National Livestock Producers' Association; W. R. Morse, representing the American Fish Oil Association; Ed. Woodall, representing the Texas & Oklahoma Cottonseed

Crushers' Association; J. A. Arnold, representing the Southern Tariff Association; Knox Boude, representing the tariff committee of the National Poultry Council.

Also this bill is condemned by almost the entire press of the country without regard to politics. However, when a Democrat refuses to give his support to this measure of abomination so universally condemned, we are charged with being unwilling to give adequate protection to agriculture and other American industries.

But, Mr. Chairman, as unjust, unfair, and discriminating as the present bill is in the rates imposed, in my opinion, this is not its greatest objection. The administrative features are subversive of our system, idea, and ideals of government; and if enacted into law will be a violation of the fundamental principles upon which it rests.

The fathers who framed the Constitution, wisely, in my opinion, left to Congress the initiating and enacting of laws raising revenue. The flexible provision giving the President the power to raise or lower tariff rates to the amount of 50 per cent renders nugatory in spirit and practical effect this provision of the Constitution. If the President is given the power to raise and lower rates 50 per cent, he should be given the full responsibility for the making of all rates.

Moreover, the provision in this bill to change the present Tariff Commission from a bipartisan board or commission to a partisan one is without doubt the most astounding ever proposed in connection with an economic question. Everyone knows a partisan commission will look at matters from the viewpoint of the party to which they belong, and that all tariff legislation in the future will be based upon biased and one-sided information with the sole purpose in view of placing upon the American people whatever rates the beneficiaries of special privilege in their selfish and inordinate greed demand.

This provision, together with the one providing for the matter of appraisal to be finally lodged in the Secretary of the Treasury, will make the President, the Secretary of the Treasury, and certain bureau chiefs not only sole arbiters in all tariff matters but indeed and reality they will be sole dictators and Congress and the customs courts, so far as tariff matters are concerned, might just as well be abolished.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. ABERNETHY. I understand the gentleman is one of the leading farmers of the country. Is there any aspect of this bill that he thinks will benefit agriculture?

Mr. DOUGHTON. I have stated that I thought there were a few industries scattered about in spots that would be benefited by this bill; but taking it on the whole, weighing and measuring it in the light of facts, in my judgment, as my good friend from Georgia [Mr. CRISP] said the other day, and he is a conservative man and one of the best-informed men in the House and a liberal on the tariff, for every dollar the farmer receives in benefits from this bill he will lose $10.

Mr. ABERNETHY. And that is the gentleman's analysis of it, is it?

Mr. DOUGHTON. I concur fully in that statement. I think it was conservative.

The President journeyed to New York before breakfast a short time ago, and delivered before the Associated Press convention a very able address on law enforcement, "noble in purpose, far-reaching in character." Now comes this bill, in which it is proposed to override the fundamental law of the land, the Constitution of the United States. And it is reported that it has the support of the President. A little more example and little less precept by high authority would aid in forwarding the cause of law enforcement, which appears to lie so near the President's heart. An ounce of example is worth a ton of "preachments."

In my opinion, we have gone a long way too far already in the centralization of power in the Executive head of the Government. The President of the United States is now Commander in Chief of the Army and Navy, and with the great concentration of power lodged in him, giving him indirect control over the railroads and the transportation system of the country through the Railroad Commission, control of the air communication by the Radio Commission, control of the navigable streams and water power, control of the finances of the country through the Federal Reserve Board and Farm Loan Board, and now domination over agriculture through the proposed new farm board with a $500,000,000 revolving fund, every dollar of which will be expended by appointees of the President, and if this bill is enacted into law he will have the power of life and death over industry, all manufacturing enterprises, and complete autocratic power affecting agriculture.

My friends, this is too dangerous and alarming to contemplate. With all this power vested in the President of the United States, he becomes a colossus. It is too much power and authority to lodge in any man who ever has been, is now, or ever will be, President of the United States. In fact, with all this unrestricted and unlimited power he would be in a better position to overthrow our form of government and proclaim himself king than was the First Consul of France, the great Napoleon, when he overthrew the French Government and proclaimed himself Emperor.

It seems that the more power men are given the more they are obsessed with a morbid gluttony for increased power. My friends, it is time to pause and call a halt, to stop, think, look, and listen before we go over the yawning precipice just ahead of us.

Mr. Chairman, in conclusion I desire to say I represent one of the greatest districts in America—a great agricultural district, in which we produce all the staple crops—cotton, corn, wheat, rye, oats, tobacco, hay, and so forth. Also part of my district is especially adapted to the livestock industry, growing as fine cattle and sheep as can be found in America. Dairying is also becoming an important industry, and the same applies to poultry. It is also a great manufacturing district, producing large quantities of textiles, furniture, and other manufactures. The largest towel factory in the world is in this district. We have two of the finest summer resorts to be found anywhere—one at Blowing Rock and the other at Roaring Gap—both on top of the Blue Ridge Mountains, with adequate facilities for accommodating all comers. When this session of Congress closes, if the season is not over, I invite you weary and tired statesmen to take a sojourn of a few days at one of these places. You will decide that you have discovered the real fountain of youth.

But great as is this district and the things I have mentioned, its chief greatness is in the high character and capability of its citizenship—Democrats and Republicans, all American born, all patriotic, country-loving, and God-fearing people. As an humble servant and representative of this great people, I desire above all things that I may have wisdom to represent them wisely and that I may at all times have the courage to rise above the low ground of partisan politics and stand upon the exalted plain of unselfish, patriotic service.

With this end in view, I say to you of the other side, my Republican friends, that while I can not consistently support this measure in its present form, if you will amend it, or if it is amended in the other body so as to make it accomplish the purpose for which this session of Congress was called, taking out the very objectionable administrative features to which I have referred, I will give it my support. [Applause.]

Mr. HAWLEY. Mr. Chairman, I yield 15 minutes to the gentleman from Colorado [Mr. EATON].

Mr. EATON of Colorado. Mr. Chairman, for over a month I have been in attendance upon every session of this House and have listened attentively to the debates. During the first two weeks I became convinced that this House intended to, and it did, pass a law which was not merely in the name of farm relief but will be of substantial benefit to every farmer of this country who cares to avail himself of its advantages.

Then, the debate commenced upon this tariff bill, and it does seem as if the few industries that can produce a living for those of us who still have the pioneer spirit interest the speakers to such an extent that some one of them is continually taking all the joy out of life.

If they do not harp on cattle and hides, then they threaten brick and cement. Some ridicule our Greeley potatoes, and some our manganese, and everybody talks about sugar. I have heard some very strange statements about the sugar industry, and especially about that industry in my own State, Colorado.

Our Congressman from the second district, Mr. TIMBERLAKE, made a very clear and accurate statement of the proposed tariff changes, and answered the questions propounded to him with candor and accuracy. The people of Colorado are proud of him and his address to this House on the schedule intrusted to his subcommittee.

While there are 16 sugar factories in our State, there is not a single one of them in my district. But our people know about those factories. We know the men who have demonstrated that they could provide a home market for a farmer's crop which would not have to be dumped in with the exportable surpluses. We know these men who retain the pioneer's idea of doing business and who have omitted to participate in refinancing schemes based upon a few years' profit experience.

I hold no brief for either the Great Western, American Beet, or Holly Sugar Companies. They owe me nothing. I owe them nothing.

I am not merely a believer in a protective tariff as a sound governmental policy but during my business and professional experience covering over 35 years in Denver and the Rocky Mountain States I have seen absolutely demonstrated that under such a tariff policy as has been kept in effect under Republican

administrations, the standard of living of our very poorest and humblest citizen has been raised to a point actually beyond the dreams of our wise forefathers.

I have seen the text of the books written by the most eminent economists amended so as to state that at least a modified protective policy could be beneficial to a nation. I have seen industries grow in this country that were afforded tariff protection, and have watched the same sicken and almost die when that protection was withdrawn under Democratic schedules.

If the theory of a protective tariff is to foster any industry in the United States, then, when such an industry is started and commences to grow, are you going to say, because it can only supply 5 per cent or 15 per cent or any other per cent of domestic consumption and has not yet progressed to the stage where it produces an exportable surplus, that the further protection necessary shall be denied and the industry perish?

I will confine my discussion to two charges which seem to be especially directed toward the sugar industry in my State. One charge is that one of its three companies has made profits and distributed dividends to those who took the chances and financed it in the beginning (for surely the critics do not mean to say that those stockholders who have become convinced that it is a good, going concern and have purchased their stock on the market in recent years should not continue to receive their dividends). The other charge concerns child and Mexican labor.

Before I heard the debaters I believed the statements that Henry Ford and others who had the genius to produce profits in an industry were benefactors and not malefactors. And notwithstanding some of the statements made I am still of the same mind.

Congressman TIMBERLAKE, in arguing that "the largest possible production of sugar in continental United States is essential to the maintenance of fair sugar prices for consumers and to avoid the danger of letting control of prices on this food commodity rest solely in the hands of foreign producers," said: "Every man in this House can recall what happened in 1919 and the forepart of 1920. Consumers paid as high as 30 and 35 cents a pound for sugar at retail." The only place they did not do that was in Colorado. The Great Western Sugar Co.—manufacturer of beet sugar—held prices down in this State to around 18 cents or less. That was at retail; the company itself never sold a pound for more than 12 cents seaboard basis.

Increasing the sugar tariff now may increase retail prices slightly, but it will also insure consumers against much higher prices. If the Cuban sugar people could get rid of the duty on sugar, it would have this country by the throat. The domestic beet-sugar business would be killed, and then the trust could demand whatever it pleased for foreign cane sugar and we would have to pay.

It is charged that the Great Western Sugar Co. earns 40, 44, 45, 50, and several other percentages upon its original invested capital. If it be a fact that that company never had more than $15,000,000 in cash to commence with about 25 years ago, its present invested capital of $65,000,000, as admitted by the company and alleged by its critics, means that in 25 years' time it has doubled its capital twice and has paid 7 per cent interest upon the money while so doing. If before you came to this session you did not think that the operation of sugar factories had some speculative features and investors therein were entitled to only Government rates of interest upon their money, you have certainly been advised otherwise during the past two weeks. That is all that means. In 25 years' time they have doubled their capital twice. It is true; and I repeat that they have paid 7 per cent interest on the money during that time. That is what they have done, no matter how you look at it or what you say about it. The company is one that has been prosperous, and last year it did pay a dividend. There have been years when it did not pay any dividend on common stock. In addition to paying these dividends they used any other profits they had made in occasionally erecting one new factory. They started with 6, and now they have 21, with 13 in the State of Colorado. When they erect a new factory they make possible the taking out of lands that produce exportable surpluses from 6,000 acres to 20,000 acres at a time for a sugar crop, and thus for each new factory afford a few hundred more farmers an opportunity to get out of debt.

I do not think that company needs any defense at my hands or by anyone else. Out our way we believe that their officers have been alert and are good business men; that they are envied is apparent, but you have not heard one of their competitors complain of anything but that they have not been able to obtain the same results. It has been said that the officers of that company can not compare in their golf scores with representatives of eastern companies who have supplanted our local men in industry. And I believe it. From their president down they give their time and attention to the manufacturing and marketing of sugar and have solved some of the most intricate transportation and chemical problems of the business which have permitted them to enlarge their market from time to time. They continue their experimental work in soil examination, manufacturing equipment, and chemistry at all times.

Let me suggest to you that it would make a more convincing argument if the good fortune or efficient management of the criticized company, or its profits so ridiculously referred to, were used to demonstrate to this House and the country that it is actually possible to produce sugar beets profitably and successfully, convert them into a profitable marketable commodity for home consumption, and thus induce more farmers to raise beets, more capitalists to finance beet-sugar factories, and thus transfer more acreage from the production of crops whose surplus must be dumped upon the world's market at any price obtainable, without regard to the amount of the loss.

Only last Tuesday one of the gentlemen on the floor was telling me how liberal this company is in making whatever experimental work they do in chemistry, machinery, or anything else available to all people in the sugar industry at any time. Here is an opportunity for you to laugh. During this past week a suit was tried in the West charging this Great Western Sugar Co. with some kind of a wrong, because it had paid the farmers in that district $8 a ton for the beets when the competing company paid them only $7. And all of this that has been done by this sugar company has been done without either child or Mexican labor.

Of their thousands of employees in their 21 factories in four States, children are not on the pay roll. And right here I want to make a direct controversy against any of those who state otherwise. A question concerning child labor was asked the other day in which the gentleman stated that his premises had not been refuted in a certain record. No one seemed to be interested in the actual facts.

Another gentleman said:

> Scandalous child labor and imported Mexican labor conditions alone enable the Great Western Sugar Co., that produces one-half of our domestic beet sugar, to make its present profits.

The gentleman who made that statement several times stated, in substance, that if he made any misstatement he did not intend to do so and would apologize for it. I say to him and the country that it is my personal belief and the belief of the people of my State, in and out of official life, that that company does not employ child labor in either a scandalous or any other manner, and the same is true of imported Mexican labor. This belief is based upon personal observation and acquaintanceship in private life, and also as a public official, and not with any desire to appear here as an advocate of that company for any purpose except to directly refute the statement quoted, and, as far as I can do so, to help to erase from the fair name of our State a slander against some 5,000 or 6,000 workers who are as good American citizens as those who live in the best districts represented in this House. [Applause.]

And I want to state further, that if the gentleman had spent some of the time at the sugar factories in Colorado which he spent in the factories in the foreign countries mentioned by him and in other places, I believe he would never have made the statement and would be just as indignant as our people are. It is a reflection against the people of the Commonwealth of Colorado.

Let me tell you some more. Possibly you do not remember that some of the earliest white settlements in the North American Continent were in the country now within the boundaries of our State. Santa Fe is older than St. Augustine and is a very few miles from our southern boundary. There are buildings south and west of the Sangre de Cristo Range which are being used to-day and are reputed to have been there for over 300 years. When that territory was acquired from Mexico the population of those lands south of the Arkansas River was almost entirely a Spanish-speaking people, and in our State it is only four years since a person who only spoke and understood Spanish could be excluded from a jury and a trial had to a jury of people all of whom spoke and understood English. We have a large Spanish-speaking population. But they are not Mexican immigrants. It is to our State that people journey from all over this country to witness the ancient religious rites of the penitentes during Easter week.

According to the last census the population of the counties of our State acquired from Mexico was 90,631, of which 79,802 were native white persons and 9,688 foreign-born whites. There are some of the Negro, Indian, and other races, but the proportion of foreign-born whites to native born is 10.7 per cent. In the beet-sugar counties—some of which were also acquired from Mexico and not included in the figures just given—the popula-

tion is 253,010, of which 220,854 were native white persons and 29,558 foreign-born whites. The proportion in these counties is 11.7 per cent. You may compare that proportion with the population of other States and the result will not be unfavorable to Colorado.

If the thing complained of is that some people in the beet industry speak Spanish or Mexican, then we are very glad to admit it. One of the good old Spaniards of the old West was United States Senator Larrazolo, from New Mexico. He passed away just a few short months ago. Did any of you become acquainted with him when he was here?

Many of these Spanish-speaking people live in the vicinity of a great coal industry of our State. Their employment there is seasonal, as is employment in the beet fields. These seasons do not conflict. But the beet fields are not in that coal-mining territory, and those who desire to work in beet fields must necessarily travel from one place to the other as the work requires.

CHILD LABOR

I have denied the charge that the sugar factories employ child labor. If the charge is to be made at all, it must be made against the farmers, and I am not going to charge them with any wrong in permitting some of the children to help in the work in the sugar-beet fields any more than I charge farmers in any State of this Union with letting the boys or girls weed the garden, hoe the potatoes, ride the rake, or do any of the chores that the children do upon a farm. [Applause.]

The investigators and charity workers use the age of 16 as the line between child and adult labor. In our State, our statutes designate the age of 16 with this qualification—that any child of the age of 14 or 15 who has passed the eighth grade is not covered by the statute. If that statute is not as far-reaching as those of other States, I have only to state that when your investigators from the East have approached our public officials who are as interested in child welfare as any of you, they have been very much surprised to find the care that is provided for the children by our statutes. One of our most noted citizens has had his fame carried to every State and to foreign countries by his advocacy of child-welfare statutes. Do you think there is any abuse of children prevalent in our State in the beet fields, the farms, or ranches, or in any industries in the cities? Let me tell you that the statistical reports available show less than 100 complaints in any one year throughout the entire State for any violation of the child labor laws.

And when I tell this House that in each session of the Legislature of the State of Colorado since 1923 my State has refused to approve the child-labor amendment to the Constitution of the United States, you will appreciate that the reason therefor is not due to any disregard for child welfare, but, rather that there was a complete failure to produce before that body any kind of sufficient proof of statements made that the children of our State were being abused and that isolated instances of poverty and ignorance cited by the investigators did not truly reflect the condition of children in our State, either on the farms or in cities.

Reference was made in this House by one of the gentlemen to a pamphlet entitled, "Children Working on Farms in Certain Sections of Northern Colorado," issued by the Colorado Agricultural College under date of November, 1926. (Series 27, No. 2.) This was based upon studies made in 1924 in cooperation with the National Child Labor Committee. Did the professors or students of the college who made the investigation or compiled the report make any complaint about any injustice to any child covered by or mentioned in their report either in accordance to a case worker's idea of any wrong in the conditions surrounding the so-called "work" in which the child was engaged? There is not one recorded.

In all fairness to everybody concerned, the following paragraph from the preword of the pamphlet ought to be considered by any person who reads it:

> Obviously the unfavorable conditions of the children of the study were not all due to their present work. Obviously, too, the fact that the children and their families are better off where we found them than they were in the localities they left behind is not sufficient cause for refraining from trying to improve their present conditions.

And to-day the conditions, even of those mentioned in the report, have been improved to such an extent that the report of President Charles A. Lory, of the Colorado Agricultural College, dated to-day and sent by telegraph to me, shows a much different picture than that drawn by those who have used the report to make quotations in this House. President Lory's knowledge of conditions of farms of Colorado is obtained by personal observation. The telegram is a long one, and at this time I ask unanimous consent that the telegram from Doctor Lory and several other telegrams from State and Federal officials and other persons, some statistical and newspaper items, both of the present time and contemporaneous with the reports I will mention, and a translation of expressions in the Cuban papers not at all in accord with statements made in this House on behalf of the Cuban sugar growers or mills.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD, including therein certain telegrams, statistical, newspaper, and other items. Is there objection?

There was no objection.

FORT COLLINS, COLO., *May 17, 1929.*

Congressman WILLIAM R. EATON,
Washington, D. C.:

Conditions among beet workers in northern Colorado: The Great Western Sugar Co. has contracted for 207,000 acres of beets in northern Colorado for the 1929 crop, and will produce about 90 per cent of the Colorado output. Twenty per cent of the handwork is done by the growers themselves and almost all the machine work. About three-fifths of the remaining handwork is done by Spanish-Americans and two-fifths by Mexicans. It should be understood that most of the machine work and much of the handwork is done by the growers. About half of the problem is one in which the Mexican is not concerned at all.

During the period that the Mexican is at work he gets fairly good wages, but it is seasonal labor, though not different from much other labor throughout the United States each year. More effort is made to furnish winter work on the farms. The railroads help a little, the mines somewhat, and a few find work in the cities. We would emphasize the fact that the seasonal labor is not the fault of the farmer nor of the sugar company.

Housing conditions are improving rapidly. Houses satisfactory for use throughout the winter are much more numerous as evidenced by the fact that within six years the number of Spanish-speaking people remaining on the farms has quadrupled each year, shows more and more houses placed in better repair in the territory of the Great Western Sugar Co. Two hundred and eighty-five new buildings have been erected this year for the beet-worker families in northern Colorado. Almost every house is supplied with city water in a cistern.

In the city schools of Denver there is less juvenile delinquency among the Spanish-speaking children than among the children as a whole. The Mexican is learning by education and example to lessen the amount of crime. Presumably a large number of the criminal Mexicans sneak through the border. That group, often estimated as one-half the annual immigration, is not the fault of the farmer or sugar manufacturer.

The Mexican did not spend his money wisely until he came to the United States. He had none to spend. Charity workers report that each succeeding year that a Mexican family works in Colorado the less it needs help. Many organizations interested in the Mexicans—field men of the sugar companies, bankers, and busines men—are advising with the Mexicans. The county commissioners of one northern Colorado county say: "In so far as we can tell from our county-poor expenditure, the per cent spent upon the Spanish-speaking population is small in comparison." It would be fair to say the percentage is very low in comparison to other persons on the same plane socially. The Mexican children are receiving better education than ever before. They come to the farms of northern Colorado much retarded. Where the school boards and county superintendents enforce the law the Mexican children are showing much ability.

Periods of work and school overlap. The total period of work averages about 54 days. Many of the schools have what we called beet vacations, periods when school is closed, that all may help in the fields. Where beet vacations are taken the schools begin earlier in the fall during the period when there is no work and have less vacation at Christmas. For illustration, one school has for eight years had a six to eight weeks beet vacation, with the same amount of school in summer.

The trend is toward better school conditions. A notable advance has taken place relative to children working. When the study was first undertaken by our own department of economics and sociology nothing was said in the (sugar-beet) contract relative to the children working. The subsequent contract had stamped upon it that children under 10 years of age shall not work under this contract. Now that clause is printed in the contract.

Perhaps it should be noted, too, that with the coming of the Spanish workers there are fewer children working than before because the Spanish do not work their children as hard as the Russian Germans who preceded the Spanish-speaking people as beet workers.

COLORADO AGRICULTURAL COLLEGE,
By CHAS. A. LORY, *President.*

Mr. EATON of Colorado. There is another pamphlet printed by the United States Department of Labor's Children's Bureau—Bureau Publication No. 115 and entitled "Child Labor and the Work of Mothers in the Beet Fields of Colorado and Michigan"—which has also been referred to in previous addresses in this House. This report was transmitted to the bureau under date of July 18, 1922, and my information is that the material therefor was collected during the preceding year.

But whether the investigations were made in 1921 or 1922 makes no difference. The report reflects conditions of from six to eight years ago. It is extremely interesting to notice the credit given in the letter of transmittal to the sugar companies of Colorado. Note the words, "It is a pleasure to acknowledge the cooperation given by the beet-sugar companies and by local school officials in both Colorado and Michigan."

And again I ask, Did the investigators who made that report make any complaint to any authorities of the State of Colorado that any child mentioned therein was abused or that the beneficial child labor laws of our State had been violated? The records are silent.

In a paragraph cited from the Colorado Agricultural College report it is stated that "nine children were found working at 6 years of age." If any of you have had any experience with children in the field, you know that to consider such a statement seriously is a joke. I will not undertake to deny that the investigators found 6-year-old children in the field, and some who were 7 and other ages, but that these children were doing what honestly could be called "work" is almost beyond comprehension. Even if the investigators did find any of the children at "work," the record is silent that they made any complaint to any official. I met some of the people who talked about the investigations as if they had personally conducted them. I did not know then and I do not know now whether they were the identical persons who called at the ranches. And they were not all women.

I heard their several statements and speeches made to the committees of the Senate of the State of Colorado in 1923 and 1925, in support of their pleas for the adoption of the child labor amendment to the United States Constitution. That they were well meaning is not to be denied, but that they were not fully informed was also then and there demonstrated.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. EATON of Colorado. May I have 15 minutes more?

Mr. HAWLEY. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. COLE. Mr. Chairman, will the gentleman yield there?

Mr. EATON of Colorado. Certainly.

Mr. COLE. Did the gentleman hear the letter read, written by President Green, of the American Federation of Labor, earlier in the session this afternoon, in which Mr. Green referred to low wages paid in the sugar industry and said that because of such low wages labor was not interested in the development of sugar-beet culture?

Mr. EATON of Colorado. If Mr. Green's letter is based upon the governmental reports obtained in 1921 and 1922, I have already referred to them. But if Mr. Green's statements are based upon current wages or current conditions, they will be creditable to the people of the State of Colorado and to the beet workers and factory employees if such current data are produced with that letter.

In an effort to ascertain true conditions in our beet sugar districts I sent a number of inquiries to various State and city officials, and heads of charity disbursing organizations on the ground. Their replies, therefore, are up to to-day, having been received within the last 24 hours. Their statements are not the views of visitors to the beet-growing region, or of investigators who go there with preconceived prejudices. Some of the testimony introduced into the RECORD by opponents of the sugar tariff was from six to nine years old. It took into account no improvement in conditions that may have occurred since the surveys were made.

It has been claimed in these debates on the sugar tariff that the Spanish-speaking and Mexican workers employed by the farmers in the beet fields are pauper and peon labor, a burden on the community's charitable organizations.

This first telegram is from Anna G. Williams, general secretary of the social-service bureau at Denver. She says:

DENVER, COLO., *May 16, 1929.*

Congressman W. R. EATON,
House Office Building, Washington, D. C.:

You recall that the social service bureau at Denver renders charitable relief to nonresident families. Our cost for food, fuel, and other items furnished Mexicans and Spanish-Americans during the past year was approximately $2,500. During each of preceding two years we expended less than that amount.

ANNA G. WILLIAMS,
General Secretary Social Service Bureau.

There was only $2,500 expended on behalf of about 8,500 Spanish-speaking and Mexican nonresidents of Denver, or about 30 cents per person per year. These people annually produce farm wealth worth millions of dollars and also work in many other lines of employment. To a very large degree they take care of their own poor and make little or no demands upon the State, city, or county government. Certainly such demands as they make are conservative in comparison with the other elements of the population and contrasted with the value of their labor to the State as a whole.

The next telegram, from Miss Eunice Robinson, executive secretary of the bureau of charities of the city and county of Denver, is particularly significant. She said:

DENVER, COLO., *May 16, 1929.*

Congressman W. R. EATON,
House Office Building, Washington, D. C.:

Denver bureau charities expended following amounts calendar year 1928 for benefit of Spanish-Americans and Mexican resident families:

County relief fund, $3,000.
Blind benefits, $2,300.
Mothers' compensation fund, $3,600.
Total for Spanish persons $8,900 out of grand total $285,000.
Estimate Spanish persons comprise about 3 per cent total population.
Expenditures for preceding two years were probably less than for 1928.

Miss EUNICE ROBINSON,
Executive Secretary,
Bureau of Charities, City and County of Denver.

Few States have such aid to mothers as the mothers' compensation fund of our State.

This telegram from Miss Robinson shows that the Spanish-speaking and Mexican people in Denver, comprising about 3 per cent of the total population, received less than 3 per cent of the funds expended in the entire city and county by the local government for charitable purposes. In other words, they were not a disproportionate burden on the community.

The budget for our community chest is on a basis of approximately $2 per capita of our city population. The foregoing telegrams show that the total amount expended on behalf of the Spanish-speaking and Mexican people in Denver is only $1.30, so that the truth is, the care of indigent Mexican and other Spanish-speaking people in Denver costs the community 35 per cent less than the care of indigents of all classes.

I have two telegrams commenting on the statement of the president of the Humanitarian Heart Mission in Denver, which was inserted in the RECORD. The first telegram is from the head of the Denver Community Chest. It follows:

DENVER, COLO., *May 16, 1929.*

Congressman W. R. EATON,
House Office Building, Washington, D. C.:

Humanitarian Heart Mission is not a member of Denver Community Chest and receives no support from it.

I do not agree with statements made by mission president regarding pauperism of Mexicans in Denver. Experience of community-chest agencies contacting Spanish-Americans and Mexicans is that on the whole they are ambitious, home-loving people, independent, and need no more relief than other nationalities engaged in like walks of life. Ninety per cent of Mexicans contacted can read or write Spanish or English or both.

GUY T. JUSTIS,
Executive Secretary Denver Community Chest.

The other telegram, from G. E. Collisson, manager of the Denver Chamber of Commerce, stated:

The mission quoted has no standing with charities committee of chamber of commerce.

Next, I want to meet squarely and completely any lingering suspicion that may exist in the minds of Members of this House that the Great Western Sugar Co. itself uses child labor or exploits child labor. It does not. The proof comes from official sources.

I will read three telegrams on this point from the labor commissioner of the State of Colorado, the State factory inspector, and the Industrial Commission of Colorado. They follow:

DENVER, COLO., *May 16, 1929.*

Congressman W. R. EATON,
House Office Building, Washington, D. C.:

The records of the factory inspector's office show that the Great Western Sugar Co. does not employ child labor in any form or children in violation of school or child labor laws of State of Colorado.

M. H. ALEXANDER,
State Factory Inspector.

DENVER, COLO., *May 16, 1929.*

Congressman W. R. EATON,
House Office Building, Washington, D. C.:

The Industrial Commission of Colorado has never received complaints that child labor was employed by the Great Western Sugar Co. in its factories in Colorado.

W. H. YOUNG,
Acting Chairman Industrial Commission of Colorado.

DENVER, COLO., *May 16, 1929.*

Congressman W. R. EATON,
House Office Building, Washington, D. C.:

As labor commissioner ex-officio of the State of Colorado I can say that the State records disclose that the Great Western Sugar Co., in its factories and offices and all other branches of that company's operations, does not employ child labor in any form or children under 16 years of age in violation of school or child labor laws of this State.

CHAS. M. ARMSTRONG,
Secretary of State.

Now note to-day's detailed report of the director of the United States Employment Service of the Department of Labor for the eighth (mountain) district, who is located in Denver, and whose reply to my inquiry resulted in the following telegram:

DENVER, COLO., *May 17, 1929.*

Hon WILLIAM R. EATON,
Congressman First Colorado District,
House Office Building, Washington, D. C.:

Replying to your day lettergram of May 16 in regard the sugar-beet industry in northern Colorado:

All statements in this message are either estimated, approximated, or an opinion. Statements, however, are based on information from reliable sources.

The 1929 sugar-beet planted acreage in northern Colorado approximates 207,000 acres, an increase of about 52,000 acres over 1928 acreage.

Estimated required number of hand workers for sugar-beet thinning, hoeing, weeding, and topping will approximate 27,100 individuals. Of this number approximately 7,000 are alien workers.

The 27,100 workers are subdivided as to nationality as follows: Mexican aliens, 1,400 families, 6,000 workers; Spanish-American citizens, 2,000 families, 8,600 workers; German-American workers, 1,000 families, 4,500 citizens, and 1,000 aliens; American workers, 1,250 families, 6,000 workers; also including 1,000 miscellaneous individuals, chiefly American citizens.

Duration of contracted employment as follows: Thinning, 3 weeks, between May 15 and June 30; hoeing, 1 week, between July 15 and July 30; weeding, 4 days, during August; topping, 4 weeks, between October 1 and November 20.

Contract price for sugar-beet labor as follows: $23 per acre and 50 cents bonus per acre for each ton over a 12-ton average yield.

The hand workers for approximately 85 per cent of the sugar-beet acreage are 16 years of age or over. The hand workers for approximately 15 per cent of the sugar-beet acreage are between 11 and 16 years. While a few children under 11 years of age do some work in the fields, they are prohibited from so doing by the contract and the amount of their work is negligible.

Each contract-labor family is provided a house and ground for garden purposes free of rent. During 17 weeks other than the 9 weeks beet workers are engaged in sugar-beet field work—between May 15 and November 20—they have opportunity for intermittent employment in connection with railroad maintenance-of-way activities, grain harvesting, fruit harvesting, and miscellaneous part-time work.

Climatic conditions in the sugar-beet fields of northern Colorado are probably not excelled by any other agricultural district in the United States and are due to rarified air, altitude, and sunshine.

Respectfully submitted.

QUINCE RECORD,
Director Eighth (Mountain) District, Industrial Division,
United States Employment Service, Department of Labor.

An editorial in the Greeley Tribune of April 25, 1929, contained the following:

This item from the annual report of Miss Jean Scott, expert worker in charge of the relief activities of the city and county, with offices at the courthouse, is of special significance. Here is the quotation from the report:

"In March, 1929, when we reached the peak of the year for relief giving, of the 46 families and individuals receiving relief, only 3 families were Mexican."

The editorial concludes with this comment:

The report of the relief worker should be of special interest to those who blame the Mexicans for the large amount that it appears necessary to spend for charity in the county.

In the Greeley Tribune of December 6, 1925, appeared the following report on the return of children from the beet fields to the East Ward School:

The sojourn in the beets must have been good for the school kids. Miss Claire Avery, school nurse, weighed all of the children before they went to the fields, and weighed them again on their return, to find that they gained an average of 6 or 7 pounds each while working with the beets or spuds. Some of the boys gained as much as 10 pounds.

Greeley is in the heart of the Weld County beet-raising territory in northern Colorado, to which repeated reference is made in attacks on conditions of labor in the domestic sugar industry. Hence a few additional brief published reports of fairly recent date are interesting.

The Greeley Tribune of January 4, 1925, contained the following:

The report of the county nurse was given as follows:

"The Mexican children at the Gibson School have been weighed and examined by the doctor and nurse. There were 37 pupils at the time of examination. Twenty-four of these were normal weight, nine were less than 7 per cent underweight, and four were more than 7 per cent underweight. This is about the same percentage normal as American children."

Another clipping from the Greeley Tribune of February 12, 1927:

A meeting of the general committee for the House of Neighborly Service was held at the courthouse on Tuesday evening. The program consisted chiefly of talks by Miss Armitage and Miss MacKinnon concerning the conditions they had found among the Spanish-speaking people throughout Weld County.

Miss MacKinnon reported that no more malnourished children of school age are to be found among the Spanish-speaking people than among the children of other citizens of this community.

Here is a letter showing the interest of another large industry in this subject:

THE DENVER UNION STOCK YARD CO.,
Denver, Colo., April 16, 1929.

Hon. W. R. EATON,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Those interested in the production and feeding of livestock in Colorado and neighboring States are also intensely interested in the welfare of the beet-sugar industry.

It is a fact, however, that livestock feeding in the State is dependent very largely upon the sugar-beet crop of Colorado; likewise feeding in western Nebraska and eastern Wyoming. In a normal year there are fed in Colorado upwards of 200,000 cattle and 1,500,000 to 1,750,000 lambs, and the great bulk of this feeding is in the districts where there are beet-sugar factories or where beets are raised. The growing of beets and feeding of livestock go hand in hand. Alfalfa is grown to condition the soil for sugar-beet production, and the feeding of livestock makes a demand for the alfalfa. Livestock takes the output of pulp from the factories, as well as the beet tops from the fields, and it is no exaggeration to state that if beet growing should become unprofitable the feeding of livestock would be very seriously curtailed. In the history of livestock feeding in connection with beet growing, there have been few years when it was not profitable to feed cattle and sheep in the beet-growing sections. Colorado is not a corn-growing State, and beets, alfalfa, and rotation crops planted incident to beet growing supply the shortage of corn in such localities.

We feel it would be disastrous to the agriculture of the State if the interests of the beet-sugar business of the State should be jeopardized. It is our desire that in any consideration of a revision of the tariff which would affect adversely the beet-sugar industry you have in mind its importance to the production and feeding of livestock in Colorado and neighboring States.

With kindest personal regards, I am, yours very truly,

J. A. SHOEMAKER,
President and General Manager.

If I have not convinced you that the children of our State are not subject to the charges made, it is only because you have not heard what I have said or read to you. I ask you to read the balance of the report from the State officials and others, which will be printed in the RECORD. And, Mr. Chairman, may there also be printed in the RECORD at this point, translations of recent statements on the attitude of Cuban sugar interests, and another statement, both of which were handed me by Congressman TIMBERLAKE to be placed in this RECORD. [Applause.]

The Diario de la Marina, by the celebrated pen of its director, Doctor Rivero, says the following:

(a) The news of the tariff increase on sugars and other products of our country has not surprised anybody. It was a thing expected and announced by this periodical about a year ago. What is surprising and will continue to be surprising, is the policy of our sugar producers, which is shown by an innocence and ingenuousness that is amazing. Against the intelligent, energetic, and practical action of the North American producers, they have presented a disorganized front. Without unity of command, in full anarchy, they are trying to put out the fires of the enemy with theories and discourses.

(b) To keep on producing all the time at the lowest possible price has been the motto which has been inscribed on the flag of this army of deluded beings, who, like those of Israel, were waiting for a miracle which would lead them to victory. With reprehensible obsession our producers have clung to the idea that the best thing to do with

regard to sugar is to do nothing. This they say is letting natural laws operate. To do something to arrive at an understanding with the beet-sugar producers, to restrict where necessary, to ask for advantages in just compensation, to ward off the Philippine danger, to ally themselves with the producers of the North, to form a corporation to control the sales so as not to demoralize the market, are artificial means in the judgment of those wise men, who ought to go to be consumed in Limbo.

(c) From El Mundo:

"Allowed by the government full liberty to solve this problem, the Cuban sugar producers, by a great majority of votes in the Assembly of the Societies of Engineers, have decided not yet to adjust its activities to this or that rule, or this or that policy, but to act without any union, and to attack the problem of all, each one separately and against the rest.

"In the first place, it is necessary that we formulate a question. The problem of Cuban sugar—this fundamental problem which the producers will solve one of these days, without discussing whether or no it is worth the trouble of studying it—is it a problem of the sugar producers alone? Does it not reflect in a manner substantial and direct the economy of the entire Nation? Shall we not recall the period of good sugar prices, the 'fat kine' of our finances? Will we not call this period of low prices the 'lean kine,' utilizing again the Biblical phrase? Do we not know—and have we not proved time and again—that the money of the sugar crop is distributed throughout the entire territory of the Republic; and this being the case, it is certain that on the solution which is given to the sugar problem depends the entire complicated mechanism of the economy of the Nation.

"Under these circumstances is it possible that the sugar producers should be allowed the liberty of solving for themselves a problem which, while it is theirs, is also the problem of all Cubans?"

Diario de la Marine:

"If the United States were to abolish the duty on sugar altogether, the Cuban producer would not receive one-tenth cent a pound more for his product; but, on the other hand, if the tariff were increased to 3 cents a pound, which the beet producers are endeavoring to obtain, Cuba would not get a hundredth of a cent less per pound than she is getting with the present tariff.

"In the first case, our sugar would displace the domestic production in the United States, thus saving the Yankee consumer the millions which the Treasury is now collecting.

"In the second case, the North American producer would get from the people of the United States the millions of dollars which are represented by the increase in the customs duty."

WHERE WOULD WE GET SUGAR IN CASE OF WAR?

In order to make a study of the strategic position of any food commodity it is necessary to assume a major emergency in which the greatest possible military effort must be made by the United States and the loss of the entire control of the sea. From such a situation plans for less serious conditions can be easily deduced.

The sugar consumption of the United States for the past year was approximately 6,000,000 tons. Of this amount approximately 5,000,000 tons were brought in by the sea, and the remainder was supplied by the sugar industry of continental United States, both beet and cane. Sugar is one of a group of materials called "strategic" because they are essential to the conduct of a war, and because the major portion of them is brought into the United States by sea from foreign possessions or foreign countries. From the military standpoint that most valuable is the source within the limits of continental United States.

In case of a major emergency of the kind described above the Philippine Islands would be useless to the United States as a source of sugar supply. It is probable that during a war lasting over a period of three years the domestic beet industry could produce from 1,250,000 to 1,500,000 tons of sugar under the impulse war would give. It is probable that Louisiana could produce with Texas and Florida another 500,000 tons. It is probable with sugar substitutes—maple syrup, corn syrup, sorghum, honey, and so forth—the country could get along on one-third of its present consumption if control of the sea was entirely lost.

Therefore, the domestic production of sugar is of the greatest strategic importance to the Nation, to the Army, to the Navy, and to the civil population in time of war. The vast quantities of sugar that are needed are truly appalling, and should the domestic production of sugar in the United States be abandoned, because of insufficient tariff, or for any other cause, it would add to the necessities of the Nation at least another million tons per year of ocean-borne tonnage necessary.

CHEAP TRANSPORTATION FAVORS PHILIPPINES

Those who import Philippine sugar into the United States save about 50 cents per hundred pounds of sugar by importing it on tramp ships and other cheap transportation. They do not use United States ships. This traffic should be subjected to the coastwise shipping laws.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. EATON of Colorado. May I have two minutes more?

Mr. HAWLEY. I am sorry; I have already allotted the time.

Mr. Chairman, I yield 15 minutes to the gentleman from Washington [Mr. MILLER].

Mr. MILLER. Mr. Chairman and members of the committee, I want to direct your attention to Schedule 4, on page 102 of the bill, and especially to paragraphs 401, 402, and 403.

Paragraph 401 places an import duty of $1 per thousand, board measure, on logs of fir, spruce, cedar, or western hemlock, logs for pulp excepted.

Subparagraph (b), cedar, except Spanish cedar, planks, deals, siding, ceiling, flooring, and so forth, 25 per cent ad valorem.

Paragraph 402 deals with hardwood maple, 15 per cent ad valorem. I shall not discuss the hardwood schedule.

Paragraph 403, shingles made of wood, 25 per cent ad valorem.

Some Members, I am sorry to say, have loosely referred to Schedule 4 as the "building schedule"; others have referred to it equally loosely as the "lumber schedule." It makes no difference for what purpose this loose talk is made, whether it be made for the purpose of placing a wrong construction on this schedule or whether it be made from a general lack of understanding, these references are made nevertheless. Loose talk is a most unfair method of conducting an argument, especially on a matter of such great importance as a tariff bill. Let me say at the outset that there is no "building schedule"; there is no "lumber schedule" in this bill.

Brick, cement, stone, and lime—common building materials—are contained in various schedules throughout the bill and all are on the dutiable list wherever they may appear throughout the bill.

The discussion of lumber and shingles all appears to center in and about the Puget Sound area, though they are produced in great quantities throughout Washington, Oregon, Idaho, Montana, and California so far as the far West is concerned and throughout the great timber belt in the Southern States and South Atlantic States.

Lumber as a building material, as structural wood, is on the free list under the terms of this bill, is now on the free list under the present law, and has been on the free list for years and years.

Cedar is not now, never was, nor never will be a structural wood. It is not a building wood in the general accepted sense of the term. It is a wood of highly specialized uses. Of all the lumber produced in the lumber States not 1 per cent is cedar, it may not be one-half of 1 per cent. Of all the millions and billions of feet of lumber, building material, structural wood, produced in the States of Washington, Oregon, Idaho, California, Montana, and the other lumbering States there is not a cent of duty, not a foot board measure is on the dutiable list—all is as free as the wind of the hills, so let us get the "building schedule" and "lumber schedule," so far as cedar lumber is concerned, out of our minds. Let no farmer, or, so far as that is concerned, anyone else, get it into his head that he is going to build a cedar barn or cedar house or any other structure of cedar. He never saw or heard of one in his life. There is not a cedar house or barn in the whole areas of the prairie States of the Middle West—what we now call the great agricultural grain States.

Ninety-nine per cent of the lumber production of the State of Washington is fir lumber, dimension lumber, structural lumber, building lumber. In the Puget Sound area, the storm center of the discussion of Schedule 4, the percentage is the same.

When we are talking of lumber as a building material let us get it out of our heads that we are talking or thinking of cedar lumber. I am frank to say that I have never seen a house or barn built of cedar lumber, though I have lived in the heart of the cedar country for over 40 years. I have seen a few log houses far up in the hills, where a scragly growth of mountain cedar is sometimes found in clusters, built of cedar logs or rather poles, but that is all. So it is all loose talk to speak of a "building schedule" or a "lumber schedule" within the provisions of the bill. It is shocking to hear the loose talk about cedar lumber as if it was a structural lumber used in the building of ordinary frame dwellings or farm buildings. Get that straight, cedar is given over to specialized uses. The cedar industry, as the bill provides, is divided into two paragraphs, viz, paragraph 401 and its subparagraph (b), and paragraph 403, and relate to logs, cedar lumber, and cedar shingles.

Two addresses have been made during the discussion of the bill assailing Schedule 4, particularly the paragraphs above given. The first of these was made by the gentleman from

Illinois [Mr. HENRY T. RAINEY], the second by the gentleman from Iowa [Mr. RAMSEYER].

In the instance of the gentleman from Illinois, the general character of the address was so bitter, so evidently prejudiced against this bill or, for that matter, against any measure of Republican origin that any weight of argument it might otherwise have had was carried away in the maze of bitterness and abuse. It is not worth while to argue to an embittered, prejudiced man; it is wasted time and energy. I shall, therefore, pay no other or more attention to the gentleman from Illinois but take leave of him and his temperamental fault.

In the instance of the gentleman from Iowa, I am frank to say I had expected to hear a different kind of an address than he made Wednesday. His address was more in the nature of a criticism of the measure than one in commendation. For one who is a member of the Ways and Means Committee that wrote the bill, and for one who assisted in its preparation by the committee, he spoke a strange sentiment of his own handiwork.

No State in the Union will profit by this bill in a comparable degree to the great agricultural State of Iowa. The gentleman's State will be the greatest beneficiary of this measure. I for one am delighted that it will be; I rejoice in its good fortune. But this bill will beneficially affect every State of the Union, not at all to the degree that Iowa will enjoy but in a lesser degree. It will benefit us all if passed and approved by the President with its present provisions reasonably intact. Notwithstanding the gentleman from Iowa is a member of the committee that framed the bill, he went out of his way to make an attack on his own measure by assailing Schedule 4, and especially paragraphs 401 and 403. These two paragraphs will save our people in the State of Washington, save a vanishing remnant of our major industry in Washington, in Oregon, in Idaho, and do much, very much, to save a great industry in Montana and California. We are entitled by all the logic of economics to have our people benefit even though our major industry of the Puget Sound country be small as compared with the benefits that will flow to the people of Iowa. Our great product is lumber, structural lumber, building lumber, such as you gentlemen in Iowa, North and South Dakota, Nebraska, and Kansas build your houses and barns of, and we are not getting a cent's protective duty on that industry. You gentlemen do not pay a cent of tariff duty. One per cent of that production, cedar lumber and shingles, is on the dutiable list under this bill.

Let me ask how you gentlemen would feel if 1 per cent and 1 per cent only of your principal product was on the protected list and the 99 per cent, as with us, was on the free list? And that is not all. How would you feel—and I ask you to consult your own feelings—how would you feel if some one on the great Committee on Ways and Means, a place that all of us can not attain, would come along and try to take it out of the bill, where it had been placed alone upon the merit of its appealing, distressing condition?

I was shocked to hear the gentleman base his argument, or, rather, his statement, relating to paragraphs 401 and 403 upon the statement and brief submitted to the Ways and Means Committee by Mr. J. H. Bloedel. He mentioned no other name. Mr. Bloedel—Mr. Julius H. Bloedel—is a fellow townsman of mine. He lives at 1137 Harvard Avenue North, Seattle. I have long known him and I esteem him as a citizen of high standing. And let me say right here and in this connection that I did not bring him or his business into this debate on the floor of this House; he came in himself, his own voluntary appearance at the hearings before the committee, and then the gentleman from Iowa picks him out as the sole and solitary figure upon which he bases his address.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. MILLER. Certainly.

Mr. COLE. In behalf of my colleague [Mr. RAMSEYER], he did not attempt to criticize the bill. He simply stated the facts.

Mr. MILLER. I would long hesitate to bring in, even in the least of criticism, a gentleman whom I know so well and so favorably. But Mr. Bloedel brought himself here and brought with him his goods and his wares and his business and undertakes so far as he can to shape a great piece of national legislation from the standpoint of his own personal selfish interests as distinguished from the great bulk of the industry not so fortunately interested. What we are trying to do and what we will do by this bill is to save industries that are worth saving, that ought to be saved, not to make a rich man richer at the expense of the sacrifice of others.

LOGS—PARAGRAPH 401

The logging industry and the lumber industry, together with cedar lumber and shingles, was developed and flourished in the United States before it ever entered Canada. The Puget Sound country had hundreds of sawmills and shingle mills before British Columbia ever entered the trade. We have been logging and lumbering and making cedar shingles for half a century and more. Our most economical logging is near our great body of water, Puget Sound—tidewater—and the rivers that flow into it. That was the first timber cut and it is where the great majority of mills are located. As the cut progressed it gradually worked back from the water, and the farther the logger got back from tidewater the more expensive logging operations became, and the price of logs ever being the basis of the price of lumber and of cedar lumber and likewise of shingles, the greater the cost of logs the greater the price of lumber and shingles.

Mr. Bloedel, the star witness against paragraphs 401 and 403, started in the lumber industry on Puget Sound in the late nineties or early in 1900, in 1901, he states, and is now president and manager of the Bloedel-Donovan Lumber Mills, cutting on an average of a million feet a day—300,000,000 a year.

Mr. Bloedel is a cool, clear-headed business man; he knew of the constantly increasing expense of logging operations as loggers had to go farther back from tidewater. Accordingly we find this gentleman, and several other lesser American investors, looking longingly at the immense forests of British Columbia as yet practically untouched. Accordingly in 1911 Mr. Bloedel betook himself to that country and purchased "substantially" of British Columbia timbered lands. Mark you there was no tariff on logs at that time nor was there any until 1922.

Mr. Bloedel dealt with the great Lord Dunsmuir interests in British Columbia. Lord Dunsmuir had years before received a grant from the British Crown of an enormous acreage of timbered lands, so much that people generally called the Dunsmuir lands the "Crown lands of British Columbia." Mr. Bloedel invested "substantially" in this Dunsmuir tract with the intention, of course, of towing the logs to his tide-water mills on the American side duty free. He got the benefit of cheap timber lands and cheap logging operations, and all went merry as a marriage bell until the tariff act of 1922, when a tariff of $1 per thousand was placed on logs. He subsequently bought a sawmill and a shingle mill in British Columbia. His company in British Columbia is known as the Bloedel, Stewart & Welch Corporation (Ltd.), of which he is president and manager, and their product is shipped into this country, into the American market and sold to our people in direct competition with the product of American industry. In addition, 45 per cent of the labor is Oriental-Chinese and Hindu principally.

Of course, this clever gentleman wants the tariff taken off of logs. Are you surprised at his position? It was Mr. Bloedel's British timber and lumber interests that were speaking at the hearings before the Ways and Means Committee, not Mr. Bloedel the American, nor any American interests.

Mr. E. F. Blaine, of Granger, Wash., formerly of Seattle—war horse, wheel horse, dray horse, or whatever his rating may be in Democracy militant, late a candidate for governor—came hither to testify against any duty on logs, lumber, shingles, or anything else. Mr. Blaine, too, is "interested" in British Columbia timbered lands and logging, so of course this American gentleman wants no tariff on any of his British Columbia products, but, like all others, wants to come into the American market unrestricted in any way. He joins hands with Mr. Bloedel in a brotherly grasp both with countenances radiant in a glorious beatitude.

CEDAR LUMBER—SUBPARAGRAPH (B) OF PARAGRAPH 401

Cedar lumber, as I have said, is not a structural lumber. It is put to highly specialized uses such as the fancy panels, beveled siding, boxes, chests, shingles of all kinds stained, ornamental and plain, and the thousand and one uses to which it adapts itself.

The CHAIRMAN. The gentleman's time has expired.

Mr. MILLER. May I have five minutes more?

Mr. HAWLEY. I yield to the gentleman five minutes more.

Mr. MILLER. Cedar logs, the raw material, commands a high price. We are saving of cedar on the American side, we waste nothing or as little as possible. Often a cedar log is brought into the mill straight and clear on one side with knots and defects on the other. The clear half, or whatever portion is clear, is converted into this specialized lumber; from the remainder the knots and defects are sawed out and the balance converted into shingles. We manufacture cedar lumber coincident with cedar shingles and market the lumber and the shingles frequently, very frequently, in mixed carload lots. The cedar-lumber industry is inseparable from the cedar-shingle industry on the American side. In British Columbia it is different, due to the cheaper raw material. The story of cedar lumber is one thing on the American side, in British Columbia it is quite another.

CEDAR SHINGLES—PARAGRAPH 403

An import duty of 25 per cent ad valorem is provided in the bill. Prior to 1913 there was a specific duty of 50 cents per 1,000. In those days the industry was basic, it was healthy and staple. We supplied the American market with the best form of roofing ever known and at the lowest cost. In 1913 along came the Underwood Democratic tariff bill and the shingle industry in America, along with many others, headed toward the rocks. Shingles were placed upon the free list. The American market was opened up and made available to Canadian producers, more especially the shingle producers of British Columbia, and they hastened to take advantage of it. The United States is the only market for British Columbia shingles. With cheaper raw material and cheaper labor, and thereby cheaper production costs, the American market was flooded with this foreign production. British Columbia mills flourished like the green bay tree. In 1913, the year before that tariff act went into effect, only 643,000,000 shingles were produced in all of British Columbia. In 1925 British production reached the enormous amount of 2,685,000,000, an increase of 317 per cent. In 1926 there was a total production of 3,200,000,000, every shingle coming into the United States market, an increase in production of 379 per cent. American mills, due to higher cost of raw material and higher cost of labor, and thereby higher production costs, began to close down, facing insolvency and bankruptcy. Receiverships and insolvency fell like an evil shadow over the industry throughout the Northwest.

Since the tariff act of 1913 went into effect the production of shingles in British Columbia has increased over 240 per cent; and the American production has decreased 46 per cent, notwithstanding a general increase in the use of shingles throughout this country of 26 per cent and the sole exclusive and only market for the British Columbia product is within this country. There never has been, and I doubt there ever will be, a clearer case of a tariff necessity than exists to-day in the cedar-shingle industry of this country.

Here is an industry that during its livable days employed 12,000, 15,000, and as high as 18,000 men, with an invested capital of $50,000,000, vanishing from the field of American industry only by reason of the foreign invader.

There are 26 grades of cedar shingles known to the trade—the Tariff Commission states 29—running every way from culls through "common clears" to perfections, perfects, and royals—the lower the grade the cheaper and poorer the quality. This country can and does produce just as good a shingle, just as good a product as British Columbia. Of late years, however, this country has been producing a greater percentage of lower grade shingles than of high grades, while in British Columbia the reverse is the common rule. This is on account of high-grade raw material being had at a cheaper price. We have just as good raw material but it costs more.

I read on page 9613 of the hearings from the testimony of Mr. Bloedel that the production cost for the year 1928 in his British Columbia mill was $2.91 per thousand, while in his American mill it was $2.45, a differential of 46 cents in favor of American mills. It might be interpreted from these figures that production costs are higher in British Columbia than in America on the same identical grade of shingles.

That is not what Mr. Bloedel was saying, however, nor did he say it. No one will pretend, have the effrontry to pretend, that production cost is higher in British Columbia than in Washington or Oregon on similar equipped mills producing shingles of identical grade. It costs more to produce a high-grade shingle in British Columbia than it costs to produce a low-grade shingle on the American side, and that was just what Mr. Bloedel meant by his statement. To say that production costs in British Columbia of comparable grades of shingles are higher than American costs is absurd on its face. If such is the case, why is Mr. Bloedel operating his Canadian mill?

The gentleman from Iowa [Mr. RAMSEYER], in his address of Wednesday, undertook to state from the hearings the ridiculous result that generally in comparable grades production costs are higher in British Columbia. If such was the case, American industry could hold its own and there would be no need of a tariff on logs, cedar lumber, shingles, or anything else.

Some of the witnesses at the hearings on this bill undertook to suggest that the introduction of prepared, patented roofing into the market is one if not the chief cause of the decline of the American shingle industry. This is a far-fetched and fallacious argument. The use of cedar shingles, not only as a roofing but for ornamental house siding, is increasing. The shingle industry of this country fears no competition from prepared roofings.

Asbestos shingles of the type commonly sold as roofing carries three-fourths and 1 cent a pound tariff duty. Here we have an instance of a prepared roofing protected from foreign competition, while a natural, century-old material produced in America is left to struggle for itself as against foreign competition of its own kind and character. An ad valorem duty of 25 per cent will properly protect the industry.

Now let us see what this duty will add to the consumer. Nearly every witness says this duty will be absorbed by the retailer on account of the enormous profit he has made out of cedar shingles—prices he has had to maintain in order to hold prepared roofing as a competitor in the market. Suppose a farmer places a new roof on his house and it requires 10,000 shingles; suppose he buys a high-grade shingle for this purpose, upon which the duty is, say, 75 cents per thousand. That means this duty will amount to $7.50. The roof will last 40 years; that means the annual cost throughout the life of the roof will be less than 18 cents.

Is this a drain upon the user? What of the prepared roofing, enormously more expensive? What is this cost of shingles at 75 cents per thousand tariff as compared with shingles of asbestos at the rate of three-quarters and 1 cent per pound?

Gentlemen, the cedar-shingle industry as an American industry is vanishing under the unmerciful competition from British Columbia. It is worth saving; let us save it. The House, in the 1922 tariff bill, retained this tariff at 50 cents per thousand. It was stricken off in the Senate. Let us put it in the act of 1929, and it will stay.

Keep this in mind: No one appeared at the hearings to oppose this modest degree of protection for this industry except those who are interested directly or indirectly or have some connection with Canadian production. [Applause.]

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. DOUGHTON. Mr. Chairman, I yield 30 minutes to the gentleman from Indiana [Mr. CANFIELD].

The CHAIRMAN. The gentleman from Indiana is recognized for 30 minutes.

Mr. CANFIELD. Mr. Chairman and ladies and gentlemen of the House, we have listened patiently to this long, drawn-out tariff debate. We have heard many instructive and interesting speeches. We have heard some speeches that were humorous, and some that were both instructive and humorous. We have heard from high protective tariff men and from one Member who said he was in favor of free trade. The majority of speeches, however, seemed to come from men whom I feel are real representatives of the majority of the American people, that believe in a competitive tariff.

On the 16th day of April, when I sat here in this body and listened to the President's message, in which he said—

> I have called this special session of Congress to redeem two pledges given in the last election, farm relief and limited changes in the tariff.

I felt sure he meant what he said, and I am also sure the farmers of the country felt that he meant what he said and that the Members of Congress would help him fulfill the promises he made during the last campaign. [Applause.]

Later on in his message he said:

> The general result has been that our agricultural industry has not kept pace in prosperity or standards of living with other lines of industry.

Those of you who heard the message remember that he further stated he was in favor of an effective tariff upon agricultural products that would compensate the farmers' higher standards of living, and that he was in favor of some limited changes in other tariff schedules where economic changes have taken place and where new industries have come in to being in the last seven years.

Within a few days after Congress convened we passed what is known as the farm relief bill. Just why we should have to have a special session of Congress to pass this bill I can not understand. The facts are, ladies and gentlemen, this bill could have been passed seven years ago; for, in my opinion, there was never a time that President Coolidge would not have signed this bill. The farm leaders of the country and the farm leaders of this body have said time and time again that this kind of legislation would not accomplish the results desired, and why it should be satisfactory now is beyond me, for the facts are, about all this bill does is to create a new board that will be able to loan the cooperatives a little more money and give them a little advice, and it may make it possible to get some helpful farm legislation in the future.

Now, we have a bill reported, written by the Republican members of the Ways and Means Committee, which has for its purpose the fulfilling of the President's second pledge, "limited changes in the tariff."

The President said he was in favor of an effective tariff upon agricultural products and in favor of some limited changes in

other tariff schedules where economic changes have taken place. Notice he said he was in favor of "some limited changes."

I am wondering what kind of a bill would have been brought out by those in charge of writing this bill if he had not used the word "limited," and if he had not insisted that special consideration be given to agricultural products.

I understood, and I am sure every one of you understood from the President's message, that we were going to merely equalize the tariff; in other words, make a few changes in it that would be helpful to the farmers; but, low and behold, when the bill is brought out we find there are less than 100 changes that will help farming and agriculture in general and over 900 changes that will be helpful to industry and impose further burdens on our farmers.

Ladies and gentlemen, this tariff bill as reported might be a help to the farmer if he never came to town and bought anything, or if he lived in the backwoods, lived on what he could raise, and had no desire to own anything made out of metal or with glass, and did not even care to have shingles on his house; but, my friends, the farmer of to-day has passed far beyond that stage. His idea of a home is very much like the man of the city. His children feel that they are entitled to good clothes, an automobile, and the same comforts the city folks have. No longer are they satisfied with the old Ford and to wear the same old clothes when they go away from home that they wear while at work on the farm. His wife is interested in the making of a better and happier home for herself and family, and does not spin her own wool or make her cotton cloth out of which their clothing is made. She goes to the store and buys the things she has to have for her family and home.

The farmer no longer merely desires to trade. He wants to sell for cash and buy for cash. The articles he has had to buy were increased by the Fordney-McCumber law and will be increased much more if the present tariff bill becomes a law, while with the articles he has to sell under the proposed schedule there can be very little increase in agricultural products.

The facts are, ladies and gentlemen, for every dollar he receives in the way of an increase in the products he has to sell there will be an increased cost of at least $20 in the things he has to buy, and with all that, they try to make us believe that the passage of this bill will be helpful to the farmer. Be not deceived, such is not the case. Instead of calling this legislation for the relief of the farmer, why not call it by its right name, "A bill to relieve the farmer," for, as I stated before, he will be relieved of at least $20 for every dollar he will receive in the way of an increase in his products through this legislation.

Much has been said in the debate about the different schedules, and while there is much that can be said on all of them, I will only take time to discuss some three or four of them.

As I said before, there are less than 100 changes in schedules that are really helpful to the farmers.

In the Democratic platform adopted at Houston last year we find the following pledge:

> It is a fundamental principle of the party that such tariffs as are levied must not discriminate against any industry, class, or section. Therefore we pledge that in its tariff policy the Democratic Party will insist upon equality of treatment between agriculture and other industries.

Ladies and gentlemen, on the Democratic side I feel that it is the duty of every Member on our side of the House to do everything we can to see that this pledge to the farmers of the country is fulfilled. I stand ready to help fulfill this pledge. [Applause.]

In the Republican platform adopted at Kansas City I find the following pledge:

> A protective tariff is as vital to American agriculture as it is to American manufacturing. The Republican Party believes that the home market, built up under the protective policy, belongs to the American farmer, and it pledges its support of legislation which will give this market to him to the full extent of his ability to supply it.

To my Republican friends I have this to say: It is your duty to do everything you can to fulfill the pledge you made to our farmers, but this you have not done when you brought out this bill and propose that it shall become the law of the land. In my opinion, this bill falls far short of carrying out your pledge to agriculture.

I know of no words that express my views on this question that can be better stated than those written in the Washington Daily News, May 10, 1929, under the heading of Tariff Gone Wild.

The article reads, in part, as follows:

> The tariff bill is a mess. It is almost everything President Hoover said it must not be. The Republicans in Congress have put the President in a bad political hole.
>
> The President was elected on a specific pledge to limit tariff changes to agriculture and a few industrial schedules. This bill is a general revision. It revises more than 1,000 rates, less than 100 of which are agricultural.
>
> The President pledged adjustments to equalize tariff benefits. This bill makes practically no reductions; it is a wholesale increase.
>
> It will add uncalculated millions to the living cost of the American people in cities, towns, and country.
>
> It will not help the farmers as a class. What benefit to the farmer is a 66 per cent increase in corn tariff when imports are less than 1 per cent of consumption? Or a 100 per cent increase on dairy products when imports are less than 2 per cent? Or a 300 per cent increase on swine when imports are insignificant?
>
> It will hit the common people and hit them hard. It will boost the prices of food, clothing, and shelter. Sugar is raised 60 per cent. Clothing, blankets, wool are increased. The basic building materials, such as cement, lumber, brick, are pushed upward.

So much for the farm schedules. To say that the American farmer is disappointed would be putting it very mild, for the facts are he has every reason on earth to be disheartened for the many promises made him will still be unfulfilled if this bill is passed as it has been introduced. [Applause.]

GLASS SCHEDULES

It seems that considerable attention has been paid to the glass schedules, but instead of giving them the kind of attention they should have had and reducing the tariff rates on glass they have been increased. It seems that our farmers must be interested in the manufacturing of glass as this is a bill to help the farmers.

If they are, I am sure the change in the glass tariff rate will be highly pleasing to them, but the facts are, gentlemen, it will be very expensive to ninety-nine and ninety-nine one-hundredths per cent of the population of the United States.

Let us see who some of the interested parties are that will receive the benefit of this increase in the tariff on glass.

Pittsburgh Plate Glass Co., Mr. Mellon's company, a $50,000,000 corporation, paying dividends that run into the millions under the present tariff law.

The Libby Plate Glass Co., of Toledo, Ohio, a $13,000,000 corporation, paying tremendous dividends under the present law.

The Ford-McNutt Plate Glass Co., a $10,000,000 corporation, also a large dividend-paying corporation.

There are others, some not so large but all able to pay large dividends on their capital stock, much of which is watered stock. Ladies and gentlemen, why should there be a further increase in the tariff on glass, which means higher prices to the consumer and larger profit to the Glass Trust, that is already making tremendous profits.

The records show that Belgium is the principal importer of glass into this country, and I am reliably informed that their imports into this country in 1927 were approximately $2,000,000, while our imports into Belgium in 1927 were approximately $75,000,000. Why should the American manufacturer be protected against a foreign competitor when he is able to meet their prices in their own country and export approximately $75,000,000 worth of glass into that country?

I am reliably informed that the price of the Pittsburgh Plate Glass Co., for Canadian consumption, is 36 per cent less than they sell glass f. o. b. cars Pittsburgh for American consumption, and still they ask for an increase in their tariff rates, and it is given to them by the Republican members of the Ways and Means Committee.

You say it is a bill to relieve the farmer. If so, of what? My answer would be, every dollar you can possibly take away from him.

LUMBER AND SHINGLE SCHEDULE

I notice in the committee report they state, "Your committee made a few changes in existing wood schedule." In answer to this I want to say the changes they have made are plenty.

In checking over the bill we find they have placed an ad valorem duty of 15 per cent on maple and birch lumber, a 25 per cent ad valorem duty on cedar lumber, 25 per cent ad valorem on shingles. Plywoods have been advanced from 33⅓ to 40 per cent ad valorem. Baskets, from 35 and 45 per cent to 50 per cent ad valorem.

It is true they only made a few changes, but most of the changes they have made will increase cost not only to the farmers but to everyone that builds a home or buys anything made out of wood, in round figures, $300,000,000 per year more than it

is costing them at the present time. Placing a 25 per cent duty on shingles will mean an additional burden of $20,000,000 a year to the users of shingles.

Every Member of this body is receiving hundreds of protests against the shingle tariff. Not only are you receiving them from the users of shingles in the East, South, and Middle West, but you are receiving them from the State of Washington and Oregon as well, and why should not protests be made when the facts are the placing of a 25 per cent duty on shingles means an additional burden of $20,000,000 a year to the American people.

Much has been said, not only in this body but all over the country, about our national timber resources being rapidly depleted, and the facts are that our forest supply is being consumed much faster that it is being replaced. Recent developments in the Pacific Northwest, long considered the timber reservoir for the future, have brought out the fact that not only is the timber supply exhaustible but so close to exhaustion that there has been every effort possible made by lumber men to get control of the standing timber in the State of Washington.

The operators in that section realize the fact that their log supply is limited and that within five years they will be compelled to shut down their mills on account of lack of raw materials. This condition is so serious that a number of the chambers of commerce and the United States Forest Service have been doing everything they could to help the situation, and with all of this we are asked to put a tariff on lumber, logs, and shingles.

With these conditions confronting us, why should we put a tariff on shingles, logs, and lumber that come in from Canada? Could anything possibly be more uncalled for or contrary to the best interests of the American people? Why should we attempt to shut off the only source of supply that can be depended upon to extend the life of the remaining forests of America? [Applause.]

Ladies and gentlemen, this schedule should be eliminated from this bill, and I trust, in the interest of the American people, it will be possible to eliminate it before this bill is passed.

SCHEDULE 5—SUGAR AND MOLASSES

The sugar-and-molasses schedule is one that has been discussed much during this debate, and I think rightly so, for sugar is something that is used by everyone. It is a food, and we are told that last year the per capita consumption of sugar was 109 pounds here in the United States. When we levy an additional duty on sugar we are imposing an additional tax on every living person in the United States; a tax that must be paid by all. So before we levy a tax of this kind every consideration should be given to whether or not it is justifiable.

The Republican members of the committee tell us in their report that the domestic industry can not survive if the tariff is not increased on sugar. I am wondering what kind of a profit it will take for them to survive, for the records show that the Great Western Sugar Co., a company that handles about one-half of the sugar-beet products in the United States and about one-fourth of all the sugar business in the United States, said to be about 1,000,000,000 pounds, earned 44 per cent on their common stock last year and paid 7 per cent on their preferred stock. We also find that they have paid over 1,000 per cent on their common stock given as a bonus. Not bad stock to own, and if I owned some of it I can assure you I would not be afraid but what they would be able to survive under the present sugar tariff.

What else do we find? We find that under the rates of the Fordney-McCumber bill, according to the Farm Bureau Association, the present tariff on sugar is costing the American people $192,000,000 per year, and it is estimated that if this bill passes in its present form the additional cost to the American people will be from $80,000,000 to $100,000,000 more per year. The United States Sugar Association says it will cost $240,000,000 more per year. This, I think, is high, but it may not be. An increase of 2 cents per pound will cost the farmers of the country from $30,000,000 to $40,000,000 more per year.

Eighty-five per cent of all our sugar must be imported, and the only reason for raising tariff rates is to increase the price of sugar and give greater profits to the sugar-mill owners.

Ladies and gentlemen, can we as Members of this body, called here in extra session for the purpose of enacting laws that will be helpful to the farmers, increase tariff on an article that will give one company that it is said employs child labor and an army of peons $20,000,000 more profits annually?

It is estimated that there are 1,000,000 acres being used in raising beets and cane for sugar and it is estimated that a high price for all this land would be $150,000,000, and you and I are asked to vote for a bill that will increase the cost of sugar to the American people, at the very lowest estimate that has been given by anyone, $80,000,000 per year; but they say it is for the good of the farmers.

My friends, this tariff is not for the cane and beet farmer; if it was I am very much afraid it would not be in here. It is in the interest of sugar-mill owners and those who control the sugar industry in the United States. [Applause.]

I have listened very attentively to the debate on this bill and I have heard very little said about molasses, which is one of the items under Schedule 5. Higher tariff rates on molasses have been asked for, and I find that upon the cheaper grades, especially the one called blackstrap, the tariff has been increased quite considerably. Blackstrap, as I understand it, is used principally for the purpose of manufacturing stock food, which is bought by the farmers to feed their cattle and hogs, and it is also used for the manufacture of commercial alcohol.

The advancing of the feed that the farmer uses to feed his stock can not be considered as helpful to him; and in addition to this I am reliably informed that if the tariff on blackstrap molasses is advanced it will lend encouragement to those that are interested in the manufacture of synthetic alcohol, which uses neither grain nor molasses, and will in no way help to use up the surplus grain and cheap molasses produced in this country.

At this point, Mr. Chairman, I ask unanimous consent to insert in the RECORD as part of my remarks a copy of a letter written April 16, 1929, to Hon. W. N. Watson, of the United States Tariff Commission, Washington, D. C., by Mr. V. M. O'Shaughnessy, president of the Industrial Alcohol Institute (Inc.), of New York City.

For the benefit of the members of the committee I want to say that Mr. V. M. O'Shaughnessy is one of the best, if not the best, posted man in the United States on this question, and, knowing him as I do, I know he would not make a false statement, neither would he do anything knowingly against the interests of our farmers.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The letter referred to follows:

NEW YORK, N. Y., *April 16, 1929.*

W. N. WATSON, Esq.,
United States Tariff Commission,
Old Land Office Building, Washington, D. C.

DEAR SIR: For your information, we respectfully submit the following facts in connection with our industry:

The total available annual alcohol capacity in the United States is 220,000,000 wine gallons.

The total available annual grain capacity is 15,000,000 wine gallons.

The total present annual requirements for science and industry approximate 100,000,000 wine gallons.

There is a present surplus of annual capacity over annual production of 120,000,000 wine gallons which must be kept open and ready for contingencies, especially for purposes of national defense.

A study of the foregoing reveals that existing grain plants can supply less than one-seventh (15 per cent) of the present alcohol requirements. Consequently, not only would capital have to be supplied to erect new plants to produce alcohol from grain, but also the present investment in the molasses plants would have to be obsolesced, if for molasses there be substituted grain as a raw material. The capital invested in the molasses plants amounts to $55,000,000; and, assuming that the obsolescence were spread over a period of two years, there would be imposed upon the cost of manufacturing alcohol a charge of 27½ cents per wine gallon in order to absorb this obsolescence.

In addition to the obsolescence charge there would be increased costs of distribution due to the changed locations of the manufacturing plants.

In fact, the resultant necessary cost of alcohol to the consumer would be so high that synthetic manufacture of alcohol would ensue.

In the light of what has heretofore been furnished to the Committee on Ways and Means regarding synthetic ethyl alcohol, we respectfully submit that there are three proven processes for the manufacture of ethyl alcohol from sources not even remotely connected with agriculture, to wit:

1. From calcium carbide to acetylene to acetaldehyde to ethyl alcohol.

2. From calcium carbide to acetylene to ethylene to ethyl sulphuric acid to ethyl alcohol.

3. From natural or blast-furnace gases to ethylene to ethyl sulphuric acid to ethyl alcohol.

All of the above processes are very well known and have been operated on a commercial scale where economic conditions would permit. In other words, they are commercial and not laboratory processes.

It is well known that one of these processes was operated commercially during and since the war in Switzerland. The Journal of the Society of Chemical Industry, May, 1922, refers to the operation of a plant in Germany by the German Dye Trust and another plant in

Germany, at Burghausen. One of the plants had a capacity of one-half million gallons of ethyl alcohol per year.

The English, French, and German literature contains many articles on the production of synthetic ethyl alcohol by these processes.

Furthermore, current chemical publications in the United States—for example, Chemical Markets for March, 1929, in an editorial discussion on the economic effect of a prohibitive duty on molasses as a means of farm relief, points out the danger of such a proposal falling short of its purpose by bringing into existence synthetic processes as follows:

"More remote, but more serious, is the threat of synthetic alcohol made of purely chemical raw materials by chemical processes. The process has been worked out; it is not commercially feasible to-day, chiefly because alcohol is now made of a waste by-product, molasses, and there is virtually no limit as to how low its cost might go if faced with determined synthetic competition. Peg the molasses price, however, by whatever means and synthetic alcohol becomes distinctly a commercial proposition."

Authoritative published figures state that ethyl alcohol can be produced by these synthetic processes for 36 cents per United States gallon. We know from our knowledge of the cost of making carbide that alcohol could be produced by either one of the processes based on calcium carbide at even less than this figure.

There are no published figures for the cost of making ethylene from natural gas. It is known, however, that ethylene from this source is cheaper than acetylene and that the costs of converting ethylene into alcohol are likewise less than the cost of converting acetylene into alcohol. It follows, therefore, that the cost of making ethyl alcohol from ethylene derived from natural gas would be considerably less than the cost figure above mentioned.

In view of the above it follows that ethyl alcohol can be made by any one of the above-known synthetic processes at costs comparable with present costs by the fermentation process using corn.

In support of the above statements it may be noted that Arthur D. Little, president of the Society of Chemical Industry, says in his Industrial Bulletin of April, 1929:

"From ethylene, alcohol may be made, perhaps presently at a price that will compete with fermentation."

May we assure you of our desire to furnish you with any additional required information?

Yours very truly,

THE INDUSTRIAL ALCOHOL INSTITUTE (INC.),
V. M. O'SHAUGHNESSY, *President*.

Mr. CANFIELD. So much for the sugar and the molasses schedule. If this schedule is left in the bill, it means absolutely no benefit to the farmers, but instead another tremendous burden placed on his shoulders and larger profits to the sugar-mill owners of America. This schedule should also be eliminated from the bill.

In my opinion, what is even worse than the raising of tariff schedules beyond all reason is the continuing of the flexible clause that is in the present law; and in addition to that, in this bill you have given power to the Secretary of the Treasury and his subordinates to determine the value of any import brought into this country. If this bill becomes a law, it will be the duty of the Secretary of the Treasury to find out the value, and he will have the final word as to what the duty shall be. If this bill is passed, there will be no more need of a court of customs or your Court of Customs Appeals. If this bill is passed, you will surrender the rights of Congress to the Executive branch of the Government and will destroy the right of the judiciary, as far as customs are concerned.

I am a believer in the Tariff Commission. I believe this body should be a nonpartisan, fact-finding body; and I also believe that after this body has made a thorough examination of any rate that is not satisfactory, that these facts should be turned over to Congress and on these findings of fact the Congress should act.

I believe that the tariff should be taken out of politics and that it should be treated as a business and economic problem. [Applause.]

The writing of a tariff bill as it is done to-day is all wrong. This thing of "you scratch my back and I will scratch yours" is not the way to write a tariff bill; and, in my opinion, judging from what has gone on in the past and what is going on at the present time, that is the way this bill will be written if it ever becomes a law.

As a new member on the Ways and Means Committee it was not my privilege to be present at the lengthy hearings that were held previous to the writing of this bill, as they were held before I was elected a member of this committee, and as everyone knows none of the Democratic members of the Ways and Means Committee were privileged to have anything to say about the writing of the bill, but as a Member of this House, when I listened to the President's message on April 16, and when he said he was in favor of an effective tariff upon agricultural products that would compensate the farmers' high standard of living, and that he was in favor of some limited changes in other tariff schedules, I was in hopes that a bill would be brought out by the Republican members of the Ways and Means Committee that would fulfill the promises made by the President and that I could support it, for I agree with him that this is exactly what should be done, but, my friends, the bill as it has been introduced does not fulfill his pledge to the American people; in fact, it does about everything else.

I stand ready to support the tariff plank that was in the Democratic platform last year. Yes, I can support the tariff plank in the Republican platform, for in that plank they pledged themselves to enact tariff legislation that would be helpful to agriculture.

To vote for this bill as it has been introduced would be voting against the interest of not only the people I have the honor to represent but the great majority of the people of this country of ours, and without it is amended in many ways, so that it will be in the interest of the farmers, laboring men, and average business men of the country, I can not support it. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. DOUGHTON. Mr. Chairman, I yield to the gentleman from Kansas [Mr. AYRES].

Mr. AYRES. Mr. Chairman, in presenting the question of excluding aliens when making the count in arriving at a just and fair apportionment of Members of Congress, I intend to show, first, how a change was made in making the apportionment by Congress passing an act changing the election of Members of this House from at large in the States to districts, and that without a constitutional amendment, notwithstanding the fact that the constitutional lawyers at the time said it could not be done constitutionally;

Second. That Congress has the power, without a constitutional amendment, to pass an act to exclude aliens in making this apportionment; and

Third. That this is a question of a political character, and that a court would hold that it possessed no jurisdiction over the subject matter.

I shall cite many Supreme Court decisions supporting my contention on all of these propositions.

This is not the first time that the question of an apportionment has been discussed at length in both branches of Congress. This subject has always presented difficult questions. The very first apportionment measure passed by Congress was in 1792, and was vetoed by President Washington as unconstitutional, in that it provided for a Representative for each 30,000 of population, being the minimum fixed by the Constitution, and also an additional number to the States having the largest fractions left over after the division was made. In vetoing this measure Washington said:

The Constitution has also provided that the number of Representatives shall not exceed one for every 30,000, which restriction is, by the context and by fair and obvious construction, to be applied to the separate and respective numbers of States, and the bill has allotted to eight of the States more than one for every 30,000.

There was no attempt to pass another act to meet this situation prior to 1842, and therefore these fractions of population went unrepresented.

In 1842 an act was passed providing that from and after the 3d day of March, 1843, the House of Representatives shall be composed of Members elected agreeable to a ratio of 1 Representative for every 70,680 persons in each State and of 1 additional Representative from each State having a fraction greater than one moiety of said ratio computed according to the rule prescribed by the Constitution of the United States.

There was no greater power given Congress to pass the law in 1842 allowing a Representative for these fractions than there is at this time to pass a law eliminating aliens or persons not naturalized in arriving at a fair basis for apportionment. Yet it was passed and no constitutional amendment was required, and no court has held this law unconstitutional. It was a case of where Congress saw its duty and exercised the rights and powers expressly given to provide for a fair and equitable representation from each and every State, just as Congress should do at this time.

The act of 1842 also provided for the several States to be divided into congressional districts. Heretofore all Members of Congress had been elected at large. That is to say, Virginia had 10 Members of Congress. All 10 were elected by the vote of the entire State. And so it was with all of the States. When this provision of electing by districts was proposed the constitutional lawyers came forth and contended that the Constitution did not provide for such a law and therefore it was unconstitutional. It is true that there was no specific provision

in the Constitution for such a remedy as electing Representatives to Congress by districts, neither was there any provision in the Constitution that prohibited such a law. The constitutional provision at that time regarding the election of Members of Congress was:

(Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.) The actual enumeration shall be made within three years after the first meeting of the Congress of the United States and within every subsequent term of 10 years, in such manner as they shall by law direct. The number of Representatives shall not exceed 1 for every 30,000, but each State shall have at least 1 Representative.

It can readily be seen that there is no authority whatever to divide the various States into congressional districts. It might be interesting to cite a few of the many speeches made by recognized statesmen and great lawyers who contended that such a departure from the plain provisions of the Constitution as to pass a law providing for Representatives to Congress being elected from districts instead of the State at large was clearly unconstitutional, and to do so would require an amendment to the Constitution.

Just as many Members of this House and the Senate are contending at this time that it is necessary to have an amendment to the Constitution in order that aliens may be excluded in arriving at a correct basis for representation in apportioning the Members of Congress. Let me say that their reasoning is no better than the reasoning and arguments advanced by profound statesmen in both branches of Congress in 1842, when not a constitutional amendment but a statute was enacted providing for congressional districts.

The State of Georgia had some able statesmen in this House then, as it has at the present time, and one of its ablest statesmen was Representative Colquitt. No doubt it will prove interesting, not alone to Georgians but to all here to-day, to know just what he said relative to the question of congressional districts. On April 27, 1842, he made a strong plea to preserve the Constitution, in which he said:

I do trust that we shall have some limit to the constructions we give the Constitution, in order to increase the powers of the Federal Government, and curtail those of the States and the people. By whom are the Representatives of each State to be chosen? If the Constitution is to determine, the Members are to be chosen by the people of the several States. I would now ask any gentleman representing a district, if he was elected by the people of his State? He is, under the Constitution, a Representative of his State; and yet not one-tenth of the constitutionally qualified voters of his State had any voice in his election. Yet the Constitution declares the Members shall be elected by the people of the State. Each voter or elector in a State is entitled under the Constitution to exercise his suffrage in the election of as many Members as the State is entitled to send to Congress. * * * So that, although the majority of a State, and no matter how small that majority, ratified and adopted the Constitution, the minority was overruled. This having been the principle of action recognized in framing the Constitution, who will dare assert that they ever contemplated that either a State or a Congress would divide or district a State? It is contrary to the federative principle of our Government, and violates the Constitution by abridging the qualifications of Members to this House, and by curtailing the rights of the citizen.

Then a great statesman, Representative Payne, from Alabama, said:

His views were that they had no power under the Constitution to district the States, for another reason. By the exercise of such power, they would not only abridge the right of the citizen, but they went further and abridged the qualifications of the Representative, and prescribed a new one for the Member himself. Now, he asked if they could do indirectly what they could not do directly? They could not prescribe a new qualification by statute, but they indirectly did it by districting the States. The qualification of Representative prescribed by the Constitution was, that he shall have attained the age of 25 years, and been seven years a citizen of the United States, and, when elected, shall be an inhabitant of the State in which he shall be chosen. These were all the qualifications required by the Constitution, but they were about to require by this amendment, that each Member should live in a particular section of a State. Now, he hoped Congress would not attempt to do that indirectly which they could not do directly.

The State of New York at that time had some very able men in this House, one of whom was Representative Barnard, and in regard to this matter he said:

He knew very well it had been said, and the ground strongly taken in debate, that the States might divide their population into districts for the purpose of electing Representatives to Congress, but that this Government could not, and that the States should, elect by the whole body of the people voting for their Representatives. The plain conclusion from this argument would be that every individual who held his seat elected by the general-district system was here without authority; that would be the inevitable conclusion, if the Constitution was clear that every Representative must be voted for by the people of the States at large.

Now, suppose we see what was said on this question in the other body. Senator McRoberts, of the State of Illinois, said, that he was opposed to the amendment which provided for dividing the States into congressional districts because he considered it a violation of the Constitution of the United States.

Senator Wilcox, of New Hampshire, said he was opposed to the amendment on the grounds of unconstitutionality.

Thomas H. Benton, Senator from Missouri, said:

It is said the constitutional power of Congress to pass this bill is admitted; that it was admitted by the Senators from New Hampshire and New York (Messrs. Woodbury and Wright). He (Mr. B.) did not so understand them. He understood them as denying the constitutionality of this bill—this mandamus bill—which assumes authority over the States and commands them to district the States. [Messrs. Woodbury and Wright nodded assent to Mr. B.] Yes, said Mr. B., they deny the constitutionality of this bill; and so did he; and, he believed, so did all his friends.

Senator Bagby, of Alabama, said:

Mr. Bagby observed that whatever the views of Senators on this side of the House might be, with regard to the second section of the bill—whether modified, as proposed, or not—he was opposed to it in any form in which it could be presented. He considered it a proposition wholly unconstitutional. This Government possesses no powers except those expressly granted to it in the Constitution, and the power to pass laws necessary for carrying out those expressed powers. This he showed from the context of the instrument itself; and he pointed particularly to the power granted by the Constitution to the legislatures of the States of electing two Senators each and asked, was not the same right insured to the people of the States to elect their own Representatives? What, he asked, was it that led to the Revolution but the denial of the right of representation? And was not this Constitution a guaranty of the corrective?

I could go on and quote many, many more of such arguments against passing a law providing for congressional districts because such an act would be unconstitutional, contending that the Government possessed no powers except those expressly granted to it in the Constitution. But, notwithstanding all of the able arguments by great statesmen and constitutional leaders, both branches of Congress passed the law.

In spite of the act of 1842, some of the States continued to elect Representatives at large, but later, in 1872, an act was passed which provided that Representatives should be elected by districts composed of contiguous territory containing as near as practicable an equal number of inhabitants, and that provision was carried out in the subsequent acts of 1882–1891, and, as every one knows, is the law at the present time. It is conceded, so far as legislative declaration is concerned, that the act of 1872 emphatically expressed an opinion of having the power to require that the States shall be divided into congressional districts. Whether Congress has such constitutional right to enact such legislation has been for years a serious question. The very best opinion seems to be that the Constitution does not mean that Congress has that power, but that it has the power only to provide the means whereby a State should be represented in Congress when the State fails or refuses to make such a division. Nevertheless, these acts constitute the law at this time and they were passed without a constitutional amendment.

I want to refer to the discussion in Congress in 1871 when the "apportionment" measure was under consideration. This was subsequent to the adoption of the fourteenth amendment. The main question at that time was similar, if not the same, as the present controversy; that is, the apportionment of Representatives in Congress, based upon qualified voters or citizens of the United States. All during these debates there were many constructions made of that portion of section 2 of the fourteenth amendment which provides that—

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed.

I am taking it for granted that such a statesman as former President Garfield, who was at that time a Member of this

House and also a member of the Committee on the Census, should be good authority so far as my Republican friends are concerned, and should also be good authority so far as our Ohio friends are concerned. In a speech he made on December 6, 1871, which appears on page 35, volume 46, of the Congressional Globe, giving his ideas as to what would be a fair and just basis, and the manner in arriving at such a basis in conformity with the fourteenth amendment, he said:

As a member of the Committee on the Ninth Census in the Forty-first Congress I had occasion to look into this question, and a fact was brought out in that investigation which, I believe, is not generally understood by the Members of this House—that by the fourteenth amendment to the Constitution the basis of representation has been radically changed. Formerly the representative population of the United States was the whole actual population. Under the fourteenth amendment there was to be subtracted from the total population of each State, in order to get the representative population, a number to be ascertained as follows: All male persons 21 years of age were to be put down in one column, and in another all male persons 21 years of age who were denied the right to vote in any State for any other cause than crime or participation in the rebellion. Now, when those two sums were found the ratio they bore to each other was the proportion to be subtracted from the total population in order to get the representative population. The committee then proceeded to inquire what classes of persons were thus denied the suffrage under State law. I hold in my hand the report of that committee, in which it was shown what classes were excluded from the suffrage in the different States, as follows: Men were denied the suffrage—

1. On account of race or color in 16 States.
2. On account of residence on lands of United States, two States.
3. On account of residence less than required time in the United States, two States.
4. On account of residence in State less than required time, six different specifications, 36 States.
5. On account of residence in county, city, town, district, etc., 18 different specifications, 37 States.
6. Wanting property qualifications or nonpayment of taxes, eight specifications, eight States.
7. Wanting literary qualifications, two specifications, two States.
8. On account of character or behavior, two specifications, two States.
9. On account of services in Army or Navy, two States.
10. On account of pauperism, idiocy, and insanity, seven specifications, 24 States.
11. Requiring certain oaths as preliminary to voting, two specifications, five States.
12. Other causes of exclusion, two specifications, two States.

Here are twelve classes of causes why male citizens were excluded from the right to vote on other accounts than crime or participation in the rebellion.

It will be observed that Mr. Garfield's construction of the fourteenth amendment is that all male persons 21 years of age were to be placed in one column and in the other column there should be placed all male persons 21 years of age who are denied the right to vote in any State for what? For any other cause than crime or participation in the rebellion. Then he cited 11 different classes which are denied the right to vote in several States, among which is on account of residence less than the required time in the United States, clearly showing that, in his opinion, persons not naturalized are to be taken into consideration the same as others denied the right to vote. Of course, since the ratification of the nineteenth amendment it would mean all persons 21 years of age should be counted instead of all male persons.

The contention on the part of the proponents of the present apportionment measure is that it will take a constitutional amendment to empower Congress to exclude aliens in counting the whole number of persons in finding the population as a basis for apportionment. Cooley, in his work on Constitutional Limitations, states:

In regard to the Constitution of the United States, the rule has been laid down that where a general power is conferred or a duty enjoined, every particular power necessary for the exercise of the one or the performance of the other is also conferred. That other powers than those expressly granted may be, and often are, conferred by implication is too well settled to be doubted. Under every constitution the doctrine of implication must be resorted to in order to carry out the general grant of power.

The general power conferred on Congress by the Constitution as well as the duty enjoined is to "apportion among the several States Representatives according to their respective numbers." The Constitution provides specifically that Indians not taxed shall be excluded in counting the number of persons in each State in arriving at the proportion as a correct basis for such representation, and further provides that when the right to vote is denied a qualified citizen of the United States by the laws of any State, the representation of such State shall be reduced accordingly. The power to do these things just mentioned is specifically set forth in the Constitution and expressly granted. There is also a power conferred on Congress by implication which must be resorted to by Congress in order to carry out the general grant of power, and that is to pass legislation that will further protect each and every State in the apportionment of Representatives in Congress. There is but one method by which this can be done and that is to pass legislation excluding all persons not naturalized in each State when making the apportionment. It is contended by some that this can not be done because of being unconstitutional. My answer is that Congress has the power so long as there is no constitutional provision against it.

For illustration, the Constitution specifically authorizes Congress to pass legislation for an enumeration of the population every 10 years; but you may search the Constitution from the first to the last and nowhere can you find that Congress is given the power to make apportionment of the Representatives, but it has been doing this just as though it were a power expressly given; and why? Simply because it has been looked upon by Congress as a duty to perform. It is just as much of a duty to provide for a fair and just basis for such apportionment, and Congress has just as much power to do so as it has to make such apportionment. Mr. Story, in his work on the Constitution of the United States, in speaking of the powers of Congress, states:

Whenever, therefore, a question arises concerning the constitutionality of a particular power, the first question is whether the power be expressed in the Constitution. If it be, the question is decided. If it be not expressed, the next inquiry must be whether it is properly an incident to an express power and necessary to its execution. If it be, then it may be exercised by Congress. If not, Congress can not exercise it.

No one can contend that the question of excluding persons in each State who are not naturalized, when counting the whole number of persons to ascertain the population for apportionment, is not properly an incident to the express power granted Congress by the Constitution; or but what it is necessary in making a fair and equitable apportionment of Representatives among the several States.

One of the best definitions of the powers of Congress which may not be specifically delegated to it by the Constitution is given by Justice Story in the case of Prigg *v.* Commonwealth of Pennsylvania (41 U. S. 618). He said:

No one has ever supposed that Congress could constitutionally, by its legislation, exercise powers, or enact laws beyond the powers delegated to it by the Constitution; but it has, on various occasions, exercised powers which were necessary and proper as means to carry into effect rights expressly given and duties expressly enjoined thereby. The end being required, it has been deemed a just and necessary implication, that the means to accomplish it are given also; or, in other words, that the power flows as a necessary means to accomplish the end.

Thus, for example, although the Constitution has declared that Representatives shall be apportioned among the States according to their respective Federal numbers; and, for this purpose, it has expressly authorized Congress, by law, to provide for an enumeration of the population every 10 years; yet the power to apportion Representatives after this enumeration is made, is nowhere found among the express powers given to Congress, but it has always been acted upon as irresistibly flowing from the duty positively enjoined by the Constitution.

I can not conceive of better authority on the Constitution of the United States than Justice Story. He specifically points out that Congress should exercise powers which are necessary and proper as means to carry into effect rights expressly given, and duties expressly enjoined thereby, and calls attention to the constitutional provision which declares that Representatives shall be apportioned among the States according to their respective Federal numbers; and further, for that purpose the Constitution expressly authorizes Congress to provide by law for an enumeration of the population every 10 years. However, he says that the power to apportion Representatives after this enumeration is made is nowhere found among the express powers given to Congress, but notwithstanding that fact it has always been acted upon as irresistibly flowing from the duty positively enjoined by the Constitution.

There have been many acts passed by Congress where the Constitution did not expressly authorize them, but the courts have held such acts constitutional because the power to pass such legislation is conferred by implication, and it was necessary to resort to it in order to carry out the general grant of power.

For instance, the Constitution is silent on the subject of expatriation, but Congress passed an act which provides that:

Whereas the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness; and

Whereas in recognition of this principle this Government has freely received emigrants from all nations and invested them with the rights of citizenship; and

Whereas it is claimed that such American citizens, with their descendants, are subjects of foreign States, owing allegiance to the governments thereof; and

Whereas it is necessary to the maintenance of public peace that this claim of foreign allegiance should be promptly and finally disavowed:

Therefore, any declaration, instruction, opinion, order, or decision of any officer of the United States which denies, restricts, impairs, or questions the right of expatriation is declared inconsistent with the fundamental principles of the Republic.

In the case of Comitis *v.* Parkinson (56 Fed. Rept. 588), the court said:

There can be no doubt but that the department of government which, in the distribution of authority under the Constitution, has power over the subject of naturalization has it also over the subject of expatriation. The Constitution is silent on the subject of expatriation, but Article I, section 8, paragraph 4 provides Congress shall have power to establish a uniform rule of naturalization. Where the Constitution is thus silent as to who can denaturalize, that department which can naturalize must be held to have authority to expatriate.

Applying the same doctrine to the question of designating who should be excluded in the count in ascertaining the population to be used as a basis for apportionment, I say that so long as the Constitution is silent as to whether persons not naturalized should be counted or excluded, that Congress has the power to pass legislation which will clearly fix the status of such persons.

Justice Gray, in his opinion in the case of Logan *v.* the United States (144 U. S. Repts. 283), said:

Although the Constitution contains no grant, general or specific, to Congress of the power to provide for the punishment of crimes, except piracies and felonies on the high seas, offenses against the law of nations, treason, and counterfeiting the securities and current coin of the United States, no one doubts the power of Congress to provide for the punishment of all crimes and offenses against the United States, whether committed within one of the States of the Union or within territory over which Congress has plenary and exclusive jurisdiction.

The Constitution was silent on the question of the Federal Government providing for a bank at the time Chief Justice Marshall delivered his opinion in the case of McCulloch *v.* Maryland (17 U. S. Repts. 315). He said:

Among the enumerated powers we do not find that of establishing a bank or creating a corporation. But there is no phrase in the instrument which, like the Articles of Confederation, exclude incidental or implied powers; and which requires that everything granted shall be expressly and minutely described. * * * A constitution, to contain an accurate detail of all the subdivisions of which its great powers will admit, and of all the means by which they may be carried into execution, would partake of the prolixity of a legal code and could scarcely be embraced by the human mind. It would, probably, never be understood by the public. Its nature, therefore, requires that only its great outlines should be marked, its important objects designated, and the minor ingredients which compose those objects be deduced from the nature of the objects themselves. That this idea was entertained by the framers of the American Constitution is not only to be inferred from the nature of the instrument but from the language. Why else were some of the limitations, found in the ninth section of the first article, introduced? It is also, in some degree, warranted by their having omitted to use any restrictive term which might prevent its receiving a fair and just interpretation. In considering this question, then, we must never forget that it is a constitution we are expounding.

This opinion in all probability has been referred to by courts and textbook writers more than any other decision.

Justice Harlan, in the case of Boske *v.* Comingore (177 U. S. Repts. 468) said:

Congress has a large discretion as to the means to be employed in the execution of a power conferred upon it, and is not restricted to "those alone, without which the power would be nugatory"; for "all means which are appropriate, which are plainly adapted" to the end authorized to be attained, "which are not prohibited, but consist with the letter and spirit of the Constitution, are constitutional." Where the law is not prohibitive and is really calculated to effect any of the objects intrusted to the Government, to undertake here to inquire into the degree of its necessity would be to pass the line which circumscribes the judicial department and to tread on legislative ground."

In the Legal Tender case, reported in the One hundred and tenth United States Reports, page 439, the Supreme Court said:

A constitution, establishing a frame of government, declaring fundamental principles, and creating a national sovereignty, and intended to endure for ages and to be adapted to the various crises of human affairs, is not to be interpreted with the strictness of a private contract. The Constitution of the United States by apt words of designation or general description marks the outlines of the powers granted to the National Legislature; but it does not undertake, with the precision and detail of a code of laws, to enumerate the subdivisions of those powers or to specify all the means by which they may be carried into execution. Chief Justice Marshall, after dwelling upon this view, as required by the very nature of the Constitution, by the language in which it is framed, by the limitations upon the general powers of Congress introduced in the ninth section of the first article, and by the omission to use any restrictive term which might prevent its receiving a fair and just interpretation, added these emphatic words: "In considering this question, then, we must never forget that it is a constitution we are expounding."

So with this interpretation of the power of Congress under the Constitution made by the most eminent jurists of this country, why should we hesitate to pass the necessary legislation to exclude aliens from the count in making the apportionment?

I have no fault to find with an alien. In this country they have certain rights in which they are protected. I am finding fault with the law which gives aliens the same rights as citizens, and, under certain circumstances, greater rights; for under the present arrangement it is possible for the alien to be preferred over American citizens. It is provided that if a citizen is denied the right to vote, or such right is in any way abridged by any State, the representation of such State may be reduced, and therefore he is without representation; while the alien who has no right to vote is counted and hence represented. Such a situation was never intended by the framers of the Constitution. It must be remembered that when the Constitution was in the making there was little or nothing said regarding aliens. The demand at that time was for more people in this country. History reveals the fact that at that time there was probably not a naturalization law in many, if any, of the States; that is, what would be called naturalization laws at this time. There were but few aliens here at that time. There are at this time between seven and eight millions of foreigners, not naturalized, in the United States, all of whom are being counted in arriving at the whole number as a basis for apportionment. This is unjust and unfair to the qualified citizens of this Republic, who are entitled to have their representation in Congress based upon the citizens of this country who meet the required qualifications as provided by the Constitution.

It is contended by the proponents of the pending apportionment measure that it is the duty of Congress to pass this bill at this session. My contention is that it is also the duty of Congress to exercise the rights expressly given to provide for a fair and equitable apportionment among the several States, that no State shall have Representatives in Congress based upon a population any part of which should be excluded by reason of being denied the right of suffrage owing to the lack of required qualifications. This is the end required in order to have a fair representation in Congress from each and every State; and in the language of Justice Story, Congress may deem it a just and necessary implication that the means to accomplish it are given also; that is, that the power flows as a necessary means to accomplish this end.

Who can question such legislation? The Constitution provides that—

all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

This means that Congress can, within the limits of its powers, either expressed or implied, enact any statute within the constitutional restrictions for the purpose of accomplishing the objects for which the Federal Government was established. Long ago Chief Justice Marshall, in construing this constitutional provision, said:

The sound construction of the Constitution must allow to the National Legislature that discretion, with respect to the means by which the powers it confers are to be carried into execution, which will enable that body to perform the high duties assigned to it in the manner most beneficial to the people. Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution are constitutional. Where the law is not prohibited, and is really calculated to effect any of the objects intrusted to the Government, to undertake

here to inquire into the degree of its necessity would be to pass the line which circumscribes the judicial department, and to tread on legislative ground. This court disclaims all pretensions to such a power.

This doctrine has been followed by the judiciary from that day to the present. This means that the courts will not interfere with a question purely political, such, for instance, as excluding aliens from the count in enumerating the persons as a basis for apportionment.

In the case of Fong Yue Ting *v.* United States (149 U. S. 712), Justice Gray said:

In exercising the great power which the people of the United States, by establishing a written Constitution as the supreme and paramount law, have vested in this court, of determining, whenever the question is properly brought before it, whether the acts of the Legislature or of the Executive are consistent with the Constitution, it behooves the court to be careful that it does not undertake to pass upon political questions the final decision of which has been committed by the Constitution to the other departments of the Government.

In the case of Luther against Borden, the United States Supreme Court, in defining its duty on a political question, stated:

But, fortunately for our freedom from political excitements in judicial duties, this court can never with propriety be called officially to umpire in questions merely political. The adjustment of these questions belongs to the people and their representatives either in the State or General Government.

That means that if Congress sees fit to enact a statute which provides for the exclusion of aliens in the count of population for apportionment it is a question belonging exclusively to the people and their Representatives in Congress, and that no court has the power to act as an umpire in adjusting the question.

The case of the State of Georgia *v.* Stanton (73 U. S. Repts. 77) involved the question of the State government of Georgia during the reconstruction period following the war. Complaint was made against Secretary of War Stanton in his construction of the congressional act under which he was operating. The complaint or bill went so far as to allege that the State of Georgia owned certain real estate in its capital, including the governor's mansion and other real estate, but the Supreme Court of the United States held that the bill and the prayer for relief called for the judgment of the court upon a political question, and upon rights not of persons or property but of a political character, and that notwithstanding the fact that the complaint alleged that the State of Georgia owned certain real estate in the State capital and that by putting the acts of Congress into execution and destroying the State's property would deprive it of the possession and enjoyment of such property, did not eliminate the political character of the controversy as that was the question involved, and that it possessed no jurisdiction over the subject matter, so dismissed the bill.

In the case of Jones *v.* The United States (137 U. S. 210) was where the defendant Jones was convicted of murder on the island of Navassa. Congress had passed a law authorizing the President to determine that the island of Navassa should be considered as appertaining to the United States, also that it be attached to the State of Maryland for judicial purposes. The defendant Jones questioned the jurisdiction of the court and the validity of the act of Congress conferring this jurisdiction. In his opinion Justice Gray said:

By the Constitution of the United States, while a crime committed within any State must be tried in that State and in a district previously ascertained by law, yet a crime not committed within a State of the Union may be tried at such place as Congress may by law have directed. * * * Who is the sovereign de jure or de facto of a territory is not a judicial question, the determination of which by the legislative and executive departments of any government conclusively binds the judges as well as all other officers, citizens, and subjects of that government. This principle has always been upheld by the courts, and has been affirmed under a great variety of constructions.

In the case of Wilson *v.* Shaw (204 U. S. Repts. 30) was where a citizen undertook by injunction proceedings to prevent the Secretary of the Treasury from paying money to the Panama Canal Co. and the Panama Republic. The construction of the canal had been authorized by Congress and money appropriated to meet the expenses incident thereto. Justice Brewer, in his opinion, said:

For the courts to interfere and at the instance of a citizen, who does not disclose the amount of his interest, stay the work of construction by stopping the payment of money from the Treasury of the United States therefor, would be an exercise of judicial power which, to say the least, is novel and extraordinary. Many objections may be made to the bill. Among them are those: Does plaintiff show sufficient pecuniary interest in the subject matter? Is not the suit really one against the Government, which has not consented to be sued? Is it any more than an appeal to the courts for the exercise of governmental power which belongs to Congress?

Should we pass an act for apportionment in which it is provided that aliens should be excluded in the count; in the language of Justice Brewer, who can show sufficient pecuniary interest in the subject matter to maintain an action to contest the validity or constitutionality of the law? Could the court consider such an action other than an appeal to the courts for the exercise of governmental power which belongs to Congress? [Applause.]

Mr. HAWLEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. TILSON having assumed the chair as Speaker pro tempore, Mr. SNELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 2667) to readjust the tariff and had come to no resolution thereon.

THE COTTON FUTURES ACT

Mr. O'CONNOR of Louisiana. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. O'CONNOR of Louisiana. Mr. Speaker, in the RECORD of this morning appears a bill, printed in full, introduced by Senator RANSDELL, of Louisiana, with an accompanying statement which, in my judgment, ought to have the interest of every Member of this House and of the Senate who are interested in the cotton industry. The bill to which I refer is one to amend the act of August 11, 1916, entitled "United States cotton futures act," and the statement by Senator RANSDELL is explanatory of its purpose and the reasons that actuate him in proposing the legislation which I believe every well-wisher of the cotton indutry in all of its ramifications will indorse and hope to see him enact into law. That statement and that bill, coming from the senior Senator from Louisiana, who for years was a Member of this House and has for years been a Member of the Senate—his public life running into 30 years—in my opinion, is worthy of the attention of the cotton grower, the cotton buyer, the cotton broker, and the cotton spinner as well as that of the merchants, great and small, whose living or income is dependent upon the prosperity of the mudsills of the industry, the cotton planter himself. Senator RANSDELL has spent the greater part of his life in promoting the welfare of the people not only of the section in which he dwells but of the entire country, and particularly of those interested in that industry to which he has devoted the best efforts of his public career. As an outstanding figure in every waterway convention held in this country during the last 40 years, as a president of the Rivers and Harbors Association he so directed his energies as to make them of benefit to the great industry without which the South would be without some of its finest history, tradition, story, and song, for to us cotton is a glory before which the grandeur of other staples fades into agricultural insignificance.

As an evidence of my sympathy with and a thorough understanding of his attitude, I have this day introduced a counterpart of his bill. I shall in a small way endeavor to play the part of an Aaron and support my great colleague, one who might without flattery be called a Moses to the cotton people, for he has always been a hero in the strife, unawed and unmindful of the rhetorical fury of those who know not what they would do, who in the pursuit of an economic will-o'-the-wisp or jack-o'-the-lantern fallacy would finally stumble from a wilderness of doubt into the quagmire of ruin. The cotton industry needs bold, courageous, and aggressive thinkers and champions and advocates, journalistically and legislatively. In the conservative but forceful Senator from Louisiana the industry has a leader of which it is proud. Read, you cotton men, the Ransdell bill and learn from the wisdom it expresses and then join your efforts to his and enact the proposed measure into law.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CAREW, for an indefinite period, on account of illness in family.

To Mr. HARE (at the request of Mr. DOMINICK), for three days, on account of the death of his mother.

To Mr. KNUTSON (at the request of Mr. PITTENGER), for one week, on account of death in family.

To Mr. O'CONNELL of New York, for an indefinite period, on account of illness.

EXTENSION OF REMARKS—THE TARIFF

Mr. BURTNESS. Mr. Speaker, on Tuesday, May 14, I made a full presentation to the Republican members of the Ways and Means Committee on behalf of a larger increase in the tariff on flaxseed than that carried in the pending bill.

The response seemed very sympathetic. The matter was referred to the agricultural subcommittee for further consideration, and I was requested to prepare and submit a short memorandum setting out our views, which has been done.

This involves one of the most important items in the bill to agriculture. I therefore submit such memorandum for the RECORD so that all the Members of the House may give study and consideration to the proposal, and I most earnestly bespeak favorable action thereon.

MEMORANDUM RE HIGHER DUTY ON FLAXSEED (H. R. 2667)

The paragraph involved is No. 760 in schedule 7, Agricultural Products and Provisions, and involves the item reading "Flaxseed, 56 cents per bushel of 56 pounds."

In my presentation before the Republican members of the Ways and Means Committee, I represented the sentiment expressed in informal conferences of the delegations in the House from practically all the farm States of the Middle West and the Northwest. The Representatives from States not producing flax are just as much interested in this question as those from States which constitute the flaxseed-producing area. The reason for this is that increased production of flaxseed in the States of North Dakota, South Dakota, Montana, and Minnesota would of necessity decrease the acreage of other grains and particularly of wheat and thus reduce the serious problem of obtaining a proper price for our export surplus crops. The same machinery and equipment that is used in producing wheat is used in the growing of flax. Every State which produces any wheat is, therefore, much interested in any proposal which would increase the acreage of flax.

The request of farm organizations was to increase the duty to 1½ cents per pound, or 84 cents per bushel. The bill carries a rate of 1 cent per pound, or 56 cents per bushel. Our compromise proposal at this time is to make the rate not less than 1¼ cents per pound, or 70 cents per bushel.

We have the land and the equipment. There is no question but that our production can be greatly increased if our producers can obtain a price for the seed so that the growing thereof becomes profitable. Such an aim comes strictly within the plank included in the Republican platform adopted at Kansas City reading as follows:

"The Republican Party believes that the home market built up under the protective policy belongs to the American farmers, and it pledges its support of legislation which will give this market to him to the full extent of his ability to supply it."

The extensive investigation conducted by the Tariff Commission has greatly simplified the questions involved. At about the very hour that I presented our case to the Republican members of the Ways and Means Committee, the President promulgated an order increasing the tariff on flaxseed to 56 cents per bushel in accordance with the recommendation of the Tariff Commission. The report of the commission to the President is now available, and reference thereto will indicate that I made no misstatements before the committee.

In view of this report this brief can be greatly shortened. The committee is interested in the final conclusions rather than in the detailed facts upon which the conclusions are based. I would, therefore, respectfully refer the members to Table 25, found on page 70 of the mimeographed report, which compares domestic and foreign costs of production for the years 1925, 1926, and the 2-year average including transportation charges to the principal consuming markets. The commission elsewhere in its report definitely holds that the principal consuming market is New York.

Taking the 2-year average, which, by the way, has eliminated production costs in 3 of the 10 domestic areas because of unusual low yields in one year, we find that the commission places the farm cost of United States production at $2.155, elevator costs at $0.085, and transportation charges to New York at $0.299, making a total domestic cost at New York of $2.539.

For the same period Argentinian costs, including elevator charges, amount to $1.846; transportation costs to New York amount to $0.137, or a total cost laid down in New York of $1.983. The commission in this table finds that the amount by which domestic costs exceeded Argentinian costs, including transportation to New York, is $0.556.

Our sole issue with the commission is the fact that, as shown by the report, the commission was unable to make its own investigation to ascertain the cost of production in Argentina. The statistical appendix added to the report shows that the commission had before it one report prepared by the Argentine Government itself, showing just what the production costs are (Table 30, p. 89), and also a report published in January, 1928, by the La Sociedad Rural Argentina at Buenos Aires, showing cost of production in Argentina at different values of land and yield per acre (Table 31, p. 90). I handed to the committee members a copy of the first report prepared by the Minister of Agriculture, and I am confident that those who examined it were impressed by the detailed investigation upon which it was based, for it showed most definitely each and every item entering into the cost of the production of this crop.

Our complaint is that these valuable exhibits were entirely disregarded by the Tariff Commission in making its recommendation to the President. In fact, its recommendation is based not upon production costs at all but upon investigation obtained from importers' records and invoice data. (See Table 17, p. 50.) It is upon this data that the net price f. o. b. Argentina on a clean-seed basis is found to be $1.846, which, with transportation charges of $0.137, makes a net price c. i. f. in New York of $1.983.

We most strenuously contend that invoice data should not be taken into consideration where satisfactory evidence of production costs can be obtained. Everyone knows that invoice data represents not production costs but simply what any given product will bring in the open market at a given time under the marketing conditions then existing. Production costs often constitute but a minor factor in the determination of a market price. Of much greater moment are such questions as the world's supply of the product at the time under discussion, the demand therefor in various world's markets, the size of the crop in each and every one of the producing countries, the existence or otherwise of general prosperity within nations which desire the commodity, a depression or boom in the industry which uses it, and many other factors unnecessary to enumerate at this time.

A further conclusive objection to the acceptance of invoice data when other evidence can be obtained is the fact that the invoice price, whether taken at Buenos Aires or at New York, on Argentine flax includes in it the profit of every person who has handled the crop, beginning with the farmer and ending with the exporter. In view of the fact that this is conceded, it is our contention that it is unfair to the American producer to include such profits in the case of Argentine flax but to exclude them in the case of domestic flax. Certainly no more severe criticism of that method can be presented than the remarks of Vice Chairman Dennis, of the commission, made a part of the report to the President by way of general comment.

Argentine authorities have prevented our commission from ascertaining foreign production costs in accordance with the methods generally used by the commission. Inasmuch as this action has been taken by Argentinian authorities, it is our contention that Congress at least is, therefore, justified in accepting detailed and well-prepared official reports of that Government showing what such production costs are. The report already referred to, summarized in Table 30, page 89, of the commission's report, shows such cost to be $1.37 with the grain delivered to the hold of the boat. To this may be added transportation charges amounting to $0.137 to New York, making a total cost in New York of $1.507. Deducting $1.507 from domestic costs found by the commission, $2.539, and we have a difference of $1.032.

In order to safeguard the interests of the consumers, and also to prevent an undue increase in flaxseed production in the United States, which might put us on an export basis and thus destroy the benefit of any tariff, we have at no time asked that this large difference in costs of production be entirely equalized. We do, however, feel that we should not give the foreign producer and the importer the advantage of including all his profits in determining competitive conditions existing without crediting similar profits to the domestic end. We are entirely convinced that such profits added without justification amount to something like 30 cents. At this time, however, we are only asking for a compromise which would take away the right to add 14 cents of that profit. This will be accomplished by making the rate of duty 70 cents per bushel.

The report of the commission also shows that flaxseed production has not been profitable in the United States. The market price at the local elevators has been consistently less than the cost of production. Because of this fact, acreage and production has steadily decreased in the United States since 1924, while in Argentina acreage and production have steadily increased, conclusively showing that the growing of flaxseed has been profitable in Argentina, but unprofitable in the United States. The acreage in the United States in 1924 was 3,469,000, and in 1928 only 2,631,000. In Argentina the acreage in 1924 was 6,322,343, while in 1928 it was 7,297,000. These figures are furnished by the Bureau of Agricultural Economics.

A fair question is whether the proposed increase of 16 cents carried in this bill, and as recently proclaimed by the President, will not change this situation. Unfortunately, such is not the case, unless we continue to produce only approximately 50 per cent of our domestic needs. The reason therefor, when explained, is plain. It will be found in Table 33, on page 76 of the commission's preliminary statement of information. Analyzing those tables, it will be found that production heretofore existing takes care of the needs of the crushers located at Minneapolis and at points on the Great Lakes. We are this year increasing our acreage to a very large extent in the Northwest, due largely to an extensive campaign held for the purpose of cutting down the wheat acreage. This means that with a normal yield much of our crop will have to be sent to the Atlantic seaboard, and it will cost us approximately 12 cents per bushel more to get it to the Atlantic crushers. In view of this fact, the 16 cents increase in tariff will yield the farmers an additinal net price

of not more than 4 cents. This is not enough when he has for years been selling his product below the cost of production.

The additional 14 cents proposed by way of compromise, or a tariff of 70 cents per bushel, would in normal times simply make it possible for us to reach the markets in the large consuming centers of the East at a price which would barely cover the cost of production, including the rental value of the farmers' land and compensation for his labor. The American farmer is entitled to reach America's largest market for this product, the congested centers of the East. Especially is this important when by so doing the American farmer can reduce his surplus in wheat and thus save the cost of transporting such wheat to Europe, as well as stand a better chance of making the wheat tariff effective for the producer.

Granting our request would in a substantial way also simplify the task of the Federal farm board provided for in the farm bill now pending. Our position is supported by the farm organizations of the country, and we urge favorable consideration at the hands of the committee.

Respectfully submitted.

O. B. BURTNESS.

Mr. CLAGUE. Mr. Speaker, the proposed new tariff bill (H. R. 2667), as recommended by the Committee on Ways and Means, places a tariff on shingles of wood, cedar lumber and logs, maple and birch, fence posts, cement, and brick, all of which items are now on the free list.

SHINGLES

Section 403 of this bill provides that shingles of wood shall carry a duty of 25 per cent ad valorem. Shingles are now on the free list. Practically all the wood shingles used in the United States are now made in the States of Washington and Oregon, and in British Columbia, Canada. The question is, Should there be any tariff on wood shingles? The Ways and Means Committee states that shingles have been given this proposed duty because of serious competition by Canadian shingle manufacturers, who have depressed the shingle industry in the United States.

At the request of President Coolidge the United States Tariff Commission, in the last half of the year 1926, made an extensive and complete analysis of the shingle industry in the United States and Canada. This was the most complete survey of the shingle situation that has ever been made, and in my opinion conclusively shows that there is no justification whatever for a tariff on shingles.

I have carefully read the report of the Tariff Commission, and the entire hearings of the committee relating to the shingle industry. Only three witnesses appeared before the committee in support of a tariff on shingles, and produced only slight evidence in trying to substantiate lower production costs of shingles in Canada than in the United States. There was much testimony before the committee, including the report of the Tariff Commission, giving ample proof that the cost of manufacturing shingles was at least as high, if not higher, in Canada than in the United States. As a matter of fact, the Tariff Commission report shows that the costs of manufacturing shingles are higher in Canada than in the United States. In the commission's report the cost of production of shingles in Washington, Oregon, and British Columbia are shown to be as follows:

Cost of production of shingles in Washington-Oregon and British Columbia

(U. S. Tariff Commission: Report on Red Cedar Shingle Industry to President, March 2, 1927, p. 44)

	Per thousand
(1) Royals, No. 1, 24", 4/2:	
Washington-Oregon cost	$10.690
British Columbia cost	11.305
Higher foreign cost ... per cent	5.8
(2) Perfections, No. 1, 18", 5/2-1/4:	
Washington-Oregon cost	$4.528
British Columbia cost	4.774
Higher foreign cost ... per cent	5.4
(3) Perfects (or XXXXX), No. 1, 16", 5/2:	
Washington-Oregon cost	$3.681
British Columbia cost	3.851
Higher foreign cost ... per cent	4.6
(4) Extra clears, 16", 5/2:	
Washington-Oregon cost	$2.835
British Columbia cost	2.845
Higher foreign cost ... per cent	.4
(5) Eurekas, No. 1, 18-inch, 2/5:	
Washington-Oregon cost	$3.506
British Columbia cost	4.465
Higher foreign cost ... per cent	27.4
(6) Extra Star "A" Star, 16-inch, 6/2:	
Washington-Oregon cost	$2.443
British Columbia cost	2.453
Higher foreign cost ... per cent	.4
Average for all shingles produced:	
Washington-Oregon cost	$3.098
British Columbia cost	3.802
Higher foreign cost ... per cent	22.7

The testimony of the witnesses produced before the committee shows that the shingle prices have increased since January 1, 1928, in the United States from 25 to 38 per cent on the different grades. The latest American Lumberman, an authority on the prices of lumber and shingles, for the months of January to March, 1928, and January to March, 1929, is as follows:

Quarterly average of daily price quotations on Washington-Oregon shingles, f. o. b. mill

Grade	January-March, 1928	January-March, 1929	Amount of increase	Per cent of increase
Royals	$8.355	$11.45	$3.095	37
Perfections	3.825	4.815	.99	26
Perfects (or XXXXX)	2.875	3.855	.98	34
Extra Clears	2.11	2.875	.765	38
Extra Stars	1.93	2.675	.745	38

More than 80 per cent of the shingles imported from Canada are high grade and of a higher grade than most of the shingles made in the United States, and do not directly compete with the lower-grade American shingle.

The prices on cedar shingle logs since January 1, 1928, in the Puget Sound section have increased from $16 to $21 per thousand as shown by quotations in the American Lumberman.

A careful reading of the Tariff Commission's report and the evidence introduced before the committee, in so far as it relates to shingles, does not sustain the contention of the committee that the Canadian competition injures or has a depressing effect upon the shingle industry in the United States that would warrant any tariff whatever being placed on the shingle industry.

The average annual output of shingles for the past five years, according to the best statistics I have been able to secure, is:

	Feet
United States production	6,634,000,000
Canadian production	3,029,000,000
Canada imports to United States	2,424,000,000

The farmers of the United States use more shingles than any other class. It is estimated that about 70 per cent of the wood shingles used in the United States are used upon our farms. The tariff of 25 per cent ad valorem on shingles will be pyramided by the logger, manufacturer, jobber, and retailer, which will cost the farmers in the United States annually at least $15,000,000.

CEDAR LUMBER AND LOGS

This bill provides for a tariff on cedar, except Spanish cedar, to wit: Boards, planks, deals, laths, siding, clapboards, ceiling, flooring, ship timber, and other lumber and timber, a duty of 25 per cent ad valorem.

With the exception of cedar, maple, and birch lumber is on the free list.

The Tariff Commission has heretofore made a complete survey of the lumber industry in the Puget Sound territory and in Canada, with particular attention paid to the production cost in the United States and Canada, and particularly as it relates to cedar lumber and logs. From the report of the Tariff Commission and the evidence of all the witnesses produced before the committee on this question, in my opinion, it shows conclusively a greater cost in the production of lumber products in Canada than in the United States.

There is only imported annually into the United States about 50,000,000 feet of cedar lumber from Canada, which is about one-third of the production of the cedar lumber in the United States. From my examination of the hearings only two witnesses testified before the committee asking for a tariff on cedar lumber. They did not produce any evidence to substantiate a higher cost of production in the United States as compared to Canadian costs. Much evidence was given before the committee which tended to bear out the report of the Tariff Commission that it costs more to produce lumber in Canada than in the United States.

Congressman RAMSEYER, in his able speech on this tariff bill made before the Committee of the Whole House on May 15, gave figures which, in my opinion, conclusively show that a tariff on Canadian cedar lumber and shingles is unwarranted at this time. The figures speak for themselves and are as follows:

Logs

(Fir, spruce, cedar, western hemlock)	Feet
United States production	3,000,000,000
United States imports	177,000,000
United States exports:	
Cedar logs	261,520,000
Fir logs	34,483,000
(99 per cent of the cedar and 78 per cent of the fir exported to Japan.)	
Canadian exports to Japan:	
Cedar	104,390,000
Spruce	177,000
All other woods	18,234,000

These figures are the average annuals for the past five years. The cedar and fir shipments were all made from the Puget Sound territory to Japan. Canadian exports were all made to Japan. The American exports for each of the years were more than double of the Canadian exports. The cost of transportation would be about the same. These figures show that the American lumbermen outsold the Canadian by more than double the output. This could not have possibly been done if the expense of producing the same was more in the United States than in Canada.

The hearings before the committee show that cedar-lumber prices are high as compared with prices of other softwoods and that there has been a heavy increase on the average of cedar-lumber prices since January 1, 1928. The price schedules in the American Lumberman show that the cedar-lumber prices at the mill on January 1, 1928, and May 1, 1929, were as follows:

Cedar-lumber prices at mill

	Jan. 1, 1928	Jan. 1, 1929	May 1, 1929	Per cent of increase
½ by 6 inch clear siding	$27.00	$35.00	$35.00	30
½ by 4 inch clear siding	23.00	27.00	29.00	26
½ by 8 inch bungalow siding	33.00	39.00	39.00	18
½ by 10 inch bungalow siding	40.00	43.00	43.00	7½
¾ by 8 inch bungalow siding	40.00	47.00	47.00	17½
¾ by 10 inch bungalow siding	50.00	56.00	56.00	12

The increases being from 7½ to 30 per cent.

Cedar lumber and logs have risen in price since January 1, 1928, from $28 to $35 per thousand in Washington and Oregon, which is an increase of 25 per cent.

If this provision providing for a duty of 25 per cent ad valorem on cedar lumber is allowed to stand, it will mean an additional expense to the consumers of the United States of many millions of dollars.

MAPLE AND BIRCH

Section 402 of the bill places a tariff of 15 per cent ad valorem on maple and birch products, to wit, boards, planks, deals, laths, ceiling, flooring, and other lumber and timber, except logs.

The plea for this tariff apparently was made largely on the ground of competition in Chicago and Atlantic seaboard markets, with the claim that Canadian mills enjoyed a lower freight rate. The hearings disclosed that the importations of all hardwood lumber, including maple and birch, is only about 55,000,000 feet, a trifle of over 5 per cent of the total production in the United States and about one-tenth of 1 per cent of all species of hardwood in the United States.

The United States exports annually into Canada over twelve and one-half million feet of other hardwoods. The importation of Canadian birch and maple is largely in sizes and dimensions not produced in the United States.

It was the claim of the people advocating this proposed tariff that a much lower freight rate is enjoyed by the producers of maple and birch in Canada than in the United States, and that in order to compete with the Canadian producers there should be a duty of 15 per cent ad valorem. If this duty is allowed to remain, it will add on maple lumber an additional cost running from $14 to $21 per thousand and an additional cost on maple flooring ranging from $12 to $16 per thousand. It would be an increase to the consumer on most birch lumber from $8 to $24 per thousand and on birch flooring from $12 to $16 per thousand.

In order to determine whether or not Canada has a favored freight rate which necessitates this tariff, I have had made a careful survey of the schedule of the freight rates from the competing points in both Canada and the United States to several of the largest cities in the United States. There are several large birch and maple mills in Wisconsin and Michigan which supply Chicago, Detroit, Cleveland, and the surrounding territory. These mills have an advantage over Canadian mills by reason of better rates of more than $8 per thousand. Maple and birch timber is produced in New York, Pennsylvania, and the New England States, amounting to more than 90,000,000 feet annually, and the mills in that territory have a lower freight rate. A careful examination of the freight-rate schedules does not show that Canada has a lower freight rate for these products to the cities of the United States where it is used, but on the whole the schedules show that mills in the United States producing maple and birch lumber have a great advantage in freight rates over the Canadian mills. A schedule of freight rates from several of the principal cities in the United States on this class of lumber is as follows:

To Boston:	
Lowest Canadian rate	$0.25
Average Canadian rate	.34
North Stratford, N. H	.18
From Beecher Falls, Vt	.22
From Glenfield, N. Y	.24
From Tupper Lake, N. Y	.23½
From Masten, Pa	.26½
To New York, N. Y.:	
Average Canadian rate	.36½
Bay City, Mich	.35
From North Stratford, N. H	.28
From Beecher Falls, Vt	.29
From Dallas, Me	.34
From Glenfield, N. Y	.21½
From Tupper Lake, N. Y	.21½
From Masten, Pa	.23½
To Toledo, Ohio:	
Lowest Canadian rate	.29
Marinette, Wis	.24
From Park Falls, Wis	.30½
From Green Bay, Wis	.24
From Cadillac, Mich	.19
From Iron Mountain	.26
To Pittsburgh, Pa.:	
Lowest Canadian rate	.31½
From Marinette, Wis	.29½
From Green Bay, Wis	.29½
From Elcho, Wis	.25½
From Cadillac, Mich	.25½
From Bay City, Mich	.22½
To Chicago, Ill.:	
Lowest Canadian rate	.34
From Marinette, Wis	.12½
From Oconto, Wis	.23½
From Park Falls, Wis	.25
From Green Bay, Wis	.12½
From Cadillac, Mich	.20
To Detroit, Mich.:	
Lowest Canadian rate	.23
From Marinette, Wis	.23½
From Cadillac, Mich	.18½
From Bay City, Mich	.12½
From Traverse City, Mich	.19
From Oconto, Wis	.23½

There is no justification for this duty. The present price to the consumers of this class of lumber is extremely high, and the addition of this tariff with pyramided costs to the consumer is not warranted, and would add another additional burden to the consumer.

FENCE POSTS

Paragraph 407 of the bill places a tariff of 10 per cent ad valorem on posts.

Section 1804 of the bill places on the free list railroad ties, telephone, trolley, electric light, and telegraph poles, of cedar or other woods.

Farmers throughout the United States require and purchase annually for their use in building fences hundreds of thousands of cedar or other wood fence posts. It requires a higher grade of wood for telephone, trolley, electric light, and telegraph poles than it does for fence posts. If there is any good reason why railroad ties and telephone, telegraph, and electric light poles should be on the free list and an ordinary fence post should carry a duty of 10 per cent ad valorem, I do not know what it is.

This duty on fence posts alone means a burden and annual expense to the farmers of the United States of thousands of dollars, and should be removed.

CEMENT

Cement is now on the free list. This bill places on it a tariff of 30 cents per barrel. In my opinion this will be pyramided by the jobber and retailer to at least 50 cents per barrel.

It is the claim of the members of the committee who favor this tariff that it will only affect the price of cement used along the Atlantic seaboard, and will not reflect in any way to the interior parts of the United States. The manufacture of cement is now one of our leading industries, and an industry that is well organized and well able to stand on its own feet. This additional cost of 50 cents per barrel will be reflected in every barrel of cement sold in the United States.

Cement is a large factor in our present road-building system, and this additional cost will add annually to the expense of road building millions of dollars. A great amount of cement is also used by farmers in the construction of silos, foundations, floors in barns, walks, and for other purposes; in fact, there is hardly a farmer who does not use annually a considerable amount of cement. This tariff on cement would greatly increase the annual cost of building material used on the farms. We are not improving the farmers' financial condition or the financial condition of the great mass of our people by placing this tariff on cement. It is simply adding a great additional annual burden that is uncalled for at this time.

The proposed tariff on brick should be stricken from the bill.

The income of the average farmer has been very unfavorable during the past seven years. By reason of his small income and small returns in general, farm buildings throughout the

country have been neglected and allowed to run down, fences and farm improvements in general are sadly in need of repair, and hundreds of thousands of new houses, barns, and other buildings should be constructed without delay.

If these proposed tariffs on shingles, cedar lumber and logs, maple and birch, fence posts, cement, and brick are allowed to remain in the bill, it will add another annual burden upon our farmers. This is not the kind of farm relief that farmers are asking for. We were not called in special session to place additional burdens on the backs of our farmers. We were called for the purpose of relieving these burdens and passing legislation that will help to relieve present conditions.

These proposed new tariffs should be stricken from the bill and all these building materials should be left on the free list.

Mr. HARTLEY. Mr. Speaker, ladies, and gentlemen, much time has been taken up on the floor of the House and volumes have been written in an effort to prove the claim of the leather, boot, and shoe industries for adequate protection.

It is not my desire to further extend these arguments by a general discussion of the merits of their case. However, as a representative of one of the largest industrial districts in the State of New Jersey, I merely desire to present the contention of the New Jersey leather, boot, and shoe industries as contained in a brief submitted to me by the Newark (N. J.) Chamber of Commerce and ask for your consideration.

BRIEF ON NEW JERSEY'S LEATHER, BOOT, AND SHOE INDUSTRY

This is a request for a duty to be applied on leather per item 1709, and boots and shoes per item 1710, of the proposed tariff act of 1929 (H. R. 2667). These items are now carried in the free list. We request that, in order to give New Jersey industry proper protection, leather be given a 20 per cent ad valorem duty and in making this request it is assumed that hides will continue on the free list. If the hides are made dutiable, then 20 per cent differential should be maintained. On shoes, the industry of New Jersey believes that in order to properly protect its production and employment, a duty of no less than 25 per cent ad valorem is required. Your petitioners respectfully represent the following:

LEATHER

New Jersey has been known for many years as a leading producer of leather and leather articles. The statistics show that during the last few years there has been a falling off in the number of industries engaged in leather tanning and production, further showing that the number of wage earners has materially fallen off, this being to the detriment of New Jersey, as shown in the following statement:

Leather—Tanned, curried, and finished

	Number of plants	Wage earners	Value
Year 1919	73	5,499	$78,102,000
Year 1927	57	4,282	42,961,000
Decrease	16	1,217	35,141,000
Percentage	21	22	45
BOOTS AND SHOES			
Year 1919	34	2,835	$12,864,000
Year 1927	17	1,389	6,736,000
Decrease	17	1,446	6,128,000
Percentage	50	51	48

CONSOLIDATED LOSS TO NEW JERSEY

Plants	33
Workers	2,663
Value	$41,269,000

We offer herewith a statement of increase in importations of cattlehide upper leather since 1923–1928:

	Square feet
1923	11,232
1928	78,175

Since January 1, 1929, further importations of upper leather on a tremendous scale have occurred. If these importations continue without a duty protecting this branch of American industry it is apparent that a further rapid and drastic reduction in American-made leathers must be the result. It is impossible to compete against the free importation in view of the cost of labor in this country as compared with foreign leather-producing countries. We submit herewith the report of the Department of Commerce showing the wage relationship in foreign tanneries as compared with those in this country:

England, 55 per cent of United States scale.
Scotland, 67 per cent of United States scale.
France, 27.77 per cent of United States scale.
Belgium, 24.60 per cent of United States scale.
Germany, 33.79 per cent of United States scale.

In this connection may we say that the national situation is akin to the New Jersey situation, and may we direct your specific attention to facts contained in the attached brief which was filed with the Ways and Means Committee.

BOOTS AND SHOES

When the boot and shoe industry of the State of New Jersey for a period of 10 years shows a decrease in employment of over 50 per cent, or, in other words, the employment in 1919 was 100 per cent greater than it is to-day, as shown in the following table:

Year	Volume of raw materials	Value of finished products	Number of employees
1927	3,132,473	$6,735,998	1,389
1925	3,464,481	7,171,553	1,724
1923	5,281,226	10,618,431	2,457
1919	7,811,000	12,864,000	2,835

Your State industries engaged in the manufacturing of shoes can not be anything but disturbed and, in view of your interest in this situation, we beg leave to call your attention to the importation of shoes to the detriment of our manufacturers since 1921 in the following table:

Imports of leather boots and shoes

Year:	Pairs
1921	190,531
1928	2,616,884

To further emphasize the deplorable situation with which our manufacturers are confronted we beg leave to call attention to the fact that in the first two months of 1929, which is the latest figure available, there were imported 931,536 pairs of shoes, or at a yearly ratio of 5,579,216, or a 100 per cent increase in importation can be looked for in the year 1929 over what took place in 1928. The value of importation of shoes in 1928 exceeds the total value of production prices of all the shoe manufacturers of New Jersey. If the condition continues, it can reasonably be expected that very few shoes will be made in the United States, that the dumping of foreign shoes at the present rate of increase will eliminate not only New Jersey manufacturers but practically all other manufacturers in the United States. This indicates clearly the need for protection in this country.

Workers in the leather and shoe plants of New Jersey have elevated themselves in this specific industry so as to secure a substantial living wage. Now, if free imports are permitted to continue, then thousands of experienced workers will be released from their present trade and will be forced to accept common-labor prices, which is far below that to which they have been accustomed, and that will be caused only by nonapplication of a duty on shoes and leather.

Submitted on behalf of Conference of Shoe and Leather Manufacturers of New Jersey by the Chamber of Commerce of the city of Newark, N. J.

E. W. WOLLMUTH,
Executive Vice President.

I might add that this industry is agreeable to a duty on hides, with a compensatory duty on their products.

This special session was called by President Hoover for the purpose of aiding the farmer, and to aid those who are unemployed, by reason of inadequate protection in the present Fordney-McCumber bill; therefore, by complying with the request of the farmers for a duty on hides and the leather industry for a compensatory duty on leather, boots, and shoes, we are, in these particular schedules, keeping the promises of this administration.

ADJOURNMENT

Mr. HAWLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 7 minutes p. m.) the House, in accordance with its previous order, adjourned until Monday, May 20, 1929, at 12 o'clock noon.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HAWLEY: A bill (H. R. 3083) to amend subsection (a) of section 26 of the trading with the enemy act, as amended by the settlement of war claims act of 1928, so as to authorize the allocation of the unallocated interest fund in accordance with the records of the Alien Property Custodian; to the Committee on Ways and Means.

By Mr. GOLDSBOROUGH: A bill (H. R. 3084) to create a commission on establishing a country summer White House; to the Committee on Rules.

By Mr. JAMES: A bill (H. R. 3085) to establish the rank of commanding officers of overseas military department; to the Committee on Military Affairs.

Also, a bill (H. R. 3086) to repeal that part of the act of July 11, 1919, relating to the interchange of property between the Army and Navy; to the Committee on Military Affairs.

By Mr. KELLY: A bill (H. R. 3087) granting leave of absence with pay to substitutes in the Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. LEAVITT: A bill (H. R. 3088) to authorize the Secretary of the Interior to extend the time for payment of charges due on Indian irrigation projects, and for other purposes; to the Committee on Indian Affairs.

By Mrs. LANGLEY: A bill (H. R. 3089) to apply the benefits of pension laws to contract surgeons; to the Committee on Pensions.

By Mr. WAINWRIGHT: A bill (H. R. 3090) to authorize an appropriation for the construction, equipment, maintenance, and operation of a dry-cleaning plant at Fort Slocum, N. Y.; to the Committee on Military Affairs.

Also, a bill (H. R. 3091) to define the promotion-list officers of the Army and to prescribe the method of their promotion, and for other purposes; to the Committee on Military Affairs.

By Mr. HUGHES: A bill (H. R. 3092) to amend the act entitled "An act to provide for the relief of certain officers and enlisted men of the volunteer forces," approved February 24, 1897; to the Committee on Military Affairs.

Also, a bill (H. R. 3093) repealing certain provisions contained in the urgent deficiency act approved December 22, 1911, and for other purposes; to the Committee on War Claims.

By Mr. O'CONNOR of Louisiana: A bill (H. R. 3094) to amend the act of August 11, 1916, entitled "United States cotton futures act," as amended, by declaring transactions on cotton-futures exchanges to be affected with a public interest; provide for their supervision so as to remove burdens upon interstate commerce and prevent the manipulation and control of prices; repeal the excise tax upon cotton-futures contracts; create a commission to supervise cotton-futures exchanges; provide for delivery of cotton tendered on futures contracts at certain markets; define manipulation; and for other purposes; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred, as follows:

By Mr. BEERS: A bill (H. R. 3095) granting an increase of pension to Sarah R. Naylor; to the Committee on Invalid Pensions.

By Mr. BRAND of Ohio: A bill (H. R. 3096) granting an increase of pension to Catherine E. Bankerd; to the Committee on Invalid Pensions.

By Mr. BURDICK: A bill (H. R. 3097) for the relief of Capt. George G. Seibels, Supply Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3098) for the relief of Capt. Chester G. Mayo, Supply Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3099) for the relief of Lieut. Francis D. Humphrey, Supply Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3100) for the relief of Capt. P. J. Willett, Supply Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3101) for the relief of Lieut. Arthur W. Babcock, Supply Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3102) for the relief of Daniel A. Newman, formerly a lieutenant in the Supply Corps of the Naval Reserve Force; to the Committee on Naval Affairs.

Also, a bill (H. R. 3103) for the relief of Lieut. Thomas C. Edrington, Supply Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3104) for the relief of Lieut. Edward F. Ney, Supply Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3105) for the relief of Lieut. Henry Guilmette, Supply Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3106) for the relief of Capt. Walter B. Izard, Supply Corps, United States Navy, retired; to the Committee on Naval Affairs.

Also, a bill (H. R. 3107) for the relief of Lieut. Edward Mixon, Supply Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3108) for the relief of Lieut. Archy W. Barnes, Supply Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3109) for the relief of Capt. William L. F. Simonpietri, Supply Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3110) for the relief of Capt. John H. Merriam, Supply Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3111) for the relief of Lieut. John M. Holmes, Supply Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3112) for the relief of Lieut. Commander Thomas Cochran, Supply Corps, United States Navy; to the Committee on Naval Affairs.

By Mr. CABLE: A bill (H. R. 3113) granting an increase of pension to Anna L. Jaycox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3114) granting an increase of pension to Mollie E. Ramsdell; to the Committee on Invalid Pensions.

By Mr. EVANS of California: A bill (H. R. 3115) granting an increase of pension to Elmira Rice; to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 3116) for the relief of John D. Hanrahan; to the Committee on Military Affairs.

By Mr. HALE: A bill (H. R. 3117) for the relief of George W. Edgerly; to the Committee on Military Affairs.

By Mr. HOLADAY: A bill (H. R. 3118) for the relief of the Marshall State Bank; to the Committee on Claims.

By Mr. HUGHES: A bill (H. R. 3119) for the relief of John M. Moore; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 3120) granting a pension to Frank Patterson; to the Committee on Pensions.

Also, a bill (H. R. 3121) granting a pension to Lizzie A. Nellis; to the Committee on Pensions.

By Mr. JONES of Texas: A bill (H. R. 3122) for the relief of William J. Frost; to the Committee on Military Affairs.

Also, a bill (H. R. 3123) granting an increase of pension to Olive Dixon; to the Committee on Pensions.

By Mr. KIEFNER: A bill (H. R. 3124) granting an increase of pension to Ernestine Kranawetter; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 3125) for the relief of John Burket; to the Committee on Military Affairs.

By Mr. LEAVITT. A bill (H. R. 3126) for the relief of Leola Snyder; to the Committee on Claims.

By Mrs. LANGLEY: A bill (H. R. 3127) granting an increase of pension to Harlan C. Allen; to the Committee on Pensions.

By Mr. MILLIGAN: A bill (H. R. 3128) granting an increase of pension to Nancy A. Smalley; to the Committee on Invalid Pensions.

By Mr. O'CONNOR of Oklahoma: A bill (H. R. 3129) for the relief of the heirs of the Eastern Cherokee Indians; to the Committee on Indian Affairs.

By Mr. PALMER: A bill (H. R. 3130) granting a pension to Mary A. Andrews; to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 3131) for the relief of Ellwood G. Babbitt and other officers and employees of the foreign commerce service of the Department of Commerce, who, while in the course of their respective duties, suffered losses of Government funds or personal property, by reason of theft, catastrophes, shipwreck, or other causes; to the Committee on Foreign Affairs.

By Mr. PURNELL: A bill (H. R. 3132) granting an increase of pension to Nellie M. Corbin; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 3133) granting a pension to Emma Love; to the Committee on Pensions.

By Mr. SUMNERS of Texas: A bill (H. R. 3134) granting an increase of pension to Mollie Fisher; to the Committee on Invalid Pensions.

By Mr. TARVER: A bill (H. R. 3135) granting a pension to Joe Duckett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3136) for the relief of D. F. Phillips; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

430. Petition of the Common Council of the city of Milwaukee, State of Wisconsin, relative to dazzling headlights on automobiles; to the Committee on Interstate and Foreign Commerce.

431. By Mr. ALLGOOD: Petition circulated and presented by Monmouth County Chapter, Sons of the American Revolution, and other patriotic societies, and signed by numerous citizens of the State of New Jersey and other States, praying Congress not to emasculate the immigration act of 1924 by repealing or suspending the national-origins provision of that act, and asking

that Mexico and Latin American countries be placed upon the quota provisions of that act, and asking for additional deportation legislation; to the Committee on Immigration and Naturalization.

432. By Mr. BOX: Petition circulated and presented by patriotic societies and signed by numerous citizens of the State of New Jersey and other States, praying Congress not to emasculate the immigration act of 1924 by repealing or suspending the national-origins provisions of that act, and asking that Mexico and Latin American countries be placed under the quota provision of that act, and asking for additional deportation legislation; to the Committee on Immigration and Naturalization.

433. By Mr. CONNERY: Petition of Ancient Order of Hibernians of Massachusetts, protesting against national-origins clause of the immigration law; to the Committee on Immigration and Naturalization.

434. Also, petition of city council of Lynn, Mass., petitioning Congress for a tariff on boots and shoes; to the Committee on Ways and Means.

435. By Mr. GARBER of Oklahoma: Petition of the United States Sugar Association, in regard to the tariff rate on sugar, with particular emphasis on Cuba and the American consumer; to the Committee on Ways and Means.

436. Also, petition of Oklahoma Cotton Growers' Association, favoring farm relief and equitable tariff bill on farm products; to the Committee on Agriculture.

437. Also, resolutions of the Oklahoma Cotton Growers' Association, relating to miscellaneous provisions in the tariff bill; to the Committee on Ways and Means.

438. Also, petition of the Farmers' Union, in regard to pending farm legislation; to the Committee on Agriculture.

439. Also, petition of the national board and officers of the Farmers' Union, and executives of the various State Farmers' Union organizations, representing the following States: Washington, Montana, North Dakota, Minnesota, South Dakota, Nebraska, Iowa, Illinois, Missouri, Kansas, Oklahoma, and Colorado, insisting upon the adoption of farm tariff schedules substantially in agreement with those proposed by the farm groups after long conference and final full agreement and opposing any increase in general schedules applicable to manufacturers until farm schedules are equal and effective; to the Committee on Ways and Means.

440. Also, petition of the Northwestern Shoe Retailers Regional Association, St. Paul, Minn., opposing a tariff on hides; to the Committee on Ways and Means.

441. Also, petition of the Creo-Dipt Co. (Inc.), North Tonawanda, N. Y., urging imposition of tariff on shoes and protesting against proposed tariff on shingles; to the Committee on Ways and Means.

442. Also, petition of the National Association Against a Lumber and Shingle Tariff, protesting against proposed tariff on cedar lumber, cedar shingles, and fence posts; to the Committee on Ways and Means.

443. Also, petition of the Florsheim Shoe Co., Chicago, Ill., protesting against tariff on hides; to the Committee on Ways and Means.

444. Also, petition of the Plunkett-Webster Lumber Co. (Inc.), New Rochelle, N. Y., protesting against the proposed tariff of 15 per cent on maple and birch lumber; to the Committee on Ways and Means.

445. Also, petition of the Philippine Society of California, signed by W. H. Taylor, president, regarding tariff on sugar; to the Committee on Ways and Means.

446. Also, petition of the legislative committee of Beaver Valley Grange, Supply, Okla., urging support of the export debenture plan of farm relief; to the Committee on Agriculture.

447. By Mr. JENKINS: Petition signed by 50 citizens of the United States who are members of patriotic organizations, petitioning Congress to retain the national-origins provision of the immigration act of 1924; to the Committee on Immigration and Naturalization.

448. Also, petition signed by 50 citizens of the United States who are members of patriotic organizations, petitioning Congress to retain the national-origins provision of the immigration act of 1924; to the Committee on Immigration and Naturalization.

449. Also, petition signed by 50 citizens of the United States who are members of various patriotic organizations, petitioning Congress to retain the national-origins provision of the immigration act of 1924; to the Committee on Immigration and Naturalization.

450. By Mr. LINDSAY: Petition of John J. Conway, Manufacturers Trust Co., Brooklyn, N. Y., on behalf of rattan industry, praying that an adjustment of tariff rates be made so that this industry can be placed again on a paying basis; to the Committee on Ways and Means.

451. By Mr. McCORMACK of Massachusetts: Petition of the Macallen Co., Thomas Allen president, South Boston, Mass., urging adequate tariff on mica; to the Committee on Ways and Means.

452. By Mr. O'CONNELL of New York: Petition of the Cantilever Corporation, of Brooklyn, N. Y., favoring free hides and skins as recommended by the Ways and Means Committee; to the Committee on Ways and Means.

453. Also, petition of the New York State Association of Manufacturing Retail Bakers, New York City, opposing any tariff legislation that would increase the cost of foodstuffs to the American public by a higher tariff on raw materials entering in the cost of foodstuffs; to the Committee on Ways and Means.

454. By Mr. QUAYLE: Petition of Hanan & Son, of Brooklyn, N. Y., urging tariff on shoes; to the Committee on Ways and Means.

SENATE

MONDAY, *May 20, 1929*

(Legislative day of Thursday, May 16, 1929)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. NORRIS obtained the floor.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Nebraska yield for that purpose?

Mr. NORRIS. I yield.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Keyes	Smith
Ashurst	George	King	Smoot
Barkley	Gillett	McKellar	Steck
Bingham	Glenn	McMaster	Steiwer
Black	Goff	McNary	Stephens
Blaine	Goldsborough	Metcalf	Swanson
Blease	Gould	Moses	Thomas, Idaho
Borah	Greene	Norbeck	Thomas, Okla.
Brookhart	Hale	Norris	Trammell
Broussard	Harris	Nye	Tydings
Burton	Harrison	Oddie	Tyson
Capper	Hastings	Overman	Vandenberg
Caraway	Hatfield	Patterson	Wagner
Connally	Hawes	Phipps	Walcott
Copeland	Hayden	Pine	Walsh, Mass.
Couzens	Hebert	Pittman	Walsh, Mont.
Cutting	Heflin	Ransdell	Waterman
Dale	Howell	Reed	Watson
Dill	Johnson	Robinson, Ind.	Wheeler
Edge	Jones	Sackett	
Fess	Kean	Sheppard	
Fletcher	Kendrick	Simmons	

Mr. FESS. I desire to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] and the Senator from Illinois [Mr. DENEEN] are detained in the Committee on Manufactures.

Mr. HASTINGS. I wish to announce that my colleague the junior Senator from Delaware [Mr. TOWNSEND] is unavoidably absent.

The VICE PRESIDENT. Eighty-five Senators have answered to their names. A quorum is present.

OPERATIONS OF THE ARLINGTON MEMORIAL BRIDGE COMMISSION

The VICE PRESIDENT laid before the Senate a report of the executive and disbursing officer of the Arlington Memorial Bridge Commission relative to the operations of that commission covering the period April 1 to April 30, 1929, which was referred to the Committee on Public Buildings and Grounds.

SUGAR AND OTHER PRODUCTION COSTS

The VICE PRESIDENT laid before the Senate a communication from the chairman of the United States Tariff Commission transmitting, in response to Senate Resolution 60 (submitted by Mr. WALSH of Massachusetts and agreed to May 16, 1929), data relative to the production costs of sugar and other commodities, which, with the accompanying documents, was referred to the Committee on Finance, and the communication was ordered to be printed in the RECORD, as follows:

UNITED STATES TARIFF COMMISSION,
Washington, May 18, 1929.

Hon. CHARLES CURTIS,
President of the Senate,
United States Senate, Washington, D. C.

SIR: In response to Senate Resolution No. 60, of May 16, 1929, I have the honor to transmit, under separate cover, copies of the reports submitted by the Tariff Commission to the President prior to March 4, 1929, upon its investigations under the provisions of section 315 of the tariff act of 1922, together with such additional material on the same subjects as the commission has published.