These goods are now getting in at a price that seriously competes with the American product. It reduces the output of the American mill. It cuts down the quantity of American work and trims the price of American labor. The workingman of the foreign country can live cheaper than we can. American expenses are high. If we are forced to the wage level of foreign labor, we can not be home owners; we can not educate our children; we can not develop into citizens we would like to be.

We appeal to you to help us.

[SEAL.] LOCAL NO. 997, UNITED TEXTILE WORKERS OF AMERICA,
By H. K. SMITH, *President*.
J. F. MULICON, *Secretary-Treasurer*.

Mr. COUZENS. I ask that the next amendment be stated.

The PRESIDING OFFICER. The next amendment will be stated.

The CHIEF CLERK. On page 118, in line 4, it is proposed to strike out "402. Maple (except Japanese maple) and birch: Boards, planks, deals, laths, ceiling, flooring, and other lumber and timber (except logs)" and insert "401. Maple (except Japanese maple), birch, and beech: Flooring," so as to read:

PAR. 401. Maple (except Japanese maple), birch, and beech: Flooring, 15 per cent ad valorem.

Mr. COUZENS. I wanted to have the amendment stated.

Mr. WALSH of Massachusetts. The idea is to have the amendment pending?

Mr. COUZENS. Yes; but our leader, the Senator from Washington [Mr. JONES], suggested that we proceed with the committee amendments; and I want to say I am entirely agreeable to that, although apparently the Senator from Massachusetts has a different view. I think we might go on with the committee amendments. I see no reason why we should not do so.

Mr. WALSH of Massachusetts. I will say that I think much time will be saved if we do not proceed further at this time, because some of the Senators on this side want to have a conference regarding several of the paragraphs in this schedule, and we want to meet between now and dinner time. It would be helpful if the Senator would now agree to take a recess.

Mr. COUZENS. If that is agreeable to the Senator from Washington, it is agreeable to me.

Mr. JONES. I have no objection.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. FESS in the chair) laid before the Senate sundry executive messages from the President of the United States, which were referred to the appropriate committees.

RECESS

Mr. COUZENS. I move that the Senate take a recess until 10 o'clock to-morrow morning.

The motion was agreed to; and the Senate (at 5 o'clock and 30 minutes p. m.), under the order previously entered, took a recess until to-morrow, Thursday, November 14, 1929, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate November 13 (legislative day of October 30), 1929

UNITED STATES ATTORNEY

Julius Harold Hart, of Alaska, to be United States attorney, district of Alaska, Division No. 2, vice William Frederick Harrison, resigned.

COAST GUARD

Ensign John J. Purcell to be a lieutenant (junior grade) in the Coast Guard of the United States, to rank as such from March 8, 1929.

POSTMASTERS

ARIZONA

Aurelio B. Sanchez to be postmaster at Sonora, Ariz., in place of S. W. Simpson, resigned.

CALIFORNIA

Harold V. Tallon to be postmaster at Jackson, Calif., in place of C. G. Heiser, resigned.

Verbenia M. Hall to be postmaster at Quincy, Calif., in place of O. L. Dunn, resigned.

CONNECTICUT

Charles E. Gray to be postmaster at North Stonington, Conn. Office became presidential July 1, 1929.

FLORIDA

Jesse D. Louis to be postmaster at Davenport, Fla., in place of E. T. Hitchcock. Incumbent's commission expired January 8, 1928.

Allan Van Wormer to be postmaster at Inverness, Fla., in place of M. E. Pridgen, removed.

James E. Parrish to be postmaster at South Miami, Fla., in place of J. E. Parrish. Incumbent's commission expired February 28, 1929.

ILLINOIS

Gordon McClusky to be postmaster at Rosiclare, Ill., in place of W. E. Dimick, removed.

INDIANA

James C. Taylor to be postmaster at Mooreland, Ind. Office became presidential July 1, 1929.

IOWA

Maude M. Peters to be postmaster at Alexander, Iowa. Office became presidential July 1, 1929.

William F. Kucera to be postmaster at Elberon, Iowa, in place of Emil Kaloupek. Incumbent's commission expired December 9, 1928.

George D. Sailor to be postmaster at Lisbon, Iowa, in place of A. F. Bittle, removed.

KENTUCKY

Paris Early to be postmaster at Bagdad, Ky., in place of L. F. Williams. Incumbent's commission expired January 30, 1929.

LOUISIANA

Robert L. Mouton to be postmaster at Lafayette, La., in place of J. R. Domengeaux, removed.

MAINE

Joseph Otto Fisher to be postmaster at Lewiston, Me., in place of W. C. Bryant, removed.

MISSISSIPPI

Quinn E. Mattox to be postmaster at Fulton, Miss., in place of W. B. Stone. Incumbent's commission expired February 16, 1929.

MONTANA

Helen P. Gibb to be postmaster at Belton, Mont. Office became presidential July 1, 1929.

John M. Evans, jr., to be postmaster at Butte, Mont., in place of Richard Brimacombe. Incumbent's commission expired December 19, 1928.

NEW MEXICO

John P. Milner to be postmaster at Anthony, N. Mex. Office became presidential July 1, 1929.

NEW YORK

Fred C. Conrad to be postmaster at Saranac Lake, N. Y., in place of J. A. Latour, resigned.

UTAH

George A. Murphy to be postmaster at Spring Canyon, Utah. Office became presidential July 1, 1929.

VERMONT

Burton N. Sisco to be postmaster at Brandon, Vt., in place of H. D. Rolfe, resigned.

WEST VIRGINIA

Mary L. Lilly to be postmaster at East Beckley, W. Va. Office became presidential July 1, 1929.

SENATE

THURSDAY, *November 14, 1929*

(Legislative day of Wednesday, October 30, 1929)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Dill	Hebert	Overman
Barkley	Edge	Heflin	Patterson
Bingham	Fess	Howell	Phipps
Black	Fletcher	Johnson	Ransdell
Blease	Frazier	Jones	Reed
Borah	George	Kean	Sackett
Bratton	Gillett	Kendrick	Schall
Brock	Glenn	Keyes	Sheppard
Brookhart	Goff	La Follette	Shortridge
Broussard	Greene	McKellar	Simmons
Capper	Hale	McMaster	Smith
Connally	Harris	McNary	Smoot
Copeland	Harrison	Moses	Steck
Couzens	Hastings	Norbeck	Steiwer
Cutting	Hatfield	Norris	Stephens
Dale	Hawes	Nye	Swanson
Deneen	Hayden	Oddie	Thomas, Idaho

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Thomas, Okla.	Tydings	Walcott	Wheeler
Townsend	Vandenberg	Walsh, Mass.	
Trammell	Wagner	Waterman	

Mr. SHEPPARD. I desire to announce that the Senator from Arkansas [Mr. CARAWAY], the Senator from Montana [Mr. WALSH], the Senator from Wisconsin [Mr. BLAINE], and the Senator from Indiana [Mr. ROBINSON] are detained on business of the Senate.

Mr. SCHALL. My colleague [Mr. SHIPSTEAD] is absent, ill.

The VICE PRESIDENT. Seventy-eight Senators have answered to their names. A quorum is present.

THE JOURNAL

Mr. JONES. Mr. President, I ask unanimous consent that the Journal for Monday, November 11, Tuesday, November 12, and Wednesday, November 13, may be approved.

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

PETITIONS

Mr. BROOKHART presented a petition of sundry citizens from various States, being war veterans residing at the National Home for Disabled Volunteer Soldiers at Danville, Ill., praying for the passage of the bill (S. 1222) to provide for the immediate payment to veterans of the face value of their adjusted-service certificates, which was referred to the Committee on Finance.

Mr. JONES presented a petition of sundry citizens of the State of Washington, praying for the passage of the so-called Capper-Robsion bill, providing for the establishment of a Federal department of education, which was referred to the Committee on Education and Labor.

Mr. COPELAND presented petitions numerously signed by sundry citizens of New York City and of the States of New York and New Jersey, praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. CAPPER presented petitions signed by 1,065 citizens of the State of Kansas, praying for the passage of legislation granting increased pensions to veterans of the war with Spain and their widows, which were referred to the Committee on Pensions.

RIO GRANDE RIVER BRIDGE

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, with an amendment, the bill (S. 1909) to extend the time for the construction of the bridge across the Rio Grande at or near Weslaco, Tex., and I submit a report (No. 44) thereon. The bill is unanimously reported from the Committee on Commerce, and I ask for its immediate consideration. Bills like it have been passed by the Senate before at the present session.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment was, on page 1, line 3, before the word "for," to strike out "time" and insert "times," so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved May 28, 1928, to be built by the Los Olmos International Bridge Co. across the Rio Grande at or near Weslaco, Tex., are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the times for commencing and completing the construction of the bridge across the Rio Grande at or near Weslaco, Tex."

REPORTS OF NOMINATIONS

Mr. SMOOT, as in open executive session, from the Committee on Finance, reported a nomination for membership on the United States Board of Tax Appeals and a nomination in the Public Health Service, which were ordered to be placed on the Executive Calendar.

Mr. PHIPPS, as in open executive session, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were ordered to be placed on the Executive Calendar.

INVESTIGATION OF SALES OF UNITED STATES SHIPS

Mr. DENEEN. From the Committee to Audit and Control the Contingent Expenses of the Senate I ask unanimous consent to report back favorably with an amendment Senate Resolution 129, proposing an investigation of sales of United States ships.

The VICE PRESIDENT. Without objection, the report will be received. The amendment of the committee will be stated.

The LEGISLATIVE CLERK. The committee proposes, on page 2, line 13, to strike out "$10,000" and insert "$5,000," so as to make the resolution read:

Resolved, That a special committee of five Senators, to be appointed by the President of the Senate, is authorized and directed to make a thorough investigation into all the acts and doings of the United States Shipping Board and Merchant Fleet Corporation, and especially into the question of sales of ships by the board, the prices secured, the terms under which ships have been sold, the character and responsibility of the purchasers, the change in terms, and all other facts relating to the conduct of the board and of the Emergency Fleet Corporation.

For the purposes of this resolution such committee or any duly authorized subcommittee thereof is authorized to hold hearings, to sit and act at such times and places during the sessions and recesses of the Senate until its report is submitted, to employ such experts and clerical, stenographic, and other assistants, to require by subpœna or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony and make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of the committee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

Mr. McKELLAR. Mr. President, that will be satisfactory to me, and I accept the amendment. I ask unanimous consent for the immediate consideration of the resolution.

Mr. JONES. Mr. President, I ask that the resolution be referred to the Committee on Commerce. I think that committee can make an investigation of the matter, if the Senator desires, without even the passage of a resolution; but, at any rate, I shall object to its present consideration.

Mr. McKELLAR. Of course, that will take the resolution over, so I will ask to have it lie on the table.

Mr. JONES. No; that will take it to the calendar. I ask that it go to the Committee on Commerce.

Mr. McKELLAR. No; I do not care about that.

Mr. JONES. Very well; let it go to the calendar.

The VICE PRESIDENT. The resolution will be placed on the calendar.

SPECULATIVE TRANSACTIONS IN COTTON

Mr. DENEEN. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably Senate Resolution 152, with an amendment to the resolution and amendments to the preamble.

Mr. HEFLIN. I ask that the amendments may be stated.

The VICE PRESIDENT. Without objection, the amendments of the committee will be stated.

The amendment to the resolution was, on page 4, line 8, after the name "December," to strike out the numerals "10" and insert "20."

The first amendment to the preamble was, on page 3, in the eighth whereas, line 1, to transpose the word "not" so as to appear before the word "caused," and after the word "demand" to strike out "in the cotton-producing and cotton-consuming world but by conditions that existed on a stock exchange in New York City; and" and insert a period.

The next amendment of the preamble was, on page 3, to strike out the ninth, tenth, and eleventh whereases in the following words:

Whereas the cotton exchanges have publicly admitted in their reports, each day for several days, that the depression of cotton prices and the loss to cotton farmers were caused by what took place on another kind of exchange, the stock exchange in New York City; and

Whereas the cotton exchanges have in their daily reports practically admitted their inability to resist the influences of speculation on the stock exchange and in spite of it to reflect and register prices for cotton that are justified by the law of supply and demand; and

Whereas there is no way of telling just how long this "speculative spree" now going on in the New York Stock Exchange will continue to the great financial injury of the cotton producers of the United States; and

The next amendment of the preamble was, in the fourteenth "whereas," on page 4, line 2, after the word "manipulation," to strike out the following words: "and by speculation in stocks on the stock exchange."

Mr. HEFLIN. I ask unanimous consent for the consideration of the resolution.

The VICE PRESIDENT. Is there objection to the consideration of the resolution?

Mr. JONES. Mr. President, as I understand, the Senator from Louisiana is satisfied with the resolution in its present form?

Mr. HEFLIN. He is.

Mr. JONES. Very well.

The Senate, by unanimous consent, proceeded to consider the resolution.

The VICE PRESIDENT. The question is on agreeing to the amendment to the resolution reported by the Committee to Audit and Control the Contingent Expenses of the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

The preamble as amended was agreed to.

The resolution as agreed to is as follows:

Whereas the Government report shows that the average price paid for American cotton for the last 10 years has been above 21 cents a pound; and

Whereas the world cotton crop in 1928 was 23,000,000 bales and the world consumption of cotton for the same year up to August, 1929, was 25,000,000 bales, showing that the consumption of cotton was running far ahead of cotton production; and

Whereas complaint is being made by cotton farmers, merchants, and bankers in the cotton-growing States and by people in other sections of the country interested in cotton that something is wrong with the cotton market and that the price is being depressed and fixed by purely speculative forces, and that cotton is selling not only at unprofitable prices but below the cost of production, to the great hurt and injury of the cotton producers of the United States; and

Whereas the price paid each day for cotton in the towns and cities and in all the places where cotton is bought and sold in the cotton-growing States is the price that is fixed on the cotton exchange where speculation in "cotton futures" and not where the sale and delivery of actual cotton fixes the price under the law of supply and demand; and

Whereas the advocates of a speculative cotton exchange where unlimited quantities of cotton futures can be bought and sold, have contended that such an institution would positively and accurately reflect the price of actual cotton justified by the law of supply and demand; and

Whereas the advocates of such speculative cotton exchanges have claimed that they are not and can not be manipulated or controlled by influences other than those natural influences produced by the law of supply and demand; and

Whereas Government officials of the United States, the Federal Farm Board, whose duty it is to know what amount of American cotton is produced, exported, and consumed annually at home and abroad and the amount of the carry-over of American cotton at the end of each cotton season, have recently declared in a public statement, in view of the increased consumption of and the increased demand for American cotton and cotton goods, the decreased number of bales in the carry-over of American cotton for the previous year, and the production of a cotton crop this year not large enough to supply the world's demand for American cotton, that the price of cotton is too low and that the cotton farmer is entitled under the law of supply and demand to receive a higher price; and

Whereas in recent weeks the cotton exchanges where cotton prices have been unstable and fluctuation in the price of cotton has been the order of the day, the daily press reports on cotton prices have told us that the break in the price and the losses sustained by the cotton producers were not caused by the law of supply and demand; and

Whereas American cotton producers are now in the midst of the cotton-selling season, and in order that they may market their cotton to the best advantage so as to receive prices that will yield them a fair profit it is necessary that every influence and agency that is being used to hamper and depress the price of cotton be immediately suppressed; and

Whereas the Federal Farm Board has declared that the present price of cotton is low and unprofitable and that all the facts in the cotton trade demand and justify higher prices for American cotton; and

Whereas the cotton exchanges' daily reports show that it is not the law of supply and demand that fixes the price of cotton on the cotton exchange but that it is done by manipulation; and

Whereas in order to give the Federal Farm Board a fair chance and a free hand in preventing fluctuation and in stabilizing cotton prices immediately for the purpose of enabling the cotton farmers of the United States in the daily sales of their cotton to obtain a price that will yield them a profit: Therefore be it

Resolved, That the Committee on Agriculture and Forestry, or a subcommittee thereof, is hereby authorized and directed to immediately investigate all the matters set out in the preamble of this resolution and investigate the activities and speculative transactions of the New York, New Orleans, and Chicago Cotton Exchanges, and other interests engaged in any way in the cotton business, and report its findings to the Senate on or before December 20, 1929; and said committee is hereby directed to make any recommendations in its report to the Senate in December that it feels would be helpful in correcting the conditions complained of and in obtaining for the cotton producers of the United States profitable prices for their cotton.

Said committee is authorized to send for or subpœna persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding 25 cents per 100 words to report such hearings, the expenses of said investigation to be paid out of the contingent fund of the Senate and not to exceed $10,000.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. BLACK:

A bill (S. 2093) for the relief of the State of Alabama for damage to and destruction of roads and bridges by floods in 1929; to the Committee on Post Offices and Post Roads.

By Mr. COPELAND:

A bill (S. 2094) for the relief of Thermal Syndicate (Ltd.);

A bill (S. 2095) for the relief of Charles B. Chrystal;

A bill (S. 2096) for the relief of Acme Die-Casting Corporation;

A bill (S. 2097) for the relief of Fairbanks, Morse & Co.; and

A bill (S. 2098) for the relief of William Wrigley, Jr., Co. (Inc.); to the Committee on Claims.

By Mr. McNARY:

A bill (S. 2099) authorizing the Secretary of the Interior to grant a patent of certain lands to Truman H. Ide; to the Committee on Public Lands and Surveys.

A bill (S. 2100) granting compensation to Harvey J. Whitehorn; to the Committee on Finance.

A bill (S. 2101) to establish a military record for Bertrand Thomas Ford; and

A bill (S. 2102) for the relief of Capt. Lloyd S. Spooner, Service Company, Fourth Infantry, United States Army; to the Committee on Military Affairs.

A bill (S. 2103) for the relief of Kate Hatton;

A bill (S. 2104) for the relief of John H. and C. E. Haak; and

A bill (S. 2105) for the relief of J. W. Vandervelden; to the Committee on Claims.

By Mr. HOWELL:

A bill (S. 2106) for the relief of John Baba (with accompanying papers);

A bill (S. 2107) for the relief of the United States marshals for the district of Porto Rico (with accompanying papers);

A bill (S. 2108) for the relief of Don C. Fees (with accompanying papers); and

A bill (S. 2109) for the relief of the Western Electric Co. (Inc.) (with accompanying papers); to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 2110) exempting newspapermen from testifying with respect to the sources of certain confidential information; to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana:

A bill (S. 2111) granting a pension to Phillis Froman (with accompanying papers); and

A bill (S. 2112) granting a pension to Laura Belle Winter (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH:

A bill (S. 2113) to aid in effectuating the purposes of the Federal laws for promotion of vocational agriculture; to the Committee on Agriculture and Forestry.

A bill (S. 2114) granting the consent of Congress to the board of county commissioners of Georgetown County, S. C., to construct, maintain, and operate a free highway bridge across the Black and Waccamaw Rivers at or near Georgetown, S. C.; to the Committee on Commerce.

By Mr. EDGE:

A joint resolution (S. J. Res. 80) amending section 4 of S. J. Res. 117 of the Seventieth Congress; to the Committee on Interoceanic Canals.

AMENDMENTS TO THE TARIFF BILL

Mr. COUZENS submitted an amendment, and Mr. FLETCHER submitted two amendments intended to be proposed by them, respectively, to House bill 2667, the tariff revision bill, which were severally ordered to lie on the table and to be printed.

EXPENDITURE FOR THE SENATE OFFICE BUILDING

Mr. MOSES submitted the following resolution (S. Res. 157), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Rules hereby is authorized to expend from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1928, $15,000 for maintenance, miscellaneous items,

supplies, equipment, and labor for the care and operation of the Senate Office Building.

COMPENSATION OF MESSENGER TO SENATOR SCHALL

Mr. ROBINSON of Indiana submitted the following resolution (S. Res. 158), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the compensation of the messenger acting as personal attendant to Hon. THOMAS D. SCHALL, appointed under authority of Senate Resolution 243, Seventieth Congress, first session, be hereafter paid at the rate of $150 per month.

FREEDOM OF THE SEAS

Mr. BORAH. Mr. President, I ask to have inserted in the RECORD an editorial appearing in the Washington Daily News.

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

The editorial is as follows:

FREE SEAS BY MAGIC

The London 5-power naval conference will not discuss the question of freedom of the seas. That definite assurance has been given to the British people by Prime Minister MacDonald. To the British this news comes as a relief. To most Americans, probably, it will be a disappointment.

One of the reasons the United States entered the World War was to achieve freedom of the seas. That was the issue over which America and Britain fought in 1812. That was the dispute which almost made us fight Britain in 1915 and 1916.

That is the purpose of our Navy, in the main—to guarantee uninterrupted traffic of our commerce and ships when belligerents try to close the seas.

A problem so basic to international peace and to naval reduction can not safely be brushed aside as lawyers' quibbling, which MacDonald appeared to do in his Guildhall address Saturday.

Nor can this issue be left to disappear in the mists of general peace treaties, such as the Kellogg pact renouncing war. "When you remember that the problem of the freedom of the seas, either naval or military, can only arise if bugles have been blown, surely every man and woman of common sense sees that the swiftest and surest method of solving these problems is to see that the bugles of war never blow again," said MacDonald.

The Prime Minister's optimism regarding the automatic and magical self-solution of this problem arises from a confusion between the causes and results of war. The free-seas conflict is a cause of war. The war danger, especially between America and Britain, can not be removed until that conflict is removed.

Perhaps MacDonald is wise in the decision not to discuss this issue at the London naval conference. Progress can be made only one step at a time, and that conference will do well if it achieves a naval limitation agreement and nothing more.

But it would be no gain for peace if the American and British Governments and peoples persuaded themselves that such a naval agreement in itself can prevent war. It will be only one small step.

The larger and more important step of agreeing on freedom of the seas must then be taken.

AGRICULTURAL PARITY—LETTER OF F. E. MURPHY

Mr. NYE. Mr. President, on last evening the Washington Star carried an open letter written by Mr. F. E. Murphy, the publisher of the Minneapolis (Minn.) Tribune, to Hon. REED SMOOT. I ask leave to have the letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Evening Star, Washington, D. C., Wednesday, November 13, 1929]

A REPLY TO THE HON. REED SMOOT

NOVEMBER 8, 1929.

Hon. REED SMOOT,

Senate Office Building, Washington, D. C.

MY DEAR SENATOR SMOOT: I have read your letter of October 30 with the utmost interest, and am very glad to have the opportunity of replying to you.

Broadly, your letter seeks to convey two conclusions. One conclusion is that the Republican Party made certain pledges to industry. The other conclusion is that we who are speaking for agriculture are following false economic and political gods.

The first conclusion, to wit, that the Republican Party has certain pledge obligations to industry you seek to prove by a multiplicity of quotations from the Republican Party platform and from President Hoover's preelection speeches.

May I respectfully submit that all this is wholly unnecessary. May I submit that it is not only unnecessary but is, inadvertently, no doubt, an avoidance of the issue.

The issue in our correspondence simply has to do with the failure of the Republican Party to make good certain solemn and definite pledges made to agriculture. The issue has nothing to do with the party's pledge to industry. At the Kansas City convention the Republican Party officially said:

"The Republican Party pledges itself to the development and enactment of measures which will place the agricultural interests of America on a basis of economic equality with other industries to insure its prosperity and success."

The Republican Party platform also said:

"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."

The gravamen of our complaint is simply this: That the Republican Party gives no evidence of its intent either to place agriculture on a basis of economic equality with other industries or to give the home market to the American farmer. Beyond these two pledges we do not go, and it appears to me that, as a matter of logic, the recitation of the party's pledges to industry has no bearing whatever on the issue.

I know that there are industries that need additional tariff assistance. I know that there are industries in need of tariff assistance that are not now asking for help. I am willing and anxious that they should.

There can not be any disagreement between you and me on this point. I am now merely trying to confine the issue to the points we raise—the failure to keep the equality and the home-market pledges.

Our request for a parity of treatment for agriculture is continuously answered as if such a request were in its very nature an assault upon industry. Surely you and your Republican fellow Senators are not yet willing to assert that the attainment of a mere equality for agriculture or the possession of the home market means a destruction or an impairment of industry. Yet that you admit this is the unavoidable conclusion to which we must come if our pleas for the fulfillment of the party's pledges are forever answered by relating to us the pledges the party made to industry, as if the one were the negation of the other.

Our contention is, and always has been, that a parity for agriculture must of necessity mean an increased prosperity for industry and labor. The citation of the Republican Party's pledges to industry as an answer to our demands for an equality of treatment for agriculture is an answer to a fictitious belief that we most emphatically do not hold, to a fictitious charge that most emphatically we never have made, and to a theory to which we most emphatically never will subscribe.

May I trespass on your patience while I present some examples in support of our contention that the tariff measures of both the House and of the Senate do not give agriculture its promised equality and its home market.

The duty on hides as set down by both the House and the Senate is 10 per cent ad valorem. The compensatory duty on boots and shoes is set down at 20 per cent ad valorem. On the average, these two duties would mean 50 cents additional for a hide and $1 additional for a pair of shoes. Surely you do not maintain that the imposition of these duties has any tendency to put agriculture on a basis of equality with other industries. The farmer is clearly a loser by this transaction, and what adds to his irritation is the fact that this, an actual injury, is given to him in the guise of a benefit. You tell him you will give him more for his hides and then turn around and take twice that sum away from him for his shoes.

You will observe that I have confined my discussion to the simple items of hides and shoes. I say nothing about the duty on harnesses, saddles, gloves, etc., all of which are made of leather and all of which the farmer is compelled to buy.

I respectfully submit that the above gives no indication of the intention of the Republican Party to keep its pledge to give equality to agriculture.

Then there is the matter of sago, sago flour, tapioca, and cassava flour, used in the manufacture of starches. In 1928, 175,000,000 pounds were imported. For starch purposes this is the equivalent of 15,000,000 bushels of potatoes. Agriculture asked for a duty of 3 cents per pound or the equivalent of the duty on other starches. This was refused by both the Senate and the House. It seems to me that this is in direct violation to the Republican Party's pledge to give the "home market" to the farmer, "to the full extent of his ability to supply it." Here's a "home market" for 15,000,000 bushels of potatoes, for which the farmer asked and which a Republican Congress refused.

Both the House and the Senate have refused to give to the farmer a sufficient duty on casein. Half the casein used in this country is imported from Argentina, and here again is a "home market" that is denied to the farmer, in spite of the party's pledge to give it to him

Both the House and the Senate have refused to place a duty on hempseed oil, palm-nut oil, palm-nut-kernel oil, tung oil, sunflower-seed oil, sesame oil, all of which are used in the manufacture of paints and varnishes or soaps. These oils come into this country in large volumes from countries other than the Philippines and take the place of linseed oil and other domestic oils that could be produced by the American farmer.

I purposely omit any discussion of the vegetable fats produced in the Philippines, although a vast and profitable "home market" which should belong to the American farmer is thus denied to him.

The tariff on linseed oil is not completely effective. It will permit the importation of oil which, of course, means a subtraction from the American "home market" for flax.

The Senate Finance Committee reduced the House duty on flax from 63 cents per bushel to 56 cents per bushel in spite of the fact that fully 50 per cent of the flax used in this country is imported from Argentina. The American farmers are thus denied 50 per cent of the "home market" for flax in spite of the Republican Party's promise to give it to him "to the full extent of his ability to supply it."

The duty on wool, which was increased from 31 cents to 34 cents per pound by the House, was reduced to 31 cents by the Senate Finance Committee. Everyone is aware of the fact that the cost of the wool in clothing is a trivial matter to the consumer. There are not to exceed 4 pounds of wool in a suit that costs $125. Yet an increase of 3 cents per pound to the producers of wool means much. This was refused to the farmer by the Senate Finance Committee.

I respectfully submit that these conspicuous failures on the part of the Republican Party to keep its pledges to the farmer are not compensated for by the duties that have been placed on wheat, corn, oats, barley, rye, rice, and pork. These products are on an export basis and import duties on them are of little or no value. For the most part, these duties have no effect, and when they do have effect, the effect is temporary and does not then reflect to the farmer anything like the duty imposed.

We have a duty of 42 cents a bushel on wheat but in 1927 we exported 190,000,000 bushels of wheat. This fall the American farmers living along the Canadian line hauled their wheat into Canada, paid an import duty of 12 cents per bushel and sold their wheat in Canada for a higher price than they could obtain in the United States. In face of such facts as these what beneficial effect on the farmer does the 42-cent duty on wheat have?

We have a 15-cent duty on corn but we export 15,000,000 bushels of corn. We have a 15-cent duty on oats, but we export 10,000,000 bushels of oats. We have a 20-cent duty on barley, but we export 40,000,000 bushels of barley. We have a 15-cent duty on rye, but we export 26,000,000 bushels of rye. We have varying duties on pork and pork products, but we export nearly 1,000,000,000 pounds.

The duties on these products, that are on an export basis, avail the farmer little or nothing. They may make a statistical showing but the farmers' troubles are not statistical. They are financial.

I think that these examples will convince any fair-minded person that the American farmer has a valid complaint against the Republican Party and can justly accuse the representatives of that party in Congress of a failure to keep its preelection pledge.

I again submit to you that your quotations, in your letter to me, of the party pledges to industry has no bearing on the failure of the Republican Party to keep its pledges to the farmer.

The allegation that we are following false gods is equally without bearing on the question of issue. At the most, such a charge is a matter of opinion and not of provable fact. May I suggest that your comparison of our attitude with that of certain newspapers during the free silver issue is not at all apt or pertinent. The Minneapolis Tribune was conspicuous, but by the discovery of gold in Alaska and Even so, it may even be said that the gold standard has been justified, not by the logic of its protagonists, among whom the Minneapolis Tribunet was conspicuous, but by the discovery of gold in Alaska and the perfection of the cyanide process. Both of these factors, unforeseen and unpredictable, came into the equation after the country had decided in favor of the gold standard.

I would say that a closer parallel of the present situation would be the Winona speech of the Republican candidate for the Presidency, who attempted to justify the failure of the Republican Party to keep its pledges. You will recall that the Republican Party had promised "to revise the tariff downward" and failed to do so with results that were unfortunate, at least, for the Republican Party for the next eight years.

In conclusion, I want again to assure you that our demands for the fulfillment of the pledges to the farmer are in no wise made in opposition to the needed adjustments in behalf of industry. We feel that agriculture is industry's best customer. We feel that the farmer is the best "foreign market" that industry has. All that we are asking is the fulfillment of the simple, explicit pledges to agriculture that were made in the Republican Party platform. We ask for no more, and we will be satisfied with no less.

With assurance of my great esteem for the service you have rendered your country and your party, I am,

Sincerely yours,

F. E. MURPHY,
Publisher Minneapolis Tribune.

THE F. H. SMITH CO.

Mr. BROOKHART. Mr. President, I desire to take a few moments in reference to the F. H. Smith Co.

President Hoover in his inaugural address said:

> To reestablish the vigor and effectiveness of law enforcement we must critically consider the entire Federal machinery of justice. * * * There is a belief abroad that by invoking technicalities, subterfuge, and delay the ends of justice may be thwarted by those who can pay the cost.

I considered then, and I think now, that the President's statement was not only a timely and expedient one but that he then uttered a warning that should, if carefully heeded, have a most salutary effect upon the Government of our country. The national commission appointed by him is now making an exhaustive research of the entire system of Federal jurisprudence—a survey of the whole field of crime and an examination of trial and appellate procedure that should have a tremendous effect when the work of that commission has advanced to a point where its recommendations may be considered and utilized in the enactment of new and more effective laws for the apprehension and punishment of criminals.

In this connection I have brought to the attention of the Senate on many occasions the outstanding and significant fact that our District of Columbia, governed as it is by the Congress, sets such a miserably poor example for the rest of the country that it should be no matter of wonder at all that the Federal Government itself is fast falling into disrepute throughout the States of the entire Nation. As fogs and vapors frequently roll over this small territory from the waters of the Potomac and hide the beauty of its countless buildings of marble and granite from the light of the sun so do the vapors and fogs of crime and corruption, of dishonesty, and of vicious greed continually render more and more obscure the honorable, efficient, and wholly sincere private and public conduct of the great and honest majority of the citizens and officials of the District.

How can we expect that the youth of the Nation—the young men and women now being educated in its schools and colleges and upon whom the executive burdens of industry, commerce, and government will soon fall—can commence their respective personal or official careers in anything like the right attitude of heart and of mind when they are continuously and correctly taught throughout the formative educational period, by the newspapers and magazines of the country, that the very source of the stream of government is foul with dishonesty and corruption? To-day, as perhaps never before, the eyes of the entire country are fixed upon the National Capital. Those earnest persons throughout the Nation who have a sincere desire for a decent and honest administration of the country's laws are appalled and bewildered at the failure of the Congress to properly govern this small territory that is in its trust and charge. The failure of the officers of this Government to properly and adequately enforce its laws throughout the Nation has become, as President Hoover suggests, a matter of great concern; but the utter failure of the Congress to properly govern the District of Columbia is a matter for even greater concern, because if crime can continuously increase and flourish here at the very seat of government itself what can be expected as to the rest of the Nation? If the Congress with all of the power at its command can not lash the criminal away from the execution of his crime almost within the shadow of this building, how can we hope that distant officials, with comparatively inferior power and lesser equipment, can succeed in holding their respective trenches against the force and strategy of the armies of crime?

I have had occasion to refer a number of times to the operations within this District of the F. H. Smith Co. I realize keenly that this is but one of many matters that require the attention of our local authorities; but I can not forget that perhaps 20,000 persons in these United States have purchased bonds and stocks, aggregating many millions of dollars, from this concern, and that they have done so in part by reason of the fact that they have thought—as they had a right to think—that the operations of such a corporation, conducting its business from their National Capital, would be subjected to at least a reasonable supervision. Since the conduct of this company, and of its officers, has become a matter of controversy in our local courts I have frequently called upon the Department of Justice for information concerning the status of investigations and prosecutions in connection with its transactions. To say that I have been astounded at what has been revealed to me would be but a mild expression indeed. Reverting to President Hoover's statement, that—

> There is a belief abroad that by invoking technicalities, subterfuge, and delay, the ends of justice may be thwarted by those who can pay the cost.

I can only say there is more than ample ground for such a belief. I have heretofore referred to the fact that bonds have been issued and sold by the Smith Co. in the aggregate sum of approximately two and three-quarter millions of dollars on the Hamilton Hotel in this city—a building that cost, with its equipment, approximately a million and a half dollars, and has already lived through half of the 20-year period that it can

hope to be designated as a first-class hotel. I need make little comment on the nature of the security upon which the bondholders must depend. Answering my inquiries, agents of the Department of Justice inform me that the outstanding bond issues approximate $10,000 per room, and that the interest payments and general expense of operating the hotel are far greater than its earning capacity has ever been or can hope to be, to say nothing of the payment of the bonds themselves when they may become due. Within my memory, in fact, within the past five years, two of the companies that have attempted to operate that hostelry have become bankrupt, and yet it has been subsequently mortgaged and bonds have been sold for more than a million dollars since those bankruptcies, despite the fact that the building was already encumbered with old mortgages for much more than it cost to build it, equip it, and pay for the site.

Criminal proceedings against the chairman of the board of the F. H. Smith Co. were instituted last May as a result of a grand jury investigation concerning his testimony at the bankruptcy hearings mentioned a moment ago. It became important that the grand jury should obtain certain of the records and documents and books pertaining to the operation of the hotel, and I am informed by agents of the Department of Justice that these books and records and papers were never produced, but that, on the contrary, the United States attorney was advised that they could not be located and were no longer available. A few days ago I noticed in the papers, and subsequently read from the files in a present pending criminal proceeding, that when those books and records and documents were required by our grand jury last May they were not in fact produced, but that at the very time that it was claimed that they were not available and could not be produced, approximately 20 steel trunks, filled with papers and documents, were surreptitiously removed from the general offices of the F. H. Smith Co. to the farm of a man named Porter, in Maryland; and that they were not brought back until the termination of the grand jury proceedings.

I think that I should say that I am personally satisfied that the farmer who accepted and concealed the records did so without any knowledge of the purpose or intent of those who arranged with him to do so, and that it was not until he later saw an account of the criminal cases in newspapers that he suspected an ulterior motive on the part of Henry, who had made the arrangement with him.

I have investigated this matter in some degree myself, and I know from personal information, as well as from the files of the case, that Samuel J. Henry, the president of the F. H. Smith Co., made arrangements to have those 20 steel trunks of papers and documents conveyed to that distant farm and concealed thereon. No answer has been made to the charge of the Government in that respect. There has been no denial of the facts alleged, nor can I see how there could be any denial that would not insult the intelligence of any person to whom it was made. If those papers and documents were not the ones required by the Government, why would they have been removed from the ample offices of the Smith Co. just at that time? If they were not the books and documents required by the Government and which the Smith Co. were afraid to produce, why would they have been taken to that farm in Maryland for storage in a barn thereon, when the F. H. Smith Co. and its president had a farm of their own half as far away—just over here between Glen Echo and Great Falls?

This action, Senators, on the part of the president of the Smith Co., who has been drawing a salary considerably larger than that of the President of the United States, is one of the most outstanding instances of the defiance of a Federal court that I have ever known; and I here and now call upon the proper officials to have this man Henry, and all others who knowingly took part in that transaction, cited for their insolent contempt, lest it be considered throughout the country that, as President Hoover suggests, those who can pay the price actually have the power to thwart justice.

Mr. President, in connection with this statement, I desire to insert in the RECORD a motion in the case of the United States against G. Bryan Pitts, original criminal docket.

The PRESIDING OFFICER (Mr. JONES in the chair). Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

IN THE SUPREME COURT OF THE DISTRICT OF COLUMBIA

THE UNITED STATES *v.* G. BRYAN PITTS, ORIGINAL CRIMINAL DOCKET

Now comes the United States, by Nugent Dodds, special assistant to the Attorney General thereof, and, answering a motion to quash a subpœna duces tecum heretofore issued and served upon the F. H. Smith Co., a corporation, says:

That each and every of the records designated in said subpœna duces tecum are required to be produced as ordered in said subpœna for the examination of the grand jury before which is now pending an investigation in respect to alleged criminal conduct of divers persons and corporations in connection with the affairs of the F. H. Smith Co., a corporation; the F. H. Smith Investment Co., a corporation; the Smith Selling Co., a corporation; the F. H. Smith Co. of Virginia, a corporation; the Columbia Trustee & Registrar Corporation; the Union Trustee Co., a corporation, and other corporations; and concerning the conduct of the following-named persons, among others, in respect to their dealings with the above-named corporations, and with other persons and corporations: G. Bryan Pitts, Samuel J. Henry, C. Elbert Anadale, Henry C. Maddux, R. Golden Donaldson, Daniel R. Crissinger, FREDERICK N. ZIHLMAN, John H. Edwards, jr., and others.

Concerning the matters that are to be presented to said grand jury for its investigation, said special assistant to the Attorney General says that he is informed, and is about to present evidence to the grand jury, concerning all of those matters and things heretofore stated in the answer to those certain motions to quash subpœnas duces tecum heretofore issued—which said answer was filed in that certain cause entitled "The United States *v.* John Doe," on October 28, 1929, and which said answer is hereby included by reference thereto, and made a part hereof.

And further: That on or about the 6th day of May, 1929, and at a time when an investigation was about to commence before the grand jury of the said Supreme Court of the District of Columbia concerning the alleged criminal misconduct of said G. Bryan Pitts in connection with the affairs of said Pitts as an officer of said the F. H. Smith Co., and about and concerning his conduct in connection with bankruptcy proceedings theretofore had concerning the Hamilton Hotel Corporation, and when divers books, records, and documents of said the F. H. Smith Co. were needed and their production ordered for the examination of the grand jury under a subpœna duces tecum served on Samuel J. Henry, as president of said the F. H. Smith Co., that such books, records, and documents as were so subpœnaed were not brought into court in compliance with the command of the subpœna, but that said Samuel J. Henry personally came to the United States attorney and asserted that such books, records, and documents could not be found.

And this when, as said special assistant to the Attorney General has been informed and believes, said Samuel J. Henry, on or about the day that said subpœna was issued and served upon him, drove to a point in the State of Maryland, approximately 30 miles north of the city of Washington, D. C., to the farm of one J. Rucker Porter, and there negotiated with said J. Rucker Porter to the end that said J. Rucker Porter consented to receive certain papers and documents to be sent to him by said Henry, and to keep the same upon that farm in private storage. And that immediately thereafter said Samuel J. Henry sent a truck belonging to said the F. H. Smith Co., in charge of one Joseph Howard, an employee of said the F. H. Smith Co., loaded with approximately 20 locked steel trunks to the farm of said J. Rucker Porter, where they were so held in private storage by said Porter (without any knowledge on his part of the purpose or intent of said Henry) until after the grand jury had concluded the matters that it was then investigating.

Wherefore said special assistant to the Attorney General says to the court that a more minute and detailed description of the divers books, papers, and documents that are necessary to an orderly and expeditious presentation of the matters now being investigated by the grand jury of this court would serve to apprise the said defendants in advance of the necessity for and comparative value of each particular book and document as evidence, and would in all probability result in the immediate concealment, alteration, or destruction of such evidence.

NUGENT DODDS,
Special Assistant to the Attorney General.

DISTRICT OF COLUMBIA, *ss:*

Nugent Dodds, being first duly sworn, deposes and says:

1. That he is a special assistant to the Attorney General of the United States, and as such lawfully assigned by the Attorney General to the presentation to grand juries, preparation for trial, and trial of any case or cases growing out of violations of section 29 (b) of the bankruptcy act, sections 37, 125, and 215 of the Criminal Code, and other provisions of law, on the part of G. Bryan Pitts, C. Elbert Anadale, Gustav C. Hertz, Samuel J. Henry, and others associated with them, in connection with the conduct of the business of the F. H. Smith Co., of Washington, D. C., and other corporations.

2. That in connection with the investigation of those matters, deponent has had occasion to examine numerous papers, documents, and accountings, and to interview divers persons who have examined books, papers, and records, and other persons concerning the matters mentioned in paragraph 1 hereof.

3. That deponent has been informed in his investigation, by such books, records, and documents as he has examined, and by the persons so interviewed by him, concerning the matters and things set forth in

the attached statement by deponent signed, and is about to present evidence to the grand jury concerning those matters and things in order that said grand jury may investigate the same, and examine evidence, and hear testimony concerning the same, to the end that it may indict those persons and corporations as to whom it shall find probable cause to consider that crimes have been committed.

4. Further, that deponent has been informed and believes, and is about to present evidence to the grand jury, that the business of said the F. H. Smith Co., and the conduct of divers of its officers and agents in connection with its business, during the past several years has been, and now is, of a dishonest and fraudulent nature, designed to cheat and defraud the patrons of said the F. H. Smith Co. by false and fraudulent representations, inducements, and promises conveyed through the United States mails; and that such fraudulent conduct pertains to so much of the general business and affairs of said the F. H. Smith Co. and of those several other corporations mentioned in the statement attached hereto that, to the best of deponent's knowledge and belief, all of the books, records, and documents called for in each of the subpœnas duces tecum heretofore issued in this cause are material and relevant, and are needed by the grand jury for their examination and consideration, in the investigation of the matters hereinbefore mentioned.

NUGENT DODDS,
Special Assistant to the Attorney General.

Subscribed and sworn to before me at Washington, D. C., this 6th day of November, 1929.

[SEAL.] JOHN C. HILL, *Notary Public.*

REVISION OF THE TARIFF

The Senate, as in Committee of the Whole, resumed the 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 PRESIDING OFFICER. The clerk will state the pending amendment.

The LEGISLATIVE CLERK. On page 118, line 4, the Committee on Finance proposes to strike out "402. Maple (except Japanese maple) and birch: Boards, planks, deals, laths, ceiling, flooring, and other lumber and timber (except logs)" and insert "401. Maple (except Japanese maple), birch, and beech: Flooring," so as to read:

PAR. 401. Maple (except Japanese maple), birch, and beech: Flooring, 15 per cent ad valorem.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

Mr. WALSH of Massachusetts. Mr. President, the effect of this amendment is to put all forms of maple, beech, and birch lumber except flooring on the free list. Beech flooring is transferred to the dutiable list from the free list. I think the Finance Committee have very properly rejected the House provision and recommends placing maple and birch boards, planks, deals, laths, ceiling, and other lumber and timber upon the free list, but I can not support the action of the committee in taking maple, birch, and beech flooring from the free list and placing it upon the dutiable list at a rate of 15 per cent ad valorem. In view of the fact that it is already on the free list, that there are practically no imports of flooring into this country, and that we send to Canada more hardwood lumber, including flooring, than Canada sends to us, I can not conceive of any sound reason for removing from the free list and placing on the dutiable list such a commonly used commodity in the building industry as flooring of these woods. I think the amendment should not be agreed to and I urge the restoration of all hardwood lumber, including flooring.

The only reason I have heard advanced for removing from the free list and placing on the dutiable list flooring which is used in building in our country is that Canada places a duty of 25 per cent upon flooring which we export to her in a comparatively large volume. If the policy of our country in fixing tariff duties is to consider the duties which other countries levy upon our exports of a like commodity, of course, this duty can be justified, but if the policy of our country is to keep in mind the rights of the American consumers of these various products, then the proposed duty can not be justified.

Mr. SMOOT. Mr. President——

Mr. WALSH of Massachusetts. I yield to the Senator from Utah.

Mr. SMOOT. I wish to call the Senator's attention to the fact that Canada herself imposes a duty of 25 per cent upon flooring, and the committee felt that so long as Canada imposed such a duty we should also impose a duty, although the duty which we propose is at a less rate, being 15 per cent instead of 25 per cent, which is the rate Canada imposes. That was the main reason why the change was made.

Mr. WALSH of Massachusetts. I understand that and I can appreciate the force of the argument that influenced the committee.

Mr. President, there is every evidence that in this bill we are going to increase the duties on agricultural products to a considerable extent. If we are going to do that, there will be considerable injury to our exchange of business with Canada. I think this is one of the products that we might well allow to remain upon the free list, so that such slight importations that come in from Canada may come in without the payment of duty. Let me present——

Mr. HALE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Maine?

Mr. WALSH of Massachusetts. I will yield to the Senator from Maine directly. Let me present to the Senate the astounding figures as to the extent of the production of hardwood in this country and the meager and limited imports, and also the figures which show that the exports are tremendously in excess of our imports. I will yield to the Senator from Maine after I have presented those figures.

The domestic production of hardwood lumber is approximately 6,000,000,000 feet annually. In 1927 our production of maple and birch alone was 1,100,788,000 feet. Canada's annual production, much of which she uses herself, is only 150,159,000 feet. Just contrast those figures. Canada's own production was 150,159,000 feet while our production was 6,000,000,000 feet.

Let us consider the imports. In 1927 the total imports from Canada, including hardwood flooring, were 65,806,000 feet; in 1928 they had shrunk to 52,915,000 feet. These figures are from the Department of Commerce under date of April 8, 1929.

Our total exports of hardwood for 1927 were 407,356,000 feet; our exports to Canada alone in 1927 were 106,578,000 feet. Let me repeat those figures: Our imports from Canada in 1927 were 65,806,000 feet; our exports to Canada in 1927 were 106,578,000 feet. We exported to Canada twice as large a volume of hardwood lumber as Canada sent to this country.

Mr. HALE. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Maine?

Mr. WALSH of Massachusetts. Yes; I yield.

Mr. HALE. I think the Senator fails to draw a distinction as to the kind of hardwood flooring that we export to Canada. Our exports of hardwood flooring are not of birch, maple, and beech flooring, but of oak flooring. In Canada there is no oak, and, of course, for their fine flooring they have to use oak, just as any other people have to use it, and they get from this country very large exports of oak. That accounts for the large export figures. We export practically no birch, maple, or beech flooring.

Mr. WALSH of Massachusetts. It is difficult to get the separate figures for the various flooring woods that are imported and exported. Our statistics include in the same paragraph all the imports and exports of hardwood, which include flooring; but these facts are pertinent and can not be denied:

First, that we export to Canada twice the amount of hardwood that is imported from Canada.

Second, that we import from Canada an amount equal to about 1 per cent of our total hardwood production.

Third, that our production of birch and maple greatly exceeds the Canadian production.

Fourth, that Canada buys more than one-fourth of our total hardwood exports.

Fifth, that there is a marked increase in our hardwood exports to Canada and a marked decrease in our imports from Canada, according to a press release of the Department of Commerce as late as March 20, 1929.

It should also be borne in mind that our imports of hardwoods are of higher grade and thicker size, used in the automobile industry and in the manufacture of farm implements.

The general effect of duties upon hardwood lumber will be to enable a few domestic forest owners to get high prices for the products of limited forests, and greatly to cripple the furniture industry of the country. The actual cost which this 15 per cent duty upon flooring will amount to will be between $8 and $20 per thousand feet.

I can not conceive how we can justify to the consumers of the country who use hardwood flooring the removal in the tariff act of these grades of hardwood flooring from the free list and putting a duty of 15 per cent on it, in view of this record that we are shipping to Canada twice as much as Canada is sending to us, and in view of the tremendous production in this country. I can not subscribe to the argument that because Canada puts a duty upon the hardwood flooring that we levy a countervail-

ing duty, we must follow her example and punish all our consumers here in America.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Nebraska?

Mr. WALSH of Massachusetts. I yield to the Senator.

Mr. NORRIS. I think I agree with the Senator entirely in what he seeks to accomplish; but I should like to call his attention to what seems to me the plain effect of the committee amendment.

If we defeat the committee amendment, the effect of our action will be to subject maple and birch boards, planks, deals, laths, ceiling, and flooring, except Japanese maple, to a duty of 15 per cent ad valorem. If we approve the committee amendment, the effect of our action will be to put on the free list all of those articles except maple, birch, and beech flooring, which will be dutiable at 15 per cent ad valorem.

Mr. WALSH of Massachusetts. I stated at the outset that I commended the committee for removing from this bill the rates which the House placed upon birch and maple lumber; and after the committee amendment is rejected, if that is done, I expect to move to put all hardwood lumber, including flooring, upon the free list.

Mr. NORRIS. I should hesitate somewhat to vote to reject the committee amendment for fear, if the Senator did not succeed later on with his amendment, the effect of our action would be to put a tariff of 15 per cent ad valorem on all these things.

Mr. WALSH of Massachusetts. There is no effort from any source in the Senate to put this lumber upon the dutiable list. The effort of the Senate Finance Committee is to put flooring upon the dutiable list.

Mr. NORRIS. Exactly; that is the effect of the committee amendment. I agree with the Senator as to what he wants to accomplish.

Mr. WALSH of Massachusetts. Even the committee itself does not seek or desire to put lumber upon the dutiable list; so, if the amendment is rejected, of course the next step will be to move that the House provision be struck out and that action will place all hardwood lumber upon the free list, if approved.

Mr. FLETCHER. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Florida?

Mr. WALSH of Massachusetts. I do.

Mr. FLETCHER. Why would not that object be accomplished by rejecting the first committee amendment, separating paragraph 401 entirely—that is another matter—and then defeating that? It seems to me that would accomplish what the Senator desires—to reject the committee amendment in the first instance, and then, as to paragraph 401, to reject the committee amendment there.

Mr. WALSH of Massachusetts. Exactly. That was my thought—to proceed first to reject the committee amendment, and then to reject the House provision.

Mr. NORRIS. Mr. President, may I suggest to the Senator, since we are trying to accomplish the same thing, that we ought to agree, if we can, upon the mode of procedure. The committee amendment does two things: It strikes out and inserts. Could we not divide it, and agree to the committee amendment where it strikes out, and reject the part of the committee amendment where it inserts?

Mr. WALSH of Massachusetts. But if we reject the committee amendment and then reject the House provision, lumber and flooring will be back on the free list, where it is now.

Mr. NORRIS. How are we going to reject the House provision, unless the Senator waits until all the committee amendments have been disposed of?

Mr. WALSH of Massachusetts. We have changed the rule, and we can now move amendments from the floor at the end of each schedule after the committee amendments have been considered.

Mr. NORRIS. I did not know that. Then the Senator can strike it all out.

Mr. WALSH of Massachusetts. I repeat, Mr. President, do we want to frame our tariff acts upon the basis of first considering what some other country has done in the way of levying a duty upon a commodity which we send to that country, without thought of the condition of the industry and of the consumer? If you are thinking in terms of the consumer and of increased cost of building and increased cost of furniture, you will continue to keep upon the free list all forms of hardwood lumber and all flooring, including hardwood flooring. If you take the other position you will say, in effect, "Because Canada placed a duty of 25 per cent on the flooring we send to her, we will abandon all thoughts of our own consumers, and proceed to fix tariff rates upon the principle of retaliation."

Mr. HARRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. WALSH of Massachusetts. I do.

Mr. HARRIS. I should like to ask the Senator whether there has been any decrease in our exports since Canada put this duty on our products?

Mr. WALSH of Massachusetts. I will say to the Senator that the imports from Canada to this country have actually decreased. Our exports to Canada have steadily increased, notwithstanding that duty. Canada must get these classes of hardwoods from us; and nobody questions the wisdom of placing all hardwood lumber upon the free list. There is no dispute about that. It is a question of whether we will segregate and take away from the free list hardwood flooring because Canada has placed an excessive duty upon hardwood flooring. That is the only issue here. Now, are we going to penalize all the consumers of America by levying in this bill a duty of 15 per cent upon hardwood flooring, though no industry is suffering and though no industry is complaining? That seems to me to be the simple issue.

The PRESIDING OFFICER. The Chair desires to advise the Senator from Massachusetts that the clerk informs him that the rule adopted to consider committee amendments first has not yet been abrogated or changed.

Mr. WALSH of Massachusetts. The committee amendments, of course, must be considered first; but it is agreed that at the end of each schedule—the Senator from Utah will, I am sure, confirm this—amendments may be offered from the floor.

The PRESIDING OFFICER. No; that agreement has not yet been formally made.

Mr. COUZENS. That agreement was not entered into.

Mr. WALSH of Massachusetts. It was stated upon the floor that we would agree to such a course after the first three schedules were disposed of.

The PRESIDING OFFICER. It was stated that it was hoped it would be agreed to; but it has not yet been agreed to.

Mr. WALSH of Massachusetts. I now ask unanimous consent that when the committee amendments in this schedule, Schedule 4, have been acted upon amendments from the floor be in order.

Mr. COUZENS. I think we ought not to do that with the chairman of the committee out of the Chamber, in view of the fact that the proposed agreement applies only to this one schedule and has been refused heretofore on all other schedules.

Mr. WALSH of Massachusetts. It has not been refused by the Senator from Utah [Mr. SMOOT]. He has been insisting, and the Senator from Pennsylvania [Mr. REED] also, that the proper and efficient manner of considering and debating this bill was first to act upon the committee amendments to each schedule and then to have amendments from the floor offered when the subject matter was in our minds and all Senators were familiar with the various commodities named in each schedule of the bill. Because of the request of the junior Senator from Utah [Mr. KING], an exception was made in the case of the first three schedules.

The PRESIDING OFFICER. The Chair desires to state to the Senator from Massachusetts that the senior Senator from Oregon [Mr. MCNARY] asked him, if this proposition were made, to object if he should not be on the floor, because he would not consent to a unanimous-consent agreement to that effect at this time.

Mr. COUZENS. I think we might finish the schedule.

Mr. WALSH of Massachusetts. It is immaterial to me by what method this bill is considered; but the sensible thing, which I have advocated from the beginning, is to take up a schedule at a time, consider the committee amendments, and then offer amendments from the floor, and not go all through this bill and, after we have discussed all the schedules in the bill, come back and talk about chemicals and metals and woods and the various subdivisions of the schedules. The proposal that I suggest is the practical, sound, sensible way to proceed, and it would have been adopted in the beginning except for the insistence of the junior Senator from Utah [Mr. KING] that he was not prepared, as a representative of the minority, to offer amendments.

Mr. COUZENS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Michigan?

Mr. WALSH of Massachusetts. I yield.

Mr. COUZENS. I have constantly urged that this procedure be followed, but it has been heretofore rejected; and I now suggest to the Senator from Massachusetts that we conclude this schedule and then that he renew his request.

The PRESIDING OFFICER. The Chair will suggest to the Senator from Massachusetts that he might get unanimous consent to consider this paragraph in full.

Mr. WALSH of Massachusetts. I judge from what the Senator from Maine has said that he would object to that.

Mr. HALE. No; I have no objection to that, if the Senator will go about it in the usual way and have a vote first on the committee amendment, and afterwards on the House provision.

Mr. SMOOT. That is the proper way to do, Mr. President.

Mr. WALSH of Massachusetts. Then I ask unanimous consent that all the provisions of this paragraph be considered at one time.

The PRESIDING OFFICER. So that the paragraph shall be subject to amendment in all parts?

Mr. WALSH of Massachusetts. In all parts.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

Mr. WALSH of Massachusetts. Then I understand the procedure to be that the first question will be the acceptance or rejection of the committee amendment, and then that I will have an opportunity to make a motion that will restore all hardwood lumber and flooring to the free list.

Mr. NORRIS. Mr. President, I desire to make a parliamentary inquiry. Is it the right of any Member of the Senate to ask for a division of the vote on the committee amendment?

The PRESIDING OFFICER. The Chair understands that by unanimous consent it can be divided.

Mr. FESS. Mr. President, I call attention to the fact that this is a motion to strike out and insert.

Mr. NORRIS. I was not suggesting unanimous consent; I did not suppose we could get that; and I wanted to ask the Chair whether it is not a matter of right that anybody can demand a division of this vote.

The PRESIDING OFFICER. The Chair is advised by the clerk that a motion to strike out and insert itself is not divisible except by unanimous consent.

Mr. NORRIS. Very well; let us vote, then.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. HALE. Mr. President, I do not approach this matter from the angle of one who has flooring mills in his State. As far as I know, there are no hardwood flooring mills in the State of Maine; but all through the northern part of this country there is a large growth of hardwood timber. I think the Department of Agriculture estimates are that there are about 80,000,000,000 feet of standing hardwood timber, birch, maple, and beech; and in New England alone we have about 10,000,000,000 standing feet of this timber.

This is an asset of great value to us. As a State we ought to have the privilege of using that timber and of using it with profit to ourselves. As the Senator has stated, in this hardwood-flooring business about 150,000,000 feet are produced annually. Formerly much more was produced than is now produced in this country.

In Canada there are produced about 75,000,000 feet, I think. This business has been having hard sledding all over the country not only on account of foreign importations but other floorings, like linoleum, are used, and come in competition with it, and the business has not been getting ahead as it should.

Mr. NYE. Mr. President, will the Senator yield?

Mr. HALE. I yield.

Mr. NYE. Can the Senator tell us anything of the ownership of these timberlands in the New England section?

Mr. HALE. Nothing in particular. These hardwood lands are situated all over the States. In our forests there are hard and soft wood together; then there are blocks of hardwood growth scattered about the country.

Mr. NYE. Are they privately owned, or, for the most part, are they the possessions of great timber concerns?

Mr. HALE. I do not think the great timber concerns who have large timber holdings all over my State cut much of their hardwood, if any. Most of the hardwood that is cut is on small blocks of land owned by farmers, and the men who have the mills go around to the farmers and arrange with them to cut a small amount of timber and bring it into the mill and use it there. It is not profitable for the big concerns to cut hardwood.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. HALE. I yield.

Mr. NORRIS. The Senator has given as a reason, or at least as one of the reasons, why this lumber business up there is in financial trouble, that other forms of flooring, such as linoleum, have come in competition with the hardwood flooring, and caused the lumber business to get into financial difficulty. Does the Senator feel that competition of that kind would be relieved by a tariff on the wood?

Mr. HALE. No, Mr. President; I do not.

Mr. NORRIS. Does he think that even if it would, it would be fair to the country to levy a tariff on hardwood because linoleum is being used instead of hardwood?

Mr. HALE. No, I do not; but I do say that the industry is having hard sledding now, and that even the small competition that comes in from Canada is very hurtful.

Mr. NORRIS. The Senator, in asking for a tariff, says that hardwood is coming in competition with linoleum. Is that a reason why we should impose a tariff?

Mr. HALE. The Senator has not understood what I said. I said that the business is having hard sledding anyway, and that any outside competition, such as importations coming in, will injure it, and although the amount of imports are not, perhaps, as great as in some other cases, even what does come in does do a great deal of harm. I have not been able to get the latest figures of the importations of hardwood flooring coming into this country from Canada. I think the Senator from Massachusetts had the figures, had he not?

Mr. WALSH of Massachusetts. Mr. President, I have figures which would include hardwood flooring, but not figures as to hardwood flooring separately. The imports from Canada in 1927 of all hardwood lumber, which includes flooring, were only 69,000,000 feet. In 1928 they had shrunk to 52,000,000 feet. This was against a domestic production of 6,000,000,000 feet.

Mr. HALE. But that relates to hardwood in general. I am talking about hardwood flooring. Can the Senator give me the figures as to hardwood flooring?

Mr. WALSH of Massachusetts. There are not figures for that separately. It comes in as hardwood.

Mr. HALE. In one of the briefs on this matter I notice that in 1925 there were about 7,000,000 feet of importations from Canada of this hardwood flooring. I understand that after that the imports went up a certain amount, and since have gone down a certain amount, but whatever the facts are, there is a certain amount of foreign importation that interferes with the domestic business. I am very certain that if we impose the proposed duty on this article, and let people understand that the industry is to be protected, hardwood-flooring mills will be developed all over the northern part of the country. Therefore I hope very much that the committee amendment will be accepted.

Mr. NORRIS. Mr. President, it seems to me the argument of the Senator from Maine is fully met by the statistics that are before us. All this material is now on the free list. The House put a tariff on all of it. The Senate committee brings in an amendment that strikes everything out except maple, beech, and birch flooring.

The statistics show that with free trade in this material there is a very small percentage of imports of all kinds of hardwood lumber. I did not figure it out, but it would be less than 1 per cent; as I read the figures, the imports amount to only a small fraction of the production in the United States. So that without any tariff whatever there is practically none of this stuff coming into the United States.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. WALSH of Massachusetts. The exports to Canada are twice as much as our imports.

Mr. NORRIS. Yes; we export a large amount. While we are importing this small amount, we are exporting a large amount, with no tariff whatever. Now comes the proposition that we ought to put a tariff on some of this hardwood, this flooring, in order to stimulate the business on this side of the line, which is already stimulated, which is now exporting, which is not bothered with imports. But the Senator does strike one point that does interfere, without doubt, when he says that linoleums, inlaid linoleum, different kinds of linoleum, are competing with hardwood flooring. That is undoubtedly true. But no one will claim for a moment that we ought to put a tariff on lumber in order to save the lumbermen from competition with the manufacturers of linoleum. It would not do any good if we did. It would simply be a revenue tariff. It would not protect anything. We have the business now, under free trade. The record shows we do not need a tariff. We are not only controlling our own market but a large part of the Canadian market right now, under free trade. It is said that the business is not prospering and the only reason that is left why it is not prospering is that linoleum and other kinds of artificial flooring are coming into common use, their use increasing every day.

That is a competition that we can not remedy by a tariff on lumber. If the linoleum were imported, we could levy a tariff on the linoleum, but it is produced here, as I understand it. If the people want linoleum flooring, are we going to pass a law

that will prohibit them from getting it and compel them to use hardwood?

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. WALSH of Massachusetts. I want to supplement what the Senator has said about our exports to Canada. Our exports to Canada are twice what our imports are from Canada. Our total exports to all countries are eight times what our imports from Canada are.

Mr. NORRIS. I thank the Senator.

Mr. HALE. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. HALE. The Senator does not think this tariff, if it went on, would affect linoleum, does he?

Mr. NORRIS. I do not.

Mr. HALE. Neither do I.

Mr. NORRIS. Then why was the Senator talking about linoleum? He is trying to get a tariff on lumber, and to induce Senators to put it on he says, "We are being driven out of business by the linoleum fellows." I do not think that is a good argument, and the Senator admits it is not.

Mr. HALE. Mr. President, the industry has this great competition at home, and it feels at once any foreign imports that come in. What I would like to see would be a duty to protect us against those foreign importations and at least cut them down.

Mr. COUZENS. Mr. President, will the Senator yield?

Mr. NORRIS. I yield the floor.

Mr. COUZENS. I want to draw the attention of the Senator from Massachusetts to what seems to me an unfair argument. I know the Senator does not want to be unfair, but he confuses the exports with the imports by taking the aggregate of exports of hardwood, when the figures show very plainly that practically all our exports of hardwood are composed of oak. We are not asking for anything in connection with oak. The competition is not between exports and imports. Therefore a comparison of total exports of hardwood lumber with imports is not a fair comparison. In other words, the average annual exports of hardwood lumber from the United States to Canada for the five years, 1923 to 1927 were eighty-five and one-half million feet, and of that only 5.3 per cent was of the kind of hardwood we are discussing. So to make the blanket statement that the exports so far exceed imports, without segregating oak, is an unfair comparison.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Nebraska?

Mr. COUZENS. I yield.

Mr. NORRIS. I will ask the Senator from Michigan now to supplement the unfair argument which has been made by making a fair one and telling us what the facts are.

Mr. COUZENS. I have attempted on previous occasions when other schedules have been before the Senate to show that the volume of imports as shown by statistics is not always and in fact is very rarely a true test of the necessity for a tariff. When foreign competitors come into our market and bid for business, they underbid our domestic producers. Our domestic producers in turn, not wanting to close their plants, bid again under the foreign producer. Then the foreign producer comes along and again underbids the domestic producer. So the foreign producer keeps on putting the prices down to the point where, while there are practically no imports, the domestic manufacturer is placed in the position of having to meet that foreign competition to keep his plant going, and he must do so without a profit. That is the argument with respect to flooring.

The Senator knows I am not a high-tariff advocate. I do not like that kind of competition, however, where the articles admitted to our country free are permitted to be offered in the American market without payment of a duty and at the same time our own producers forced either to do business at a loss or to close their plants entirely. There is no such argument in that connection as there was in relation to shingles.

Mr. NORRIS. Is there any argument here that we are operating all of these mills at a loss?

Mr. COUZENS. There is an argument that most of them are so operating.

Mr. NORRIS. How can the Senator say that has been brought about by importations from abroad when there are no importations?

Mr. COUZENS. The Senator is getting off the track again, because I am not talking about importations. I am talking about exportations.

Mr. NORRIS. I know the Senator is not talking about importations, but I am trying to hold him on the track by calling attention to the fact that the domestic producers could not be driven out of business by the foreigners because they do not bring their stuff here. The importations are practically nil; consequently that can not be the reason.

Mr. COUZENS. Oh, yes; that is the reason. It is because of the bidding about which I have been telling the Senator. I have been discussing the fact that the foreigners continue to quote below the cost of the American producers, and the American producers continue to run at a loss instead of shutting down their plants.

Mr. NORRIS. I hope the Senator will give us the evidence that in the case of this kind of lumber the reason why our people are running at a loss is because the Canadians continually bid, but never get any business. We underbid them and furnish the material below their price.

Mr. COUZENS. That is the fact.

Mr. NORRIS. Where is the evidence?

Mr. COUZENS. I have not the time to go into that here. I am telling why the committee did this.

Mr. NORRIS. Is it not rather peculiar that in this particular case our manufacturers are driven out of business simply because foreign manufacturers bid lower than our men do, and never make a bid that gets the business, but we always underbid them and we do the business? They do not import anything into this country and yet in this kind of lumber business our people are continually bidding so low that the foreigner can not come in and our people are bidding below the cost of production.

Mr. COUZENS. The Senator is very shrewd in his debate. He omits the point which I have reiterated in my statement that the foreign producer keeps bidding below our producers, thus compelling the American producer to lower his price so as to keep his plant going. I am not speaking about the volume of imports as affecting American production. I am speaking about the foreign importer underbidding the American producer to such a point that the American producer has to operate his plant at a loss. I am not talking about the American producers going out of business. I say they are operating their plants at a loss. The ultimate result of course will be that they will have to go out of business if they continue to operate at a loss.

Mr. COPELAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from New York?

Mr. COUZENS. I yield.

Mr. COPELAND. The Senator might well make the same argument with reference to brick. I assume he will vote for a tariff on brick for exactly the same reason?

Mr. COUZENS. The same reason does not exist in my State, so far as I know. I know nothing about the brick situation, because I was not on the subcommittee which considered brick. The item now before us was considered by the subcommittee of which I was chairman, and therefore I know something about it.

Mr. COPELAND. That is exactly what happens in my State in reference to brick.

Mr. COUZENS. I am not contradicting the statement that that is a fact. Perhaps it is so, but in that particular case at least it is purely local, because it does not affect the brick manufacturers in the interior. The manufactured-lumber business affects all of the States that have any hardwood lumber at all in that it is not a local situation, as was pointed out by our good friend from Washington [Mr. JONES] when we were discussing the shingle provision. This is a matter which affects all of the States where there are any mills.

Mr. McMASTER. Mr. President, will the Senator from Maine tell us how many mills there are in Maine exclusively engaged in the production of maple and birch flooring?

Mr. HALE. I have already stated that there are none in my State.

Mr. McMASTER. Where are the mills located?

Mr. HALE. I think they are located in other States of New England and in New York.

Mr. McMASTER. Who knows about it? Who can tell us how many such mills there are? Can the Senator from Michigan [Mr. COUZENS] tell us where the mills are located and how many are exclusively engaged in the manufacture of maple and birch flooring?

Mr. COUZENS. Mr. President, I have not that information at hand. It is contained in the hearings. I was trying simply to explain the reasons for the action of the committee.

Mr. McMASTER. I will say to the Senator from Michigan also that it makes a vast difference whether a mill is engaged exclusively in the manufacture of maple and birch flooring or whether it is also engaged in other lines, for instance, producing

oak flooring. There is a vast difference between the two and the Senate is entitled to that information and is entitled to the names of the mills and where they are located, especially those who are losing money.

Mr. COUZENS. The Senator has the same information that I have. It is all in the record and I do not propose to read the record.

Mr. McMASTER. What members of the Finance Committee had the lumber schedule in charge?

Mr. COUZENS. I had it in charge, so far as the hearings were concerned. The hearings are here, but I am not going to read them to the Senate.

Mr. McMASTER. It seems to me the Senator from Michigan is taking a lot of hearsay. He has not produced any evidence at all along that line.

Mr. COUZENS. The Senator from South Dakota is talking about something he has not looked into. The record is just as available to him as it is to the Senator from Michigan.

Mr. McMASTER. I would assume that any Senator who rises to argue for a tariff on maple flooring and birch flooring would have sufficient information to be able to state what companies were engaged in the business and what companies were losing money.

Mr. COUZENS. I have.

Mr. McMASTER. That is all we are asking for.

Mr. COUZENS. It is in the record and it is available to the Senator the same as it is available to me. I do not have it at my finger tips. The point has not been discussed in connection with any schedule nor have the names been given of producers or of people losing money. That question has not been raised. If the Senator from South Dakota wants that information, he can get it from the record; and if he rises to oppose a tariff, he ought to be as well informed on that side of the question as the person who favors it.

Mr. WALSH of Massachusetts. Mr. President, I am not a builder and do not know how many feet of hard lumber it takes to construct a building, but I am informed by some of my colleagues that the entire hardwood importations from Canada are 65,000,000 feet, which would be scarcely enough to construct two or three big office buildings. I have looked through the evidence. There has been no evidence of any consequence presented in justification of placing hardwood flooring upon the dutiable list. The action was taken by the committee in private session, and properly so—I am not criticizing them at all—and was largely influenced, I am informed, by the fact that Canada had a duty of 25 per cent upon flooring.

Mr. NYE. Mr. President, does the Senator have any information relating to a comparison of the production of birch and maple in Canada and the United States?

Mr. WALSH of Massachusetts. Yes; I have.

Mr. NYE. Is it true that there is ten times as much production in the United States as there is in Canada?

Mr. WALSH of Massachusetts. I think it is even greater than that. The entire production of Canada is only 150,000,000 feet. The entire production of hardwood in this country is 6,000,000,000 feet.

Mr. HALE. Mr. President, the production in Canada is about 75,000,000, and in this country it is about 150,000,000 feet.

The Senator from South Dakota [Mr. McMASTER] has asked for the names of some of the manufacturing concerns which are in the hardwood-flooring business. I have in my hand a brief which was filed with the committee by, I believe, the manufacturers representing the maple, beech, and birch flooring business. In that brief is given a list of maple, beech, and birch flooring manufacturers in the United States. I will ask that the list be inserted in the RECORD. In the brief itself the statement is made that the investments in mills which manufacture hardwood flooring amount to $13,820,000.

The VICE PRESIDENT. Without objection, the list will be incorporated in the RECORD.

The list is as follows:

LIST OF MAPLE, BEECH, AND BIRCH FLOORING MANUFACTURERS IN THE UNITED STATES

MEMBERS OF MAPLE FLOORING MANUFACTURERS' ASSOCIATION

Michigan: Cobbs & Mitchell (Inc.), Cadillac, Mich.; Cummer-Diggins Co., Cadillac, Mich.; Mitchell Bros. Co., Cadillac, Mich.; Nichols & Cox Lumber Co., Grand Rapids, Mich.; Northwestern Cooperage & Lumber Co., Gladstone, Mich.; I. Stephenson Co., trustees, Wells, Mich.; Ward Bros., Big Rapids, Mich.; J. W. Wells Lumber Co., Menominee, Mich.

Wisconsin: Flanner Co., Blackwell, Wis.; Foster-Latimer Lumber Co., Mellen, Wis.; Holt Hardwood Co., Oconto, Wis.; Robbins Flooring Co., Rhinelander, Wis.; Sawyer Goodman Co., Marinette, Wis.; Soo Lumber Co., Glidden, Wis.

New York: Indiana Flooring Co. (mill at Reed City, Mich.), New York, N. Y.; Oval Wood Dish Corporation, Tupper Lake, N. Y.

Illinois: North Branch Flooring Co., Chicago, Ill.

Minnesota: Osgood & Blodgett Manufacturing Co., St. Paul, Minn.

OTHER KNOWN MAPLE, BEECH, AND BIRCH FLOORING MANUFACTURERS IN THE UNITED STATES

New Hampshire: Acer Lumber Co., Woodsville, N. H.; the Boulia-Gorrell Lumber Co., Lakeport, N. H.; the Parker-Young Co., Lisbon, N. H.

Vermont: C. E. & F. Burt Co., Stowe, Vt.; George A. Morse & Co., Morrisville, Vt.; Parker & Stearns, Johnson, Vt.; Prouty & Miller, Newport, Vt.; Valley Lumber Co., Orleans, Vt.; L. W. Webster Corporation, Randolph, Vt.

Massachusetts: Calvin Putnam Lumber Co., Danvers, Mass.; Shephard & Morse Lumber Co., Boston, Mass.

New York: The Blount Lumber Co., Lacona, N. Y.; Croghan Flooring & Manufacturing Co., Croghan, N. Y.; G. Elias & Bro. (Inc.), Buffalo, N. Y.; Emporium Forestry Co., Conifer, N. Y.; Griffin Lumber Co., Hudson Falls, N. Y.; Montgomery Bros. & Co., Buffalo, N. Y.

Pennsylvania: Babcock Lumber Co., Pittsburgh, Pa.

Michigan: Brown Lumber Co., Manistique, Mich.; Dwight Lumber Co., Detroit, Mich.; East Jordan Lumber Co., East Jordan, Mich.; Thomas Forman Co., Detroit, Mich.; Grand Rapids Trust Co. (receiver for William Horner), Grand Rapids, Mich.; Kerry & Hanson Flooring Co., Grayling, Mich.; Kerry & Way Lumber & Manufacturing Co., Saginaw, Mich.; Kneeland Bigelow Co., Bay City, Mich.; Strable Lumber & Salt Co., Saginaw, Mich.; West Michigan Flooring Co., Manistee, Mich.; Wisconsin Land & Lumber Co., Hermansville, Mich.

Wisconsin: Aug. C. Beck Co., Milwaukee, Wis.; R. Connor Co., Marshfield, Wis.; Goodman Lumber Co., Goodman, Wis.; Kneeland McLurg Lumber Co., Phillips, Wis.; A. H. Kronskop, Richland Center, Wis.; John Schroeder Lumber Co., Milwaukee, Wis.; Yawkey Bissell Lumber Co., White Lake, Wis.

Minnesota: Brooks Bros. (Inc.), Minnesota Transfer, Minn.; Villaum Box & Lumber Co., St. Paul, Minn.

Illinois: Herman H. Hettler Lumber Co., Chicago, Ill.; Wilce Flooring Co., Chicago, Ill.

Ohio: The M. B. Farrin Lumber Co., Cincinnati, Ohio; Hardwood Products Co., Cleveland, Ohio; W. M. Ritter Lumber Co., Columbus, Ohio.

Kentucky: Campbellsville Lumber Co., Campbellsville, Ky.

Tennessee: Babcock Lumber & Land Co., Marysville, Tenn.; E. L. Bruce Co., Memphis, Tenn.; Doe River Flooring Co., Johnson City, Tenn.; Farris Hardwood Lumber Co., Nashville, Tenn.; Harris Manufacturing Co., Johnson City, Tenn.; Nashville Hardwood Flooring Co., Nashville, Tenn.

West Virginia: Babcock Lumber & Boom Co., Davis, W. Va.; Forest Lumber Co., Fairmont, W. Va.; Guyan Lumber Co., Herndon, W. Va.; Keystone Manufacturing Co., Elkins, W. Va.; Meadow River Lumber Co., Rainelle, W. Va.; West Virginia Pulp & Paper Co., Cass, W. Va.; Westwood Lumber & Manufacturing Co., Weston, W. Va.

Mr. McMASTER. The statement which the Senator has asked to have inserted in the RECORD would be more enlightening if it would emphasize whether the firms named are exclusively engaged in the manufacture of hardwood flooring.

Mr. HALE. That information I can not give the Senator.

Mr. McMASTER. Mr. President, just a word pertaining to information about companies who are or are not losing money. Where any article is upon the free list, and an amendment is offered suggesting that a tariff be placed upon that particular article, the burden of proof is most assuredly upon those who are asking for the tariff, and if that proof is not presented on the floor of the Senate we have a right to assume that the articles should remain upon the free list unless and until positive proof to the contrary is produced.

Mr. KEYES. Mr. President, I can not answer the question of the Senator from South Dakota [Mr. McMASTER] as to how many mills are producing hardwood flooring and how successful or unsuccessful they may be; but there happens to be in my own home town a mill which was erected a few years ago for the purpose of manufacturing hardwood flooring—beech, maple, and birch. They had the most modern machinery. After operating for two or three years they had to go out of business two years ago, and they are out of business now. I am informed by the people who are interested in the concern that the reason for their going out of business was their inability to meet competition from Canada.

It seems to me that the paragraph now before us is a little complicated in that it provides for no duty on birch, maple, and beech, while at the same time providing for a duty on flooring. To my mind there is quite a difference. It seems to me that the question ought to be divided, because the flooring standing by itself is a completed manufactured product and is not in the class with what is generally called maple and beech

lumber. I can only speak, as I said, with reference to the one concern in my own town, because I happen to know about it, and I know that that concern manufactured flooring exclusively and has gone out of business.

Mr. SMITH. Mr. President, I have not given this matter the particular study that perhaps it ought to have, but I have been amazed at hearing anyone advocate a tariff on lumber in any form. We are busy throughout the country to-day advocating reforestation. There has not been a more drastic depletion of our natural resources than that of our standing timber. It takes from 25 to 30 years to grow millstock from the original sapling. At the present rate of consumption we shall be forced in a few years to let down all the bars and permit some other country which has been more conservative in the use of its standing timber to supply us with that commodity.

I can not imagine how any economist, indeed, how any man who considers the welfare of his country, can advocate the placing of a duty on the products of an article that is so essential in time of need and emergency and that is subject to such depletion as is timber. As I have stated, when it is gone it requires a generation or more before another supply can be provided. Would it not be wisdom on our part to let other countries which can produce lumber cheaper than can we to come in and supply us until such time as their timber shall be exhausted, in the meantime preserving our resources intact?

Another point: In reference to the cost of production of lumber, any man who is at all familiar with the timber business knows that one can get a portable sawmill, go out into the forest, set up his saw, and with a minimum of expense saw out rough boards. The dry kiln is very easily constructed, and is not expensive. As to the manufacture of boards by the planing machine, that is done all over the country. The demand for lumber for building material and the demand for the hardwood flooring have been tremendous. America has been furnishing this commodity at a minimum cost and at maximum profit.

I will cite one instance. I had some standing timber that perhaps had no equal in the world, known as North Carolina or South Carolina yellow pitch pine. It is indestructible if fire can be kept away from it. I think the statement I am about to make will be verified by any man who has studied the nature of this timber. There stands in the field that I own, which has been in cultivation since the Revolutionary War, along the edge of a ditch bank some stumps that were there during that period. They are almost a solid mass of resin or oil or turpentine. I passed through that field yesterday where some of those stumps were being dug up. If I had known this discussion was coming up to-day, I should have liked to have brought some of the chips along with me. If one just touches a match to one of those stumps they will flame up as though blazing gasoline had been applied.

The sawmill men went into my section of the country to buy that timber. On account of the poverty existing there after the Civil War, our people had to sell that great resource of timber. Some of it was 60, 70, and 80 feet to the first limb. It is the finest construction timber in the world, and yet it was sold at from 10 to 15 cents a tree. Some of it that would cut from 25,000 to 30,000 feet, and some of it that would cut more than that amount of lumber to the acre was sold at $1 an acre.

It so happened that a few years ago I had several hundred acres which I desired to put under cultivation. That land had on it what is known as second-growth pine. In it was some of the original pine, the age of which is as indeterminate as is that of the trees of the Sequoia Park in California. I was made an offer for that standing timber of $10 a thousand, which approximated about $10 a tree.

In view of the price the millmen were offering me for standing trees, I thought that I would ascertain for what price their No. 1 flooring made from the heart of this pine was sold for. The price was $90 a thousand at the mill. I invite Senators to get the quotation of the price of lumber and they can easily verify that statement. In that whole region in the State of the Senator from North Carolina [Mr. OVERMAN], eastern North Carolina, and my State of South Carolina, just below the foothills, the region of the yellow pine, I doubt if there is enough such timber left in the State of North Carolina and in the State of South Carolina to build houses for one-tenth of the people who are living there. There is not enough there even to interest the mill people. It is practically all gone; it has been depleted.

What has been the result? From 1908 until the present day the floods, which are incident to the deforestation of the riparian approaches to the rivers, have destroyed more land and more crops than the timber which has been cut off those areas was worth. And yet here we are attempting still further to encourage the destruction of what standing timber we have left by inviting the cupidity of those who want to go into the lumber business.

It is monstrous from an economic standpoint. We are charged with looking after the interests of the people of this country, and an interest that is paramount to all other interests from the standpoint of health, from the standpoint of proper climatic conditions, is the preservation of our forests, especially on our watersheds.

With skidders to which are attached steel cables 400 or 500 feet long, which is wound on a great drum, they go into the forest, cut down such trees as they want, wrap that cable around the log, start a 60 or 75 horsepower engine, and literally destroy all the small timber in its path. The prodigal waste has been a crime.

I had occasion to go through the Mississippi Valley, the home of the splendid white oak, red oak, and chestnut oak, constituting the finest building timber there is, as fine as there is anywhere in the world. Maple and birch do not approach it; in tensile strength and durability the oak is almost equal to the pine; yet there are millions upon millions of feet lying there rotting because the price paid for the timber is a mere bagatelle compared to the price obtained for the lumber. There was such an abundance at the time of the lumbering operations that the better part of the tree was left to rot. Anyone who will visit the South and go through the forests of that section can see the prodigal, criminal waste occasioned by the mill people. Yet we are invited here to encourage that kind of activity and to say to the American people that because, forsooth, a few interested individuals are going to plane some lumber, a tariff should be imposed.

How many Members of the Senate have gone into a simple planing mill? I will grant that the initial cost of the planing machinery is rather high; it is comparatively costly; but as an overhead charge it is a very small item. To tongue and groove or bead the lumber requires only three or four unskilled laborers. Not only does it not take skilled labor to do it, but all that it is necessary to do is to set a gage for the thickness of the board and for the width desired and put it on the machine, and the machine does the rest. All that is necessary is to have one man at one end to slip the plank in and another at the other end to pull it out. There is practically no additional cost save the hiring of four or five unskilled laborers and the fuel necessary to operate the engine.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield for a moment?

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Massachusetts?

Mr. SMITH. I yield.

Mr. WALSH of Massachusetts. I wish to call the Senator's attention to the fact that the annual cut of birch and beech in Wisconsin averages in excess of 400,000,000 feet, and that at this rate of consumption the birch and maple forests of that State, which are the largest in the Union, will be exhausted in less than 10 years.

Mr. SMITH. That reenforces the very point I am making. The yellow pine of Georgia and North Carolina and South Carolina, which is now practically gone, strange to say, Mr. President, owing to its peculiar nature, never reproduces itself, even from the seed that fall from the pine cones, in as fine a quality as the original tree. The wood produced by the successors to the original tree, for some inscrutable reason, does not have the same fine, rich texture that the original tree had. Some are of the opinion that the age of the yellow pine in the South is almost incalculable. When a pine of the character I have described dies the sap is ordinarily from an inch to an inch and a quarter thick. The outside of the tree may fall off, but, as Senators from the South will bear me out, the heart of the tree will stand there for a hundred years. Those trees, however, have practically all gone; and now the Senator from Massachusetts informs me that, according to an article from which he quoted, the hardwood forests of Wisconsin are rapidly disappearing. I will ask him from what document he quoted a moment ago?

Mr. WALSH of Massachusetts. The statement was contained in one of the briefs submitted to the Finance Committee, but the particular statement made was a quotation from the Wisconsin Forestry Association. I wish to add that Wisconsin is the chief producer of birch in this country.

Mr. SMITH. Mr. President, every Senator knows that it takes from 25 to 30 years to develop a tree of sufficient size to make lumber, especially hardwood trees, and the pine requires from 45 to 50 years to develop. What kind of legislators are we to encourage the forest depletion of this country when other countries are offering to sell lumber here cheaper than

we can make it ourselves and when, by allowing our forests to stand, they do not deteriorate, and preserve the watersheds and the farming land, produce a splendid effect on our climate, and still remain a wonderful resource of which we can avail ourselves in 48 hours. If the remainder of the world was shut out and there was not a single sawmill in existence an ordinary portable engine and a saw on its carriage could be set up in 48 hours and proceed to manufacture lumber with practically no overhead charges.

Mr. President, this is undoubtedly the most brazen example of greed on the part of those who are manufacturing this particular lumber that perhaps has been exhibited, and there is no reason or excuse whatever for it. They say, "Just give me a big profit on my lumber and let the forests be depleted. Let the erosion of the soil ruin the farms, let the present disasters that are incident to deforestation come, but give me my profit." When we ask if they have any reason for their demand, we find the only reason is that they want an extra price for lumber.

Mr. THOMAS of Oklahoma. Mr. President, the demand for this tariff on hardwood was very meager before the Finance Committee. Such demands as came originated in Vermont and Wisconsin, and yet those demands were counterbalanced by the testimony presented against a tariff on hardwood used for flooring purposes. The only argument submitted that was at all effective was the allegation that Canada imposed a duty upon American hardwood. Yet the evidence shows that the importations from Canada are meager and nominal. I submit, Mr. President, that in the making of tariff schedules the rates of duty imposed by some foreign country do not form a proper basis for our consideration. I trust that the amendment will be disagreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

Mr. WALSH of Massachusetts. Mr. President, as I understand the parliamentary situation, it is this: I have obtained unanimous consent to have this paragraph treated in its entirety, and to offer such amendments as may be necessary from the floor. The Senate committee proposes to strike out the House provision and insert a sentence which will provide a duty of 15 per cent on maple, birch, and beech flooring. If the Senate committee amendment shall be rejected, I shall move to strike out the House provision in the paragraph.

Mr. NORRIS. Mr. President, I do not quite understand why the Senator from Massachusetts wants to reject the committee amendment. That at least improves it very materially; and then we can strike it out afterwards.

Mr. WALSH of Massachusetts. Will the Senator suggest how we can proceed?

Mr. NORRIS. I think we ought to reject the committee amendment, and then, when that is done, move to strike out the whole paragraph.

Mr. WALSH of Massachusetts. Does the Senator mean to accept the committee amendment?

Mr. NORRIS. Yes; agree to the committee amendment.

Mr. WALSH of Massachusetts. And then move to strike out the whole paragraph?

Mr. NORRIS. Yes. That will put part of this lumber on the free list, and there is still some more that will be left on the dutiable list.

I am going to ask the Chair, if a motion were made to strike out the entire paragraph now under the unanimous-consent agreement, which, of course, would include the 15 per cent ad valorem—something that is not in controversy, but was part of the whole paragraph, and we voted on that first—if I made a motion to strike out the paragraph, would we vote on that before we vote on the committee amendment?

The VICE PRESIDENT. Only by unanimous consent. The Chair would hold that unanimous-consent would be necessary.

Mr. NORRIS. I think the Chair is right about it. I am going to ask unanimous consent that we vote first on a motion which I will make, if that is agreed to, to strike out the whole paragraph; and that will settle it all in one action, without having two or three votes.

The VICE PRESIDENT. Is there objection?

Mr. HALE. I should like to have a vote on the committee amendment first.

The VICE PRESIDENT. The Senator from Maine objects.

Mr. THOMAS of Oklahoma. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. THOMAS of Oklahoma. Is it not a fact that the Senate has already agreed to the committee amendment striking out lines 4, 5, and 6?

The VICE PRESIDENT. It has not.

Mr. THOMAS of Oklahoma. Then I ask unanimous consent that the vote may come upon the question of agreeing to the Senate committee amendment wherein the Senate committee recommends that lines 4, 5, and 6 be stricken from the bill.

Mr. NORRIS. I will say to the Senator that that is practically asking for a division of the question. I asked for that once, and the Chair held that it could not be done; and under the rule I think the Chair is right.

Mr. WALSH of Massachusetts. Yes; I made that request.

Mr. NORRIS. So that when we vote on the committee amendment we shall have to take the part that is stricken out and also the part that is intended to be inserted; but it seems to me that those of us who favor putting all this material on the free list ought to vote for the committee amendment, because that accomplishes three-fourths of what we are trying to do, and then move to strike it out afterwards.

Mr. WALSH of Massachusetts. I agree with the suggestion of the Senator from Nebraska. Therefore I shall make no objection to accepting the committee amendment, and shall move to strike out the whole paragraph.

Mr. HALE. Mr. President, I observe that the Senator from Michigan [Mr. COUZENS] is not in the Chamber. I suggest the absence of a quorum.

Mr. NORRIS. There will be no opposition. We will agree to it.

Mr. HALE. I suggest the absence of a quorum.

Mr. NORRIS. The Senator is filibustering now. There is no other explanation of that. We propose to vote for the amendment that the Senator from Michigan wants, and the Senator from Maine suggests the absence of a quorum.

Mr. HALE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

Mr. NORRIS. We are finding out where the delay comes from now.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Fletcher	Keyes	Smith
Barkley	Frazier	La Follette	Smoot
Bingham	George	McKellar	Steck
Black	Gillett	McMaster	Steiwer
Blease	Glenn	McNary	Stephens
Borah	Goff	Moses	Swanson
Bratton	Greene	Norbeck	Thomas, Idaho
Brock	Hale	Norris	Thomas, Okla.
Brookhart	Harris	Nye	Townsend
Broussard	Hastings	Oddie	Trammell
Capper	Hatfield	Overman	Tydings
Connally	Hawes	Patterson	Vandenberg
Copeland	Hayden	Phipps	Wagner
Couzens	Hebert	Ransdell	Walcott
Cutting	Heflin	Reed	Walsh, Mass.
Dale	Howell	Sackett	Waterman
Deneen	Johnson	Schall	Wheeler
Dill	Jones	Sheppard	
Edge	Kean	Shortridge	
Fess	Kendrick	Simmons	

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present. The question is on agreeing to the amendment of the committee.

Mr. WALSH of Massachusetts. Mr. President, we have had considerable trouble about the parliamentary situation because of inability to get unanimous consent to divide the vote. Those of us who are in favor of putting all hardwood lumber, including flooring, upon the free list believe that the best procedure is to accept the committee amendment; and then I shall move to strike out the entire paragraph.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. WALSH of Massachusetts. I now move to strike out all of paragraph 402 as amended.

Mr. HALE. On that I ask for a division.

Mr. NORRIS and Mr. McKELLAR called for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HALE (when Mr. GOULD's name was called). My colleague the junior Senator from Maine [Mr. GOULD] has been called home on account of illness in his family. If he were present, on this question he would vote "nay."

Mr. SCHALL (when Mr. SHIPSTEAD's name was called). The senior Senator from Minnesota [Mr. SHIPSTEAD] is ill.

The roll call was concluded.

Mr. BINGHAM (after having voted in the negative). I have a pair with the junior Senator from Virginia [Mr. GLASS]. I transfer that pair to the junior Senator from Maine [Mr. GOULD] and allow my vote to stand.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Indiana [Mr. WATSON] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Rhode Island [Mr. METCALF] with the Senator from Mississippi [Mr. HARRISON];

The Senator from Maryland [Mr. GOLDSBOROUGH] with the Senator from Arkansas [Mr. CARAWAY];

The Senator from Ohio [Mr. MCCULLOCH] with the Senator from Nevada [Mr. PITTMAN];

The Senator from Vermont [Mr. DALE] with the Senator from Montana [Mr. WALSH]; and

The Senator from Wyoming [Mr. WARREN] with the Senator from North Carolina [Mr. OVERMAN].

Mr. SHEPPARD. I desire to announce that the Senator from Arkansas [Mr. CARAWAY], the Senator from Montana [Mr. WALSH], the Senator from Arizona [Mr. ASHURST], the Senator from Virginia [Mr. GLASS], the Senator from Nevada [Mr. PITTMAN], and the Senator from Mississippi [Mr. HARRISON] are necessarily detained from the Senate on official business.

Mr. SIMMONS. I desire to announce that my colleague [Mr. OVERMAN] is detained on official business.

The result was announced—yeas 38, nays 35, as follows:

YEAS—38

Allen	Cutting	McKellar	Stephens
Barkley	Fletcher	McMaster	Swanson
Black	Frazier	Norbeck	Thomas, Okla.
Borah	George	Norris	Trammell
Bratton	Harris	Nye	Tydings
Brock	Hawes	Schall	Wagner
Brookhart	Hayden	Sheppard	Walsh, Mass.
Capper	Heflin	Simmons	Wheeler
Connally	Howell	Smith	
Copeland	La Follette	Steck	

NAYS—35

Bingham	Glenn	Kean	Shortridge
Blease	Goff	Kendrick	Smoot
Broussard	Greene	Keyes	Steiwer
Couzens	Hale	McNary	Thomas, Idaho
Deneen	Hastings	Moses	Townsend
Dill	Hatfield	Oddie	Vandenberg
Edge	Hebert	Patterson	Walcott
Fess	Johnson	Phipps	Waterman
Gillett	Jones	Reed	

NOT VOTING—22

Ashurst	Gould	Pine	Shipstead
Blaine	Harrison	Pittman	Walsh, Mont.
Caraway	King	Ransdell	Warren
Dale	McCulloch	Robinson, Ark.	Watson
Glass	Metcalf	Robinson, Ind.	
Goldsborough	Overman	Sackett	

So the amendment of Mr. WALSH of Massachusetts was agreed to.

The VICE PRESIDENT. The Secretary will state the next amendment.

The next amendment was, on page 118, line 18, after the words "white oak," to strike out "Japanese maple, and all cabinet woods (except teak): In the log, 10 per cent ad valorem; boards, planks, deals, flooring, and other lumber and timber" and insert "and Japanese maple: In the form of sawed boards, planks, deals, and all other forms not further manufactured than sawed, and flooring," so as to read:

PAR. 403. Cedar commercially known as Spanish cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, Japanese white oak, and Japanese maple: In the form of sawed boards, planks, deals, and all other forms not further manufactured than sawed, and flooring, 15 per cent ad valorem.

Mr. WALSH of Massachusetts. Mr. President, the situation with respect to the duty upon the particular variety of logs and lumber named in this paragraph is exactly the same as in the paragraph upon which we have just voted. The House placed a duty upon logs, and the Senate committee removed the duty and put these woods upon the free list, but placed a duty upon "boards, planks, deals, and other forms not further manufactured than sawed, and flooring," at 15 per cent ad valorem.

There is, however, this difference, that in the previous paragraph there was no duty upon maple, birch, and beech flooring. The action of the Senate just taken was to keep flooring of maple, birch, and beech wood upon the free list. As to these woods now under consideration there is already a duty upon flooring and sawed logs. Therefore I make no objection to the Finance Committee amendment. My personal judgment is that the flooring included in this paragraph should be on the free list, as there is no production of these logs or woods in this country.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. THOMAS of Oklahoma. Mr. President, in the next paragraph, paragraph 404, there is proposed a duty of 20 per cent on veneers and 40 per cent on plywood.

The VICE PRESIDENT. The Chair will state that there is no committee amendment in that paragraph.

Mr. THOMAS of Oklahoma. I understand that the existing law carries this item under the provisions made in the previous paragraph. The amendment just adopted takes from this paragraph the veneers and plywoods. I hereby serve notice that when I can I will offer an amendment to place the duty on plywood back at 20 per cent. If the chairman of the Finance Committee will consent, it might be attended to at this time.

Mr. SMOOT. Mr. President, there may be some other Senators interested in this particular paragraph, and I would not like to consent at this time. I make that statement because I am quite sure there are other Senators interested, from what I have already been told. So I would like to have that go over.

The VICE PRESIDENT. The Secretary will state the next amendment.

The next amendment was, on page 120, line 2, after the word "wholly," to insert "or partly finished, and parts thereof, wholly," so as to make the paragraph read:

PAR. 408. Reeds wrought or manufactured from rattan or reeds, whether round, flat, split, oval, or in whatever form, cane wrought or manufactured from rattan, cane webbing, and split or partially manufactured rattan, not specially provided for, 20 per cent ad valorem. Furniture wholly or partly finished, and parts thereof, wholly or in chief value of rattan, reed, bamboo, osier or willow, malacca, grass, seagrass, or fiber of any kind, 60 per cent ad valorem; split bamboo, 1¼ cents per pound; osier or willow, including chip of and split willow, prepared for basket makers' use, 35 per cent ad valorem; all articles not specially provided for, wholly or partly manufactured of rattan, bamboo, osier or willow, 45 per cent ad valorem.

Mr. COUZENS. Mr. President, I would like to have the committee amendment disagreed to in that paragraph, because I think there has been a misunderstanding as to the question of partly finished furniture of the type covered. The House language seems to cover the ground. I propose to amend the Senate committee amendment so that the provision would read, "furniture wholly or in chief value of rattan."

Instead of asking that the committee amendment be disagreed to, I offer that as a substitute, because I see there is a difference in one word.

Mr. SMOOT. Did I understand the Senator to say that he desires to have the Senate reject the words "or partly finished, and parts thereof"?

Mr. COUZENS. Yes; and to use the language "furniture wholly or in chief value of rattan."

Mr. WALSH of Massachusetts. Mr. President, will not the Senator state again the effect of his substitute?

Mr. COUZENS. The Senate committee added the language on line 2 "or partly finished, and parts thereof, wholly." I propose to substitute the language "furniture wholly or in chief value of rattan."

Mr. WALSH of Massachusetts. In other words, the Senator proposes to strike out the language "or partly finished, and parts thereof"?

Mr. COUZENS. Yes.

The VICE PRESIDENT. Let the Chair state that disagreeing to the committee amendment would leave the language in the bill which the Senator desires, because it appears in line 3.

Mr. COUZENS. I thought there was one word different; but that is satisfactory to me. That was the suggestion I first made.

Mr. SACKETT. Mr. President, may I ask the Senator what would be the effect upon the partly finished furniture?

Mr. COUZENS. The memorandum I have states that practically all this furniture comes in in its unfinished condition, and that if this phrase is left in the bill, the result may be a confusion as to the classification.

Mr. SACKETT. Does not some of this furniture come in knocked down, so that it must be put together afterwards?

Mr. COUZENS. After it is finished?

Mr. SACKETT. No; after it gets to this country.

Mr. COUZENS. I think so.

Mr. SMOOT. No; none of the rattan ever comes in that way.

Mr. SACKETT. There is no such thing as partly finished furniture of rattan?

Mr. COUZENS. That is what I understand. I am not an expert, but the manufacturers say there is none of it coming in.

Mr. SMOOT. The only thing it applies to is the bent-wood chairs, which come in that way.

Mr. COUZENS. But they are not partly finished.

Mr. SMOOT. They come in that way, and that is the only thing that does come in that way. Those words cover bent-wood chairs, and bent-wood chairs only.

Mr. SACKETT. That is why they were put in?

Mr. SMOOT. That is why they were put in.

Mr. SACKETT. If we take them out, bent-wood chairs would come in free of duty, would they not? I do not want to have a mistake made.

Mr. SMOOT. They are covered in paragraph 44.

Mr. COUZENS. Line 22, on page 120.

Mr. SMOOT. It reads:

Bent-wood furniture, wholly or partly finished, and parts thereof, 40 per cent ad valorem.

It is reduced from 55 to 40 per cent.

Mr. COUZENS. So it seems unnecessary to have that language in the other paragraph.

Mr. SMOOT. Yes.

Mr. COUZENS. I hope the amendment will be disagreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

The VICE PRESIDENT. The Secretary will state the next amendment.

The next amendment was, on page 120, line 18, after the word "clothespins," to strike out "15 cents" and insert "20 cents," so as to read:

Spring clothespins, 20 cents per gross.

Mr. THOMAS of Oklahoma. Mr. President, paragraph 410 contains a provision placed therein by the House of Representatives. I serve notice that when I can I will offer an amendment to place the paragraph back in harmony with existing law. It transfers articles from the free list to the dutiable list and then raises the rate of levy.

I submit a substitute for paragraph 411, the same being paragraph 410 of the existing law, with this amendment, that the present law carries a rate of duty of 33½ per cent on furniture. I propose to substitute the provision of existing law, with the rate reduced to 25 per cent, as a substitute for the paragraph contained in the pending bill.

The VICE PRESIDENT. The Senator wants that printed and to lie on the table? It is out of order at this time. It would be in order at this time only by unanimous consent.

Mr. THOMAS of Oklahoma. I now offer this amendment as a substitute for the amendment before the Senate.

The VICE PRESIDENT. The Secretary will state the amendment.

The LEGISLATIVE CLERK. The Senator from Oklahoma offers the following substitute for paragraph 411:

PAR. 410. Spring clothespins, 15 cents per gross; house or cabinet furniture wholly or in chief value of wood, wholly or partly finished, wood flour, and manufactures of wood or bark, or of which wood or bark is the component material of chief value, not specially provided for, 25 per cent ad valorem.

The VICE PRESIDENT. That is not in order at this time.

Mr. WALSH of Massachusetts. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. WALSH of Massachusetts. Is not the question before the Senate now the committee amendment to strike out "15 cents" and to insert "20 cents"?

The VICE PRESIDENT. That is the amendment now pending.

Mr. WALSH of Massachusetts. It relates alone to the item of spring clothespins. I believe the Senator from Oklahoma has an amendment to it which he would like to offer.

Mr. THOMAS of Oklahoma. I have no objection to taking up these amendments as we are now doing, but I thought we could make progress by offering a substitute for the entire section. That was the only purpose I had in offering the substitute.

The VICE PRESIDENT. That can only be done by unanimous consent at this time. Is there objection?

Mr. VANDENBERG. I object.

Mr. THOMAS of Oklahoma. Mr. President, I offer an amendment to the committee amendment, on page 120, line 18, to strike out "20 cents" and insert "10 cents" in lieu thereof, which would reduce the tariff on spring clothespins from 20 cents per gross to 10 cents per gross.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Oklahoma [Mr. THOMAS] to the committee amendment. [Putting the question.] The noes seem to have it.

Mr. SIMMONS. I ask for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. OVERMAN. I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the senior Senator from Arizona [Mr. ASHURST] and vote yea.

Mr. SHEPPARD. The junior Senator from Utah [Mr. KING] is detained from the Senate by illness.

The Senator from Arizona [Mr. ASHURST], the Senator from Arkansas [Mr. CARAWAY], the Senator from Montana [Mr. WALSH], and the Senator from Nevada [Mr. PITTMAN] are detained on official business.

Mr. FESS. I wish to announce the following general pairs:

The Senator from Indiana [Mr. WATSON] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Maine [Mr. GOULD] with the Senator from Mississippi [Mr. HARRISON];

The Senator from Ohio [Mr. MCCULLOCH] with the Senator from Nevada [Mr. PITTMAN];

The Senator from Maryland [Mr. GOLDSBOROUGH] with the Senator from Arkansas [Mr. CARAWAY]; and

The Senator from Vermont [Mr. DALE] with the Senator from Montana [Mr. WALSH].

The result was announced—yeas 39, nays 37, as follows:

YEAS—39

Barkley	Cutting	Jones	Smith
Black	Fletcher	La Follette	Steck
Blease	Frazier	McKellar	Stephens
Borah	George	McMaster	Swanson
Bratton	Glass	Norbeck	Thomas, Okla.
Brock	Harris	Norris	Tydings
Brookhart	Hawes	Nye	Wagner
Capper	Hayden	Overman	Walsh, Mass.
Connally	Heflin	Sheppard	Wheeler
Copeland	Howell	Simmons	

NAYS—37

Allen	Greene	Moses	Steiwer
Bingham	Hale	Oddie	Thomas, Idaho
Broussard	Hastings	Patterson	Townsend
Couzens	Hatfield	Phipps	Trammell
Deneen	Hebert	Ransdell	Vandenberg
Edge	Kean	Reed	Walcott
Fess	Kendrick	Sackett	Waterman
Gillett	Keyes	Schall	
Glenn	McNary	Shortridge	
Goff	Metcalf	Smoot	

NOT VOTING—19

Ashurst	Goldsborough	McCulloch	Shipstead
Blaine	Gould	Pine	Walsh, Mont.
Caraway	Harrison	Pittman	Warren
Dale	Johnson	Robinson, Ark.	Watson
Dill	King	Robinson, Ind.	

So the amendment of Mr. THOMAS of Oklahoma to the amendment of the committee was agreed to.

The VICE PRESIDENT. The question is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

The VICE PRESIDENT. The next amendment will be stated.

The next amendment was, on page 120, lines 19 and 20, where the committee proposed to strike out "molders' patterns" and insert in lieu thereof "and parts thereof," so as to read:

Furniture, wholly or partly finished, and parts thereof, and folding rules, all the foregoing, wholly or in chief value of wood, and not specially provided for, 40 per cent ad valorem.

Mr. WALSH of Massachusetts. Mr. President, I understand the committee have recommended the removal of molders' patterns, which heretofore bore a rate of 33 per cent, and transferred them to a paragraph in the metal schedule with a duty of 50 per cent.

Mr. SMOOT. The item will be found in paragraph 327.

Mr. WALSH of Massachusetts. What was done with that paragraph?

Mr. SMOOT. It was agreed to.

Mr. WALSH of Massachusetts. I have no objection to the pending committee amendment.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment will be stated.

The next amendment was, on page 120, line 23, after the word "finished," to insert the words "and parts thereof," so as to read:

Bent-wood furniture, wholly or partly finished, and parts thereof,

The amendment was agreed to.

The next amendment was, on page 120, lines 23 and 24, where the committee proposes to strike out "55 per cent" and insert in lieu therof "40 per cent," so as to read:

Bent-wood furniture, wholly or partly finished, and parts thereof, 40 per cent ad valorem.

Mr. WALSH of Massachusetts. Mr. President, this is one of the articles of furniture concerning which the Senator from Kentucky [Mr. SACKETT] made inquiry a short time ago, which is shipped in a condition that is described as "knocked down." I was impressed with the case for increased protection which the bent-wood chair people made out. The 1922 rate was 33⅓ per

cent. The House recommended a rate of 55 per cent. The Senate Finance Committee reduced it to 40 per cent. I think there was clearly a case made out as to justify some increased protection. There has been a very greatly increased importation of bent-wood chairs from certain parts of Europe. They are shipped in here in parts and put together and apparently are injuring rather extensively the domestic bent-wood industry. It is a struggle between the domestic industries that import the parts of these chairs and assemble them, and, on the other side, the domestic manufacturers of all the parts of these chairs. My sympathies are with the latter, and therefore I favor this increase.

Mr. WAGNER. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from New York?

Mr. WALSH of Massachusetts. I yield.

Mr. WAGNER. I want to ask the Senator particularly whether the concerns affected by the increase in tariff are in any financial difficulties?

Mr. WALSH of Massachusetts. No. I think the manufacture of bent-wood chairs is usually a part of the manufacturing business of large furniture manufacturers who make a great variety of furniture. It is a fact that a great deal of evidence was presented to us to the effect that these chairs come in parts from Czechoslovakia, Germany, and other countries, and are being assembled here and that this particular part of the domestic furniture industry is seriously affected thereby. In fact, witnesses before the subcommittee picked out bent-wood chairs in the Capitol and displayed a number of them that were imported into this country because they were cheaper than the domestic chair of like character. I do not think the increase in rate is excessive. It is certainly much less than that recommended by the House. I think this is an amendment which the Senate could properly approve.

Mr. COUZENS. Mr. President, the reduction granted by the Finance Committee was in the nature of a compensatory reduction because of other woods going on the free list. We reduced the rate from 55 per cent to 40 per cent.

Mr. WAGNER. I understood the Senator from Oklahoma [Mr. THOMAS] would offer an amendment restoring the duty on bent-wood chairs to the rate carried in the law of 1922, which is 33⅓ per cent. If he does not intend to do so, I desire to offer the amendment. On page 120, in line 24, I move to strike out "40" and insert "33⅓."

The VICE PRESIDENT. The Senator from New York offers an amendment, which the clerk will report.

The LEGISLATIVE CLERK. On page 120, line 24, in the committee amendment, the Senator from New York proposes to strike out "40" and insert "33⅓," so as to read:

Bent-wood furniture, wholly or partly finished, and parts thereof, 33⅓ per cent ad valorem.

Mr. WALSH of Massachusetts. Mr. President, I hope the Senator from New York will not press his amendment, because the difference is comparatively slight between the present law and the recommendation of the Finance Committee, being only 6 or 7 per cent. I fully agree and concur with the Senator in objecting to the House rate, but the Senate committee rate is not very much greater than the rate carried in the law of 1922.

Mr. WAGNER. What prompted me to make the suggestion was that I read the evidence presented to the committee, and I also read the brief presented for the manufacturers, and I saw absolutely no justification for any increase at all. The concerns which are producing bent-wood chairs in this country are doing an exceedingly profitable business. I should say their profits are abnormally high. The bent-wood chair business is a business which represents 3 per cent or less of the total chair business of the industry. The entire importations of bent-wood chairs represents only one-half of 1 per cent of the total production of chairs in this country. There is no justification for an increase in duty.

Mr. COUZENS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Michigan?

Mr. WAGNER. I yield.

Mr. COUZENS. Where did the Senator get that information?

Mr. WAGNER. I got it from the briefs submitted to the Tariff Commission, and also from the uncontradicted evidence submitted to the subcommittee which considered this schedule. I am speaking now of all chairs produced in this country.

Mr. COUZENS. I think that is hardly fair when we are only discussing bent-wood chairs.

Mr. WAGNER. In the case of bent-wood chairs alone the importations represent 5 per cent of the entire domestic production.

My information—and I am now reading from the brief—is that importations amount to 5 per cent of the total of bent-wood chairs produced in the United States, and the brief quotes page 378 of the testimony taken before the United States Tariff Commission. No attempt was made to contradict or to refute this testimony.

I might add here, Mr. President, that in 1923 the Tariff Commission began an investigation of the question as to whether or not there ought to be an increase in the duty upon the imported bent-wood chairs. That was six years ago. They have been taking testimony over a period of six years, and as yet have not been able to reach a determination as to whether or not there ought to be an increase in duty.

The evidence as presented to me, I might say to the senior Senator from Michigan [Mr. COUZENS], is that there is no competition between imported bent-wood chairs and those which are produced in this country. The imported and the domestic are entirely different kinds of chairs. One is produced by cheaply paid labor, whereas the American chair is manufactured by machinery and enjoys the well-known economies of mass production. The imported chair brings a higher price in the market than the comparable domestic chair, so that there is no price competition. They are in entirely different price classifications. That evidence was presented to the commission and to the committee and has not been contradicted at either of the hearings.

Mr. SMOOT. Mr. President, will the Senator from New York yield?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Utah?

Mr. WAGNER. Yes; I yield.

Mr. SMOOT. The fact of the matter is—and it was undisputed by any member of the Tariff Commission—that there are all classes of these chairs imported, the cheapest kind, the medium grade, and the higher quality. They are, of course, all classified as bent-wood chairs, so the statement which the Senator made that the imports are all of the higher type or class of chairs can not be borne out by the facts.

Mr. WAGNER. If I may interrupt the Senator, I desire to say that I did not mean to suggest that the imports consisted altogether of the expensive chairs. I did say—and I think the Senator from Utah will agree with me in the statement—that 70 per cent of the chairs imported are of the higher type of bent-wood chairs; and since the entire importation represents but 5 per cent of the consumption of bent-wood chairs in this country, and 70 per cent of the 5 per cent consists of the high-priced chairs, upon which there is actually no price competition, it seems to me that to impose an increase of rates is entirely unjustified.

Mr. SMOOT. Mr. President, will the Senator from New York yield to me?

The VICE PRESIDENT. Does the Senator from New York further yield to the Senator from Utah?

Mr. WAGNER. Yes.

Mr. SMOOT. If the Senator will carefully examine the statement as to 70 per cent of the 5 per cent of importations being the high-grade chairs, he will find that it means 70 per cent in value and not 70 per cent in number. Of course, the higher-priced chairs bring the average of all exceedingly high, as the Senator must understand; but, as to the number of pieces imported, I think, the importations of the cheaper grade run up to 40 per cent; I mean as to number. As to the importations reported according to value, the Senator, I presume, is correct in his statement; but as to the number of chairs, it is not so, because I think that in number 40 per cent of the importations is made up of the cheaper grade of chairs.

Mr. WAGNER. The Senator agrees with me that, considering value alone, 70 per cent of the importations is made up of high-grade chairs, as to which there is actually no competition.

I assume that we were called here to consider tariff rates necessary to help industries which were in financial stress, industries which, because of economic shifts, had met reverses or in which competitive conditions between imported and domestic articles were such as to require further protection; but here it is proposed that we raise the rates of duty on articles produced by an industry which it is conceded upon this floor is in an exceedingly prosperous condition and which is affected by competition so slight as to be infinitesimal.

Mr. DILL. Mr. President, will the Senator from New York yield to me?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Washington?

Mr. WAGNER. Yes.

Mr. DILL. I understood the Senator from New York to state that the importations of these chairs are about 5 per cent?

Mr. WAGNER. Yes; they are 5 per cent.

Mr. DILL. And that the firms engaged in the business are making plenty of money?

Mr. WAGNER. Yes.

Mr. DILL. And still they are to be granted a 40 per cent tariff?

Mr. WAGNER. I am stating that under the conditions created by the law of 1922 the importations amount to 5 per cent of the domestic production, and of that 5 per cent of importations 70 per cent were not in a competitive class at all.

Mr. DILL. I could not help being struck by the circumstance, because yesterday we could not get any tariff at all on the product of an industry which competes with 30 per cent of importations, and despite the fact that all the firms which are engaged in it are losing money. Yet the Committee on Finance proposes in this case to grant a 40 per cent tariff.

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Massachusetts?

Mr. WAGNER. I yield.

Mr. WALSH of Massachusetts. Is the 5 per cent of importations of chairs to which the Senator refers 5 per cent of all the chairs that are produced in this country or 5 per cent of the bent-wood chairs?

Mr. WAGNER. It is 5 per cent of the total of bent-wood chairs. The importations are but one-half of 1 per cent of all of the chairs which are produced in this country, according to the testimony, which was not disputed, before the Tariff Commission.

Mr. SMOOT. Mr. President, I wish to correct the statement I made a moment ago. The importations of bent-wood chairs amount to between 30 and 35 per cent of the domestic production.

Mr. WALSH of Massachusetts. Mr. President, that is what I had supposed. The Senator from New York is evidently misinformed or the figures of the Senator from Utah are inaccurate. There is a great difference between 5 per cent and 35 per cent. My impression was that the importations were very substantial, as the Senator from Utah has indicated. The fact that the manufacturers went to the Tariff Commission in an effort to secure an increase in the rate of duty implies that they had a good case, or they would not have attempted to ask for a rate of duty of 33⅓ per cent. That indicates they are meeting with some competition from imports.

Mr. SMOOT. Mr. President, let me call attention to a statement made by the Tariff Commission itself as to this item:

> The average invoice price of imported chairs—

That is, bent-wood chairs—

> knocked down, plus a prorated share of the importers' administrative expense, was $1.30. For the set-up completed chairs the domestic cost was $2.52 each, and the cost of the imported chairs, consisting of the invoice price plus the costs of setting up incurred by the importers in the United States, was $2.05.

Mr. WALSH of Massachusetts. Will the Senator state what is the exact difference as determined by the Tariff Commission between the cost of the domestic bent-wood chairs and the cost of the imported bent-wood chairs?

Mr. SMOOT. The average cost shown here for domestic chairs knocked down was $2.168. The average price of the imported chairs knocked down was $1.30—$1.30 against $2.16.

Mr. WAGNER. After all, the statement, I take it——

The VICE PRESIDENT. The Senator from New York yielded the floor and the Senator from Utah took the floor. The Chair would like to state again that Senators desiring to interrupt must first stand on their feet and address the Chair and be recognized before they may have a right to interrupt.

Mr. WAGNER. Mr. President, I accept the ruling of the Chair, but I did not know that I surrendered the floor. I merely wanted to be polite to the Senator from Utah.

Mr. President, it is true that the Tariff Commission found the foreign cost of production to be $1.30, but they stated that they did not take into consideration the question of transportation. Let me call the attention of the Senator to other items which the Tariff Commission did not take into consideration but which are necessary to be considered in order to reach the proper basis of comparison of costs of production. The items to which I shall now refer were not taken into consideration at all in the ascertainment of the figures mentioned by the Senator from Utah a moment ago. I shall state them to the Senator:

Transportation from foreign factory to the United States, $0.156.

Brokerage and marine insurance, $0.056.

Allowage for breakage of parts, $0.034.

Allowance for repairing warped and twisted parts, $0.173.

Retouching and refinishing parts marred in transit, $0.118.

Adjustments for side seat and rear bows, $0.098.

Adjustment of administrative expense and interest, $0.074.

Making a total not of $1.30 but of $2.447, including duty at the present rate of 44 cents. That is above the cost of production of the domestic chair.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Utah?

Mr. WAGNER. I am going to conclude in just a moment; I wish to cite some other statistics which have not yet been presented, and then I shall yield the floor.

I want to call the attention of the Senate to the prosperity of the concerns engaged in this industry, which are crying for help and which seek additional protection. I will refer only to concerns which produce bent-wood chairs.

The Great Northern Chair Co., of Chicago, Ill., increased its net worth in 12 years from $66,000 to $657,000, or an increase of 1,000 per cent over its original investment, and in addition paid handsome bonuses.

The Sheboygan Chair Co., of Sheboygan, Wis., shows a surplus of $775,000, with a capital of but $100,000.

The High Point Bending Co., of High Point, N. C., shows a net profit of 22 per cent on its outstanding capital stock.

These are the principal producers of the bent-wood chair, who are seeking a further increase in the rate of duty. Their profits are extraordinary even in comparison with that of some of the other prosperous industries of the United States. I am happy that they are prosperous but I think it would be stretching high protection to the breaking point further to increase the tariff rates under the circumstances I have described.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New York to the amendment reported by the committee.

The amendment to the amendment was rejected.

The VICE PRESIDENT. The question recurs on agreeing to the amendment reported by the committee.

Mr. SIMMONS. Mr. President, I should like to have the amendment of the committee read.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. In paragraph 411, on page 120, in line 23, after the word "finished," it is proposed to strike out "55 per cent" and insert "40 per cent," so as to read:

> Bent-wood furniture, wholly or partly finished, and parts thereof, 40 per cent ad valorem.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

Mr. SMOOT. Mr. President, there is only one more amendment in this schedule, I understand.

The PRESIDING OFFICER (Mr. FESS in the chair). The clerk will state the next committee amendment.

The LEGISLATIVE CLERK. On page 120, line 24, insert "paint-brush handles, wholly or in chief value of wood, one-half of 1 cent each and 33⅓ per cent ad valorem."

Mr. McKELLAR. Mr. President, may I ask the Senator how that accords with the report of the Tariff Commission as to paint-brush handles?

Mr. SMOOT. It is the present law, with the exception of a specific duty of one-half of 1 cent each.

Mr. McKELLAR. The Tariff Commission recommended that it be increased to 33⅓ per cent; did it not?

Mr. SMOOT. No.

Mr. McKELLAR. I remember that it was before the Tariff Commission, and they raised it slightly.

Mr. SMOOT. No; the present law is 33⅓ per cent.

Mr. McKELLAR. That is a case where there is only one manufacturer in the whole country, and it is not very material to the others.

Mr. THOMAS of Oklahoma. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Oklahoma?

Mr. SMOOT. I think I ought to make the statement now.

Mr. WALSH of Massachusetts. I wish the Senator would make a statement about this amendment. It is a very large decrease.

Mr. SMOOT. I will give the history, so that the Senator will know what it is.

The rate under the present law, as stated, is 33⅓ per cent. That was fixed on the proclamation made by the President of the United States.

Mr. SIMMONS. Mr. President, if I may interrupt the Senator, I did not understand what he meant. Does he mean that that is the rate written in the statute, or the rate after the President had raised it?

Mr. SMOOT. Perhaps I misspoke myself.

Mr. WALSH of Massachusetts. I think the Senator made a misstatement.

Mr. SIMMONS. I think he did. The present law is what?

Mr. SMOOT. I should have said that the law of 1922 is 33⅓ per cent; and on an investigation by the Tariff Commission, with a recommendation to the President and a proclamation of the President, the rate was reduced to 16½ per cent, as I remember.

Mr. WALSH of Massachusetts. Can the Senator give us that date?

Mr. SMOOT. I will give the Senator the date in just a moment.

Mr. WALSH of Massachusetts. It is not important if the Senator has not it at hand.

Mr. SMOOT. It was effective November 13, 1926. That is the date when the change went into effect.

Mr. THOMAS of Oklahoma. Mr. President, I offer the following amendment to the committee amendment: On page 120, line 25, strike out the following language: "One-half of 1 cent each and."

Mr. WALSH of Massachusetts. In other words, that motion will restore the rate to the rate in the law of 1922, and will give an increase to the paint-brush industry of 100 per cent over the present law, made by the President, of 16 per cent.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Oklahoma to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. WALSH of Massachusetts. Mr. President, the Senator from North Carolina [Mr. SIMMONS] inquired of me what had been the imports of paint-brush handles since the presidential proclamation. I stated to him that there has been some increase—in fact, quite a little increase—which justified the restoration, in my opinion and in the opinion of the Senator from Oklahoma, of the rate named in the law of 1922; but did not justify the excessive rate recommended by the Finance Committee, which amounted to a very high ad valorem duty.

Mr. SMOOT. These are the figures, Mr. President:

In 1926, from November 13, the date of the proclamation, to December 31, there were imported paint-brush handles to the amount of only $1,943. In 1927 the importation increased to $17,534, and in 1928 it increased to $30,557, or nearly 3,000 per cent.

Mr. WALSH of Massachusetts. I wanted the RECORD to show these facts.

Mr. THOMAS of Oklahoma. Mr. President, on page 120, line 22, the House raised the tariff on furniture from 33⅓ per cent to 40 per cent. I serve notice that at the proper time an amendment will be offered to the bill reducing the sum of 40 per cent to a lower sum.

Mr. WALSH of Massachusetts. Mr. President, after we have finished all the committee amendments to this schedule I wish to inquire of the Senator from Utah if he prefers to postpone offering amendments from the floor until other schedules are considered? That is his wish, I understand.

Mr. SMOOT. That is what we have been doing, and perhaps we had better follow that course.

Mr. McNARY. Mr. President, I am interested in this proposition. May I hear what the Senator has to say?

Mr. SMOOT. I say that is what we have been doing in the past; but as far as I am personally concerned, I would just as soon perfect the schedules now as we reach them, so that we will not have to return to them.

Mr. WALSH of Massachusetts. In my judgment, that is the better course.

Mr. SMOOT. I am going to ask unanimous consent that in all of the schedules, beginning with Schedule 4, whenever a schedule is before the Senate the committee amendments shall be presented first, and agreed to or rejected; and as soon as that is done that individual amendments can be offered to that schedule.

Mr. WALSH of Massachusetts. Does the Senator mean beginning with Schedule 4 or Schedule 5?

Mr. SMOOT. Schedule 4.

Mr. WALSH of Massachusetts. That is the one we are on now?

Mr. SMOOT. It is the one we are on now.

Mr. WALSH of Massachusetts. And that means that we can immediately offer amendments from the floor?

Mr. SMOOT. That is right.

The PRESIDING OFFICER. Is there objection?

Mr. McNARY. Mr. President, if that had been the original practice, I should have entirely concurred in the wisdom of the action of the chairman of the committee. I object now to attempting to change the program in the middle of the consideration of the bill. We started out here under unanimous consent to consider first committee amendments, which is conformable to the usual practice in the consideration of bills. Inasmuch as we have adjusted ourselves to that practice, I shall object to any change.

The PRESIDING OFFICER. Objection is heard.

Mr. SIMMONS. Mr. President, I was under the impression that we entered into a unanimous-consent agreement that the first three schedules should be treated differently from the rest of the schedules, and that as to the first three schedules we would simply deal with committee amendments and not return for individual amendments until we finish the bill, but that, as to each of the other schedules, immediately upon acting upon the committee amendments we would take up individual amendments to the schedule and dispose of them. I thought that was the unanimous-consent agreement. I know that we assented to it on this side, and I supposed that it was confirmed by the action of the Senate.

Mr. SMOOT. No; no action was taken. The Senator made the statement at that time just as he has made it now, but no request was made; and that is the reason why I made the request at this time. There is objection to it, however, so, of course, we might just as well proceed.

Mr. SIMMONS. Mr. President, if the Senator from Oregon will give me his attention——

Mr. McNARY. I am very happy to do so.

Mr. SIMMONS. I think we can save time, and I think we can legislate with much more satisfaction to ourselves if we will finish up a schedule before leaving it, because in the discussion of committee amendments we have necessarily dealt with a great many questions that apply to the part of the schedule that is not affected by the amendments. We have the whole subject involved in the schedule in our minds, and therefore we can more readily act upon it; but if we pass it by after we have finished the committee amendments and do not return to it for a week or two weeks or three weeks, we have forgotten all about it, and we have to go over a good deal of the debate that has already taken place pertinent to the things that were left undone in dealing with the things with which we were confronted. I think it is in the interest of good legislation to deal with a schedule and finish it before we leave.

Mr. COUZENS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Michigan?

Mr. SIMMONS. I do.

Mr. COUZENS. From the beginning I have been in sympathy with the viewpoint expressed by the Senator from North Carolina; but there have been certain developments since then, so that there are at least 25 or 30 Senators on this side of the Chamber who will not agree to that procedure; so, of course, there is no use in talking about it.

Mr. SIMMONS. If that is the case, I will say no more about it. I did not know that there had been any such reversal of opinion, and I do not know why now. I should like to have the Senator enlighten me as to why that change of mind has come about.

The PRESIDING OFFICER. Objection has been made.

Mr. WALSH of Massachusetts. By whom?

Mr. McNARY. I made the suggestion, and it was confirmed by the Senator from Michigan [Mr. COUZENS].

Mr. WALSH of Massachusetts. My attention was distracted for a moment.

Mr. SMOOT. Mr. President, those are all of the committee amendments in Schedule 4. The next schedule is Schedule 5, "Sugar, molasses, and manufactures of."

Mr. WALSH of Massachusetts. Now, I think we ought to have a quorum. Some of the Senators interested in that schedule are absent; and I raise the point of order of no quorum.

Mr. SIMMONS. The Senator from Mississippi [Mr. HARRISON] asked that a quorum be called so that he might be here when this schedule is taken up.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Capper	Frazier	Hatfield
Barkley	Connally	George	Hawes
Bingham	Copeland	Gillett	Hayden
Black	Couzens	Glass	Hebert
Blaine	Cutting	Glenn	Heflin
Blease	Dale	Goff	Howell
Borah	Deneen	Greene	Johnson
Bratton	Dill	Hale	Jones
Brock	Edge	Harris	Kean
Brookhart	Fess	Harrison	Kendrick
Broussard	Fletcher	Hastings	Keyes

La Follette	Oddie	Shortridge	Townsend
McCulloch	Overman	Simmons	Trammell
McKellar	Patterson	Smith	Tydings
McMaster	Phipps	Smoot	Vandenberg
McNary	Ransdell	Steck	Wagner
Metcalf	Reed	Steiwer	Walcott
Moses	Robinson, Ind.	Stephens	Walsh, Mass.
Norbeck	Sackett	Swanson	Waterman
Norris	Schall	Thomas, Idaho	Wheeler
Nye	Sheppard	Thomas, Okla.	

The PRESIDING OFFICER. Eighty-three Senators have answered to their names. There is a quorum present.

Mr. HARRISON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HARRISON. What is the matter now before the Senate?

The PRESIDING OFFICER. The sugar schedule. The secretary will state the first amendment.

The first amendment in Schedule 5 was on page 121, line 12, paragraph 501, Sugars, to strike out "1.5625 cents" and to insert "1 5425 cents."

Mr. HARRISON obtained the floor.

Mr. SIMMONS. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. SIMMONS. I am going to ask the chairman of the Committee on Finance if he will not consent that we take up the agricultural schedule at this time, and let the sugar and tobacco schedules await the termination of the consideration of that schedule.

Mr. SMOOT. Mr. President, as far as I am concerned, I am perfectly willing that that course shall be pursued.

Mr. DILL. Mr. President, does it not require unanimous consent to pass over a schedule?

Mr. SMOOT. I do not think it requires unanimous consent.

Mr. SIMMONS. I do not know that it requires unanimous consent, but I hope there will be no objection to that suggestion. The Senator from Mississippi and the Senator from Texas, who have had special charge of all three of these schedules for the Democratic side, have asked that this be done in the interest of legislation. They feel and I feel, and all of us who have considered it, feel that the determination of what we are going to do with reference to the agricultural schedule will greatly clarify the tariff situation.

The PRESIDING OFFICER. The Chair will state that it does not require unanimous consent; it can be done by a majority vote of the Senate.

Mr. SIMMONS. I did not think it required unanimous consent, and I was hoping that if it did there would be no objection, because it is the desire of the Senator from Mississippi, who has charge for the minority of these three schedules, that the agricultural schedule be taken up first.

Mr. COUZENS. Mr. President, I think that is a violation of the understanding we had at the beginning. There is clearly an attempt on the part of a large number of Senators to adjourn, and the Senator from Mississippi knows very well that he wants to get the agricultural schedule out of the way before we adjourn. We ought to proceed with schedules in order, and everybody should take his turn. One Senator may not have the same interest in a schedule that some other Senator may have. I think it would be playing favorites and unwarranted to proceed to skip schedules to suit some individual Senator's desire. We ought to proceed with the bill in an orderly way, the same as we have done with all the schedules heretofore taken up.

Mr. HARRISON. Mr. President, in answer to the Senator from Michigan, may I say that it is immaterial to me whether we take up sugar, tobacco, or agriculture. There is a majority sentiment in the Senate, I think, that there should be at least a week between the adjournment of the present session of Congress and the reconvening of the regular session on the 2d of December. We were called here to help agriculture as much as possible, and I had hoped we could get through with agriculture at least before we took an adjournment between the two sessions.

The Senator from Michigan knows, and everybody else knows, that when we get into the consideration of sugar there will be very prolonged discussion. I think I can envision what is going to happen when we get to the vote, but there are a great many Senators who would prefer that the sugar schedule go over until after the Vare matter shall be disposed of if we do adjourn.

Mr. BROUSSARD. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. BROUSSARD. Is it not a fact that sugar and tobacco are agricultural products, the same as the others mentioned in the agricultural schedule?

Mr. HARRISON. Some of us think that if there is one agricultural product which has been favored more by the Government for the last generation than any other it is sugar, and that there are other things in which agriculture is interested which have not had fair treatment.

Mr. BRATTON. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. BRATTON. I have no objection to the change, with one exception. Some of us interested in the paragraphs having to do with cattle, sheep, beef, and mutton are not prepared to take them up now, and to make the change without any advance notice would place us at a disadvantage. If Schedule 7 should be taken up now, I should want it understood that we shall pass over the first two paragraphs in the schedule and that they may be taken up later.

Mr. DILL. Mr. President, I do not see any difference between the production of sugar and the production of other things that come under the agricultural schedule. I do not know why we should not take up sugar and these other subjects as they come along.

Mr. BROUSSARD. Mr. President, will the Senator from Mississippi yield again?

Mr. HARRISON. I yield.

Mr. BROUSSARD. The purpose of my question was not to urge the consideration of sugar, but it was simply to call attention to the fact that there are three schedules dealing with agricultural products. If the Senator wishes to take up the agricultural schedule instead of the sugar schedule, I am perfectly agreeable to that course. I was not trying to urge an objection to his wishes in the matter, but merely to point out the fact that sugar should be in the agricultural schedule.

Mr. HARRISON. Mr. President, I will say to the Senator from Louisiana, as well as to the Senator from Washington, that personally it is immaterial to me which schedule we take up; but there are a lot of Senators here to whom I have talked who would prefer that the sugar schedule go over, if we are going to adjourn, until later on, so that we can finish first with the agricultural schedule, if possible.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. VANDENBERG. The Senator's entire argument is based on the hypothesis that we probably will take a recess. Why does he not make the necessary motion to determine right now whether there is going to be a recess or not?

Mr. HARRISON. I follow the Republican leadership on the other side so often that I was in hopes that that leadership would offer the resolution.

Mr. VANDENBERG. I am sure the Senator has that hope. I can not share it.

Mr. WAGNER. Mr. President, may I ask the Senator from Mississippi to what Republican leadership he referred?

Mr. HARRISON. I was looking at about 40 Senators on the other side.

Mr. President, I move that the Senate proceed to the consideration of Schedule 7, the agricultural schedule.

Mr. GEORGE. Mr. President, I would like to make an inquiry. If that motion prevails, and we proceed to the consideration of Schedule 7, would it then be the purpose of the Senator to return to Schedule 6, the sugar schedule, after the completion of Schedule 7?

Mr. HARRISON. I should think that ought to be done, unless the agricultural schedule takes up quite a bit of time. If we were going to adjourn, it was the thought of some Senators that the consideration of the sugar schedule might go over until after we had gotten back to the consideration of the tariff bill, following the disposition of the Vare case in the regular session.

Mr. GEORGE. Mr. President, it seems to me that we might complete both the sugar schedule and the agricultural schedule prior to the date of adjourning, if a date of adjournment is to be agreed upon. In other words, it seems to me that both these schedules can well be disposed of between to-day and Thursday or Friday or Saturday of next week.

Mr. HARRISON. It may be that they can, but I was very much in hopes we could get through with the agricultural schedule, and then Senators could determine whether they wanted to go on with the sugar schedule at that time or to take up some other schedule.

Mr. SIMMONS. Mr. President, may I suggest to the Senator from Mississippi that he enlarge his motion so as to provide that it is the understanding that upon the completion of the agricultural schedule we shall return to the sugar schedule? I think that is the wish of many.

Mr. HARRISON. I so modify my motion.

The PRESIDING OFFICER. Will not the Senator state his motion as modified?

Mr. HARRISON. Mr. President, my motion is that we now proceed to the consideration of Schedule 7, the agricultural schedule, and that immediately following the termination of the consideration of that schedule we return to the sugar schedule and proceed to the consideration of that schedule.

Mr. BRATTON. Mr. President, may I inquire of the Senator whether it is understood that the first two paragraphs of the agricultural schedule, having to do with cattle and sheep, will be postponed until later?

Mr. HARRISON. Mr. President, I call the attention of the Senator from Utah [Mr. SMOOT] to the fact that the Senator from New Mexico asks whether, in the event we should go to the consideration of the agricultural schedule, there would be any objection to passing over the paragraphs covering cattle and sheep, the first two paragraphs.

Mr. SMOOT. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi.

Mr. COPELAND. I assume that the motion is debatable, Mr. President?

The PRESIDING OFFICER. The Chair will so rule.

Mr. COPELAND. Mr. President, I know how useless it is even to suggest the idea, but I feel very strongly that the Senate should adjourn now. If Senators have read the newspapers, they know that is the sentiment of the country. When we look at the Senate, we know it should be the sentiment of the Senate.

The Senator from South Carolina [Mr. BLEASE] yesterday told us the truth. He told about the physical condition of men here. It is absolute cruelty to go on with the bill when everybody knows it can not be completed before Christmas. There is no possibility of it being completed for many weeks to come. For one reason and another, largely political, we think that we must stay here and grind along with the bill. It is absolutely wrong.

The men who have worked hardest on the bill, the men who are members of the committee, are the men who have first claim to some rest. I want to compliment all the members of the committee, particularly the chairman of the Finance Committee [Mr. SMOOT] and our own leader on the tariff question on this side of the Chamber [Mr. SIMMONS]. Those Senators have worked hard week after week, month after month. Only this morning the Senator from Georgia [Mr. GEORGE], a member of the Finance Committee, told me that since the 1st of last November he has been home only 55 days, less than two months. It is cruelty, it is indecent, to keep these men here on the floor of the Senate.

On the 2d day of December we will begin a long, hard session, which will probably be one of the longest sessions of the Senate for years. It is only right that men should have a little rest, in order that they may be refreshed for the arduous labors of that session. So far as I am concerned, I have not suffered. I was late getting back here. I had a trip to Europe. I have no personal complaint. I can stay here. I have as strong a physique as any man in the Senate, no doubt, and can go on. I make no plea for myself, but I am making a plea for the men who have brought the bill to us, who have studied it and worked over it through the weeks and months.

Why should we stay here because of a fear we may have of what agriculture may say? I am a friend of the farmer. I am one eastern Senator who has voted all the time for all farm bills. I am not disturbed about what the farmers may say about us or to us. If any farmer in America thinks the tariff bill is going to pass before Christmas or even before January or February, he is fooled once more. The poor farmer is fooled a good deal of the time by these matters that have a political aspect.

Senators, why are we not sensible? Why do we not give consideration to our own welfare, because our physical and mental condition has to do with the welfare of the country? Tired men can not do the sort of work that will give to the country a decent tariff bill. Here is a bill which came to us involving a general revision of the tariff, which everybody knows must take months and months to pass. I plead with you, Senators, realizing that in all human probability I will be voted down; nevertheless I plead with you to adjourn now. We are at the end of a schedule, we are at an appropriate time for adjournment. I can see no reason in the world why we should go on, but I can see many reasons why we should stop at this time.

Mr. REED. Mr. President, under the Constitution we can not adjourn for more than three days without the consent of the House. I have talked to House leaders within the last day about the question of whether they would give their consent to an adjournment now or next week. They have very clearly stated that they would not consent to any recess between now and the regular session unless those in charge of the bill state clearly that it will be impossible to pass the bill and send it to conference before the 3d of December.

They have stated if that was made clear by those in charge of the bill—and I think they meant particularly the Senator from North Carolina [Mr. SIMMONS] and the Senator from Idaho [Mr. BORAH]—if those Senators agree that it is not possible to pass the bill and send it to conference before the 3d of December, then the House will agree to any adjournment resolution we may adopt. I think it is only fair to them and fair to us that I say that now.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Idaho?

Mr. REED. I yield.

Mr. BORAH. There is a way by which the Senate can run its business without the dictation of the House. It is true that we can not adjourn for more than three days, but we can adjourn every three days. I do not see why the House should dictate to the Senate at this early time as to just how to conduct its business and how to hold its sessions.

Mr. REED. Simply because the Constitution gives them the right to dictate in that way and gives us the same right to dictate to them in the same way.

Mr. BORAH. It does not give them any more right than it gives the Senate to dictate to the House, and it is not according to the proprieties of the situation that either should undertake to dictate to the other. So far as I am individually concerned, I do not propose that the House shall dictate to the Senate.

Mr. REED. As I understand the gentleman with whom I talked, the House does not intend to dictate in an offensive sense. They have simply stated the rules which will control their action. They have a perfect right to agree or disagree to our resolution. They stated to me the rules which will control their decision. Of course, we can take 3-day adjournments just as they have been doing. I had hoped the Senator from Idaho would state whether he believes it is a practical thing to pass the bill and send it to conference before the 3d of December.

Mr. BORAH. Under ordinary circumstances I would be very willing to give my opinion, but as it is I would suggest that we go ahead with some schedule until such time as we in the Senate determine whether or not we shall adjourn. We certainly do not desire to adjourn to-day. I understand there is a desire to adjourn a week from Saturday. The Senate can determine at that time, without any influence from the outside I presume, as to whether or not it desires to do so. If it shall determine to adjourn every three days it can do that, but at the present time the thing to do is to proceed with some schedule in the bill.

Mr. COPELAND. Mr. President, may I ask the Senator from Idaho how we are going to know when we are going to adjourn? The Senator says we should keep on until we know when we are going to adjourn. Can we not determine now whether we want to adjourn or not?

Mr. BORAH. The Senator from New York is the only Senator who has suggested that we adjourn at this time. He has said he is not suggesting that upon his own necessities or upon his own wishes, but out of deference to other Senators. In view of the fact that other Senators have not suggested that we adjourn prior to a week from Saturday, I suggest that we go ahead, in view of the fact particularly that the Senator is simply moved out of deference to other Senators.

Mr. COPELAND. I would like to say to the Senator from Idaho that with the exception of himself and one other Senator to whom I have spoken, every Senator with whom I have talked has expressed a desire to adjourn at once. I venture to say that if every Senator were left absolutely free from any influence of possible political effect as the result of his vote, there would be an overwhelming vote in favor of immediate adjournment.

Mr. McKELLAR. Mr. President, the Senator from New York might state that I was one of the two, because I am not in favor of adjourning.

Mr. SIMMONS. Mr. President, I think the Senator from New York is entirely mistaken in assuming that a majority of Senators on this side of the Chamber desire to adjourn at this time. So far as I am concerned I should very strongly oppose a proposition to adjourn at this time. I am favorable to an adjournment anywhere between the 21st and the 23d of this month for reasons that I do not think it necessary to explain. They have been already discussed and are generally understood.

Referring to the observations of the Senator from Pennsylvania [Mr. REED], I desire to say I have talked with Members of the House, not with those who absolutely control legislation

over there but with Members who are in close touch with the situation in that body, and I must say I have not discovered in their attitude any disposition to dictate to the Senate. On the contrary, I understood their attitude disclosed a disposition to adjust their actions with respect to adjournment to our desires in the matter. If we desire to adjourn, I understood from these Members that the House would be disposed to concur in whatever we wished as to adjournment.

Of course, Mr. President, the House really has not been in session for nearly two months. It has been nominally meeting and adjourning every three days. As the Senator from Idaho [Mr. BORAH] said, we could do the same thing if we were driven to the necessity of doing it. But I do not think we will be driven to that necessity. I think if the Senate makes it clear that it desires to adjourn, the House will concur.

The Senator from Pennsylvania [Mr. REED] said that the House would not be willing to concur in the action of the Senate unless we would give them assurances that the tariff bill can not be passed during this session. Mr. President, does any Member of the House or does any Member of the Senate need any assurance about that? Is there anyone in this body who feels that it is possible for us to act finally upon the bill before the regular session of Congress? I do not think so. I say to the Senator from Pennsylvania that, in my judgment, it is a legislative impossibility under present conditions in this Chamber to dispose of the bill in advance of the regular session, and I think we all realize it.

I think the House ought not to want any assurance of that sort, but if they do, so far as I am concerned, and as far as I have authority to speak for this side of the Chamber on this subject, I have no hesitation in giving them the assurance that they need not expect the Senate to vote on the passage of the bill before the regular session.

Mr. President, it is the purpose and desire to those of us on this side of the Chamber to do the things which the special session of the Congress was called to do, namely, to do whatever it can through the tariff to bring about economic parity between agriculture and the other industries and to extend relief where it is made to clearly appear that an industry is in distress by reason of undue foreign competition. It was not intended that Congress should at this special session undertake a general revision of the tariff rates.

The House, however, saw fit to respond to the demands of the already highly protected industries and to greatly increase the rates of the present law. If these industrial rates are adopted it will make it all the more difficult, indeed impossible, to approximate agricultural parity by any kind of tariff action. Recognizing that situation we on this side of the Chamber are disposed, save in exceptional cases manifestly requiring adjustment of a rate downward or upward not to disturb duties of the present law upon industrial products other than agricultural.

Something more than a week ago I suggested that the legislation might be hastened, after we had finished consideration of the agricultural schedule, if we would make the rates of the present law the basis of our amendments, a basis not to be absolutely adhered to, but to be deviated from in the main only where conditions showed readjustment should be promptly made to meet urgent requirements. With that basis of action, we shall be able, I hope, when we return to the various schedules for individual amendments, to speed action more rapidly than heretofore.

In this way, Mr. President, we can speedily accomplish the purpose for which the President called us together; we shall have done with reference to agriculture, as we may through the tariff, what the platforms of the two great major parties promised without, through a hasty and ill-considered general revision of the tariff, incurring the risk of disturbing present critical industrial conditions. This plan involves the retention of many rates in the present law, the Fordney-McCumber law, not because we approve them but because it is not expedient under the circumstances to attempt a general revision.

Mr. President, even following that course, it will be absolutely impossible to get through with this bill during this session. I was under the impression that Senators on the other side of the Chamber, representing the majority party, would exercise their usual privilege of moving in the matter of recess and adjournment of the sessions of the Senate. I had expected that the Senator from Utah [Mr. SMOOT] would take the initiative in moving an adjournment. I think, in justice to ourselves as well as to the country, we should take a short rest before the regular session begins December 2. However, I understand that the members of the regular faction of the Republican side of the Chamber do not desire that the motion shall be made by one of their number, but that the motion shall come from this side of the Chamber. I suppose they think they can make some politics out of a motion to adjourn coming from this side of the Chamber.

Mr. President, it does seem to me very strange that anyone should seek to inject politics into a motion to adjourn for a little over a week, bridging the time between the regular session and the special session, especially in view of the fact that we have been in practically continuous session here—certainly that is true of the Finance Committee, which constitutes nearly one-fourth of this body—since last December, and, if we have no time at all to rest until we enter upon the regular session, that regular session will probably be extended for a month and perhaps six weeks—I can not tell; nobody can predict—by reason of the tariff bill going over to that session, running the regular session probably to the latter part of August or the 1st of September next, keeping this Congress here and keeping the Senate in daily session for practically 18 months.

So far as I am concerned, if it meets the approval of my associates, if the leader on the other side does not do it, I will offer a resolution for an adjournment. God knows that we on this side of the Chamber have done everything we could to speed this proposed legislation, in justice to the taxpayers of the country. We are going to continue to do it.

Senators ought not to forget that we have never yet enacted in such a short time a tariff bill making such a sweeping revision as this tariff bill proposes. Taking the hearings and discussions in the consideration of the bill, I think the average time in which we have been able to pass tariff bills in the past has been something like five months. I will ask the Senator from Utah if his recollection is not in accord with mine.

Mr. SMOOT. It has been approximately that.

Mr. SIMMONS. To pass a tariff bill heretofore has consumed approximately five months.

Mr. President, this revision is possibly not so sweeping as some others which have been made, but it is a revision made under circumstances which call for more than ordinary discussion. It is an exceptional situation which confronts us here with reference to the pending bill. Senators on both sides of the Chamber feel the necessity of discussion, and no man can say since we entered upon the discussion of the measure that there has been any disposition on the part of any Senator, whether representative of this side of the Chamber or representative of the progressive element or of the regular element on the other side of the Chamber, merely to consume time.

I have been here since 1901, and have been connected with the making of tariff bills since 1908. That was the time when we framed the Payne-Aldrich bill. I was on the Finance Committee which framed that bill, and I am on that committee now; I have been an active participant in all of the tariff discussions; and I say there never has been a tariff bill passed through this body where discussion has been more continuously and more completely germane than has been the case with the pending bill. We have never dealt with a tariff bill where so few extraneous matters of discussion have been injected to consume time as has been the case in the consideration of the pending measure. The sincerity of the desire of Senators on both sides of the Chamber to get through with this work as quickly as possible has been the cause, I take it, of this steady adherence to the discussion of the subject matter before the Senate; and I think that course will continue to be pursued by all Senators.

I think all of us are anxious to dispose of the measure, and all of us are anxious to speed up its consideration. Any charge that we are asking for a short adjournment for the purpose of delay or for any political purpose, I resent, Mr. President. I will give the assurance of which the Senator from Pennsylvania [Mr. REED] spoke, although, in my opinion, no such assurance is needed, so far as this side of the Chamber is concerned.

Mr. BLEASE. Mr. President, adding just a word to what I said on yesterday, I think we now have still further evidence of why we should go home and take a rest. I, therefore, move that the further consideration of the pending bill be postponed until Monday, December 9, 1929.

Mr. BORAH. I call for the yeas and nays, Mr. President.

The PRESIDING OFFICER. The question is on the motion of the Senator from South Carolina.

The yeas and nays were ordered.

Mr. BLEASE. I suggest the absence of a quorum, so as to give the Senators notice of my motion.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Fess	Jones	Sheppard
Barkley	Fletcher	Kean	Shortridge
Bingham	Frazier	Kendrick	Simmons
Black	George	Keyes	Smith
Blaine	Gillett	La Follette	Smoot
Blease	Glass	McKellar	Steck
Borah	Glenn	McMaster	Steiwer
Bratton	Goff	McNary	Stephens
Brock	Goldsborough	Metcalf	Swanson
Brookhart	Greene	Moses	Thomas, Idaho
Broussard	Hale	Norbeck	Thomas, Okla.
Capper	Harris	Norris	Townsend
Caraway	Harrison	Oddie	Trammell
Connally	Hastings	Overman	Vandenberg
Copeland	Hatfield	Patterson	Walcott
Couzens	Hawes	Phipps	Walsh, Mass.
Cutting	Hayden	Ransdell	Walsh, Mont.
Dale	Hebert	Reed	Waterman
Deneen	Heflin	Robinson, Ind.	Wheeler
Dill	Howell	Sackett	
Edge	Johnson	Schall	

The PRESIDING OFFICER. Eighty-two Senators have answered to their names. A quorum is present. The question is on the motion made by the Senator from South Carolina [Mr. BLEASE].

Mr. SIMMONS. Mr. President——

Mr. HARRISON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Mississippi will state it.

Mr. HARRISON. The pending motion is the motion I made to proceed with the consideration of the agricultural schedule. This is a preferential motion, I understand.

The PRESIDING OFFICER. The Chair thinks so.

Mr. BRATTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Mexico will state it.

Mr. BRATTON. Will the Chair state the motion of the Senator from South Carolina?

The PRESIDING OFFICER. The Senator from South Carolina moves to postpone the further consideration of the tariff bill until December 9.

Mr. HARRISON. On that I call for the yeas and nays.

Mr. SIMMONS. Mr. President, I rose to make the parliamentary inquiry whether the motion made by the Senator from Mississippi is not the pending motion?

The PRESIDING OFFICER. The motion of the Senator from South Carolina, the Chair holds, is a preferential motion. On that motion the yeas and nays have been ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. FRAZIER (when Mr. NYE's name was called). My colleague [Mr. NYE] is unavoidably absent. If he were present, he would vote "nay."

Mr. OVERMAN (when his name was called). I have again to announce that I am paired with the senior Senator from Wyoming [Mr. WARREN]. As he is absent, I withhold my vote.

The roll call was concluded.

Mr. FESS. I desire to announce the general pair of the Senator from Indiana [Mr. WATSON] with the Senator from Arkansas [Mr. ROBINSON]. I am not advised how either of these Senators would vote on this question.

The result was announced—yeas 7, nays 74, as follows:

YEAS—7

Bingham	Copeland	Greene	Reed
Blease	Dale	Phipps	

NAYS—74

Allen	Frazier	Kean	Simmons
Barkley	George	Kendrick	Smith
Black	Gillett	Keyes	Smoot
Blaine	Glass	La Follette	Steck
Borah	Glenn	McKellar	Steiwer
Bratton	Goff	McMaster	Stephens
Brock	Goldsborough	McNary	Swanson
Brookhart	Hale	Metcalf	Thomas, Idaho
Broussard	Harris	Moses	Thomas, Okla.
Capper	Harrison	Norbeck	Townsend
Caraway	Hastings	Norris	Trammell
Connally	Hatfield	Oddie	Vandenberg
Couzens	Hawes	Patterson	Walcott
Cutting	Hayden	Ransdell	Walsh, Mass.
Deneen	Hebert	Robinson, Ind.	Walsh, Mont.
Dill	Heflin	Sackett	Waterman
Edge	Howell	Schall	Wheeler
Fess	Johnson	Sheppard	
Fletcher	Jones	Shortridge	

NOT VOTING—14

Ashurst	Nye	Robinson, Ark.	Warren
Gould	Overman	Shipstead	Watson
King	Pine	Tydings	
McCulloch	Pittman	Wagner	

So Mr. BLEASE's motion was rejected.

Mr. SIMMONS. Mr. President, I send to the desk for immediate action a concurrent resolution.

The VICE PRESIDENT. The concurrent resolution will be read.

The Chief Clerk read the concurrent resolution (S. Con. Res. 17), as follows:

Resolved by the Senate (the House of Representatives concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the first session of the Seventy-first Congress by adjourning their respective Houses on the 23d day of November, 1929, at 2 o'clock p. m.

Mr. LA FOLLETTE and Mr. HARRISON called for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. OVERMAN (when his name was called). Again announcing my pair with the senior Senator from Wyoming [Mr. WARREN], I withhold my vote.

The roll call was concluded.

Mr. FESS. I desire to announce that the senior Senator from Indiana [Mr. WATSON] has a general pair with the senior Senator from Arkansas [Mr. ROBINSON]. I am not advised as to how either of those Senators would vote on this question.

Mr. FRAZIER. My colleague [Mr. NYE] is unavoidably absent from the Chamber. If he were present, he would vote "nay."

The result was announced—yeas 34, nays 51, as follows:

YEAS—34

Barkley	Fletcher	Jones	Simmons
Bingham	George	Kendrick	Smith
Black	Greene	Keyes	Stephens
Bratton	Hale	McNary	Tydings
Brock	Harris	Moses	Wagner
Broussard	Harrison	Phipps	Walsh, Mass.
Connally	Hawes	Pittman	Walsh, Mont.
Dale	Hayden	Ransdell	
Edge	Heflin	Reed	

NAYS—51

Allen	Frazier	McCulloch	Smoot
Blaine	Gillett	McKellar	Steck
Blease	Glass	McMaster	Steiwer
Borah	Glenn	Metcalf	Swanson
Brookhart	Goff	Norbeck	Thomas, Idaho
Capper	Goldsborough	Norris	Thomas, Okla.
Caraway	Hastings	Oddie	Townsend
Copeland	Hatfield	Patterson	Trammell
Couzens	Hebert	Robinson, Ind.	Vandenberg
Cutting	Howell	Sackett	Walcott
Deneen	Johnson	Schall	Waterman
Dill	Kean	Sheppard	Wheeler
Fess	La Follette	Shortridge	

NOT VOTING—10

Ashurst	Nye	Robinson, Ark.	Watson
Gould	Overman	Shipstead	
King	Pine	Warren	

So Mr. SIMMONS's resolution was rejected.

Mr. HARRISON. Mr. President, I ask unanimous consent that for the balance of this session the Senate, when it recesses in the afternoon, meet at night at 7 o'clock and stay in session until 11 o'clock and consider the tariff bill.

Mr. COUZENS. I object.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Mississippi that the Senate proceed to the consideration of Schedule 7, and then return to Schedule 5.

Mr. HARRISON. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. FRAZIER (when Mr. NYE's name was called). My colleague [Mr. NYE] is unavoidably absent. If present, he would vote "yea."

Mr. OVERMAN (when his name was called). I transfer my general pair with the senior Senator from Wyoming [Mr. WARREN] to the junior Senator from Utah [Mr. KING] and vote "yea."

Mr. FESS (when Mr. WATSON's name was called). The senior Senator from Indiana [Mr. WATSON] has a general pair with the senior Senator from Arkansas [Mr. ROBINSON].

Mr. SHEPPARD. I desire to announce that the Senator from Utah [Mr. KING] is necessarily detained from the Senate by illness.

The roll call was concluded.

The result was announced—yeas 61, nays 25, as follows:

YEAS—61

Allen	Connally	Hawes	McMaster
Barkley	Cutting	Hayden	Metcalf
Black	Fletcher	Hebert	Norbeck
Blaine	Frazier	Heflin	Norris
Borah	George	Howell	Oddie
Bratton	Glass	Jones	Overman
Brock	Glenn	Kean	Patterson
Brookhart	Goldsborough	Kendrick	Phipps
Broussard	Harris	Keyes	Pittman
Capper	Harrison	La Follette	Ransdell
Caraway	Hatfield	McKellar	Robinson, Ind.

Schall	Smoot	Thomas, Idaho	Walcott
Sheppard	Steck	Thomas, Okla.	Waterman
Shortridge	Steiwer	Townsend	
Simmons	Stephens	Trammell	
Smith	Swanson	Vandenberg	

NAYS—25

Bingham	Edge	Johnson	Wagner
Blease	Fess	McCulloch	Walsh, Mass.
Copeland	Gillett	McNary	Walsh, Mont.
Couzens	Goff	Moses	Wheeler
Dale	Greene	Reed	
Deneen	Hale	Sackett	
Dill	Hastings	Tydings	

NOT VOTING—9

Ashurst	Nye	Robinson, Ark.	Warren
Gould	Pine	Shipstead	Watson
King			

So Mr. HARRISON's motion to proceed to the consideration of the agricultural schedule was agreed to.

Mr. HARRISON. Mr. President, I present the following order and ask for its immediate adoption.

The VICE PRESIDENT. The clerk will read the proposed order.

The Chief Clerk read as follows:

Ordered, That during the remainder of the present session of Congress the Senate, at not later than 5.30 o'clock p. m. each day, take a recess until 7.30 o'clock p. m. and remain in session until not later than 10.30 o'clock p. m.

The VICE PRESIDENT. Is there objection to the immediate consideration of the order? The Chair hears none. The question is on agreeing to the order.

The order was agreed to.

The VICE PRESIDENT. The Secretary will state the first amendment in Schedule 7.

The CHIEF CLERK. On page 125, line 3, after the words "Schedule 7," insert a subhead, "Agricultural products and provisions."

The amendment was agreed to.

Mr. MOSES. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state the inquiry.

Mr. MOSES. At the request of several Senators, I wish to ask whether the order submitted by the Senator from Mississippi and just adopted goes into effect to-day.

The VICE PRESIDENT. The clerk will report the order as entered.

The Chief Clerk read as follows:

Ordered, That during the remainder of the present session of Congress the Senate, at not later than 5.30 o'clock p. m. each day, take a recess until 7.30 o'clock p. m. and remain in session until not later than 10.30 o'clock p. m.

Mr. BRATTON. Mr. President, I ask unanimous consent that the consideration of paragraph 701 be postponed without prejudice.

The VICE PRESIDENT. Is there objection to the request of the Senator from New Mexico?

Mr. McNARY. Mr. President, does that apply to a paragraph in the agricultural schedule?

Mr. BRATTON. I may say to my friend from Oregon that earlier in the day, when the matter of proceeding to the consideration of Schedule 7, that is agricultural products, was first proposed, I stated that I would ask that the paragraphs having to do with livestock be passed over without prejudice, as some of us interested in those paragraphs are not ready to proceed now. I am unprepared to begin the consideration of those paragraphs now.

Mr. McNARY. What I am anxious to know is whether the request applies to the one paragraph or several dealing with the same subject.

Mr. BRATTON. I desire that all paragraphs bearing upon cattle and sheep, as well as beef and mutton, be postponed for the present without prejudice.

Mr. McNARY. I have no objection.

Mr. WALSH of Montana. Mr. President, the first amendment, in fact, the only amendment, in paragraph 701, if it has not been acted upon, and I understand it has not been, deals simply with dried blood albumen. I do not suppose the Senator from New Mexico is particularly interested in that matter?

Mr. BRATTON. No.

Mr. WALSH of Montana. Why should we not take up the amendments which deal with subjects of that character concerning which there will probably be very little discussion?

Mr. BRATTON. I have no objection to taking up that particular amendment.

Mr. WALSH of Montana. Would not the Senator then modify his request until we reach the committee amendments which he would like to have go over?

Mr. BRATTON. I am called from the Chamber temporarily to attend a committee of the Senate. Consequently I can not be here during the next hour.

Mr. WALSH of Montana. I merely throw this out as a suggestion.

Mr. BRATTON. I have no objection to the particular committee amendment in paragraph 701.

Mr. SMOOT. Mr. President, I would like to know what the Senator desires to have passed over, and then if he is absent and any of those matters are reached, perhaps we could arrange to ask to have them go over.

Mr. BRATTON. The particular matters in which I am interested are the duties on cattle and sheep as well as beef and mutton.

Mr. WALSH of Montana. Those are dealt with in paragraphs 701 and 702, but apparently there is no committee amendment affecting them, so there will be nothing to consider.

Mr. BRATTON. I have no objection to the committee amendment in paragraph 701. I do not know whether I shall oppose some other committee amendments thereafter.

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Massachusetts?

Mr. WALSH of Massachusetts. I want to get the floor in my own right.

Mr. BRATTON. Does the Senator from Massachusetts object to my request that the paragraphs referred to be passed over without prejudice?

Mr. WALSH of Massachusetts. I do not object, but I do not see why the Senator needs to make the request. There are no committee amendments dealing with the subject matter with which he is concerned.

Mr. BRATTON. I do not want those paragraphs passed upon during my absence.

Mr. WALSH of Massachusetts. I have no objection.

The VICE PRESIDENT. Is there objection to the request of the Senator from New Mexico? The Chair hears none, and it is so ordered.

Mr. WALSH of Massachusetts. Mr. President, we are now about to engage in discussing the rates of duty that shall be imposed upon the products of the agricultural schedule. Upon this subject the Members of the Senate, broadly speaking, may be divided into two groups—Senators from States chiefly engaged in the pursuits of agriculture and Senators from States chiefly engaged in manufacturing. Massachusetts, the State which I have the honor to represent, falls in the latter group, although in common with many other industrial States, it does considerable farming for the local market. In the study I have made of the agricultural schedule I have tried to divorce my mind from primary consideration of my State alone, and to analyze the proposed rates without bias. I have sought to determine, dispassionately, what the rates, if they go into effect, will actually mean for everybody, including what they may accomplish for those who advocate them.

I have repeatedly asked myself this question: Can the prices of the basic farm products be increased through tariff increases, and how will such increases in prices, if attained, affect the industrial worker in depressed industries? In order to properly arrive at a sound conclusion, I have classified the rates of duty of the various paragraphs of the schedule as follows:

First. Duties that are effective, in that they will raise prices, and moreover will work a real benefit to the farmers.

Second. Duties that are effective, in that they will raise prices, but will not work any substantial benefit for the farmers, although consumers at least locally and especially if the rates are extortionate will be severely injured.

Third. Duties that are noneffective because they probably will have no effect upon prices.

Fourth. Revenue duties on agricultural products not produced in the United States and not designed to force the use of substitute products.

Fifth. Questionable duties, or those about which there is doubt as to what the effect upon prices will be.

All these classes of duty, from one point of view, may be put in two general groups—those that mean business and those that are mere gestures intended to fool somebody. From another and older point of view, all duties, both on agricultural products and on other products may be divided into revenue duties and duties nominally, at least, protective. We all know what duties intended primarily for revenue are, and the extent to which they are needed. In the case of a protective duty, in contrast, any revenue raised is incidental and not the main object sought. According to the original theory of protection a protective rate is a tax borne temporarily by the domestic consumer during the period in which it is enabling the domestic

industry to become established and able to compete successfully with the foreign products of a corresponding or similar industry.

What was the consumer taught in the old days to expect in return for his temporary sacrifice? He was taught to expect that after the protection-promoted domestic industry was established on a secure and efficient basis that he would have lower prices to pay than if he had continued to depend upon imports. This long-continued benefit for him in the end if realized, would far outweigh his temporary losses.

It is needless to point out that not always has the consumers' trust been justified, but also in very many cases it has been. In many lines of industry, once requiring protection, success has been achieved and the prices of their products have been reduced, and yet with sufficient profit and to the satisfaction of everybody. In my examination of Schedule 7 I have asked, Have we any grounds to expect like favorable results in the end from increased protective rates of duty imposed now? Have we any right to expect success according to the old tests of success, from this application of protection? And I find that there are no such grounds for anticipating a nationally favorable outcome, because the conditions are wholly different.

The early protective duties, and many of the later ones, were applied to fabricated commodities which were the products of the arts and where the progress of the technical arts would operate and operate powerfully. These high-protective duties now proposed for agricultural products are for nonfabricated products, and the progress of the technical arts with respect to them meets with a natural, direct, and prevailing resistance such as is not met with as a rule in manufactures.

The protection of an industry or group of industries subject to these limitations of nature, known as diminishing returns, can not result in reduction of their prices. The protection of such industries must be admitted by everybody to be a proposal for a continuing burden. The proponents of these agriculture duties tacitly admit that themselves in the whole line of their argument, and justify themselves by saying that turn about is fair play, and because some protected trusts of the East have robbed them they are now going to do some dodging on their own account.

I have asked myself, How much money each year will the people of the United States have to pay in increased prices if these new agricultural duties are imposed and are effective? How much money will the people in my State, which is not a farm State, have to pay? What will be the effect on the standard of living of industrial workers employed in distressed industries, if their cost of living is increased and their pay is not? Will the higher prices paid by consumers carry through to the farmer, or will the benefit go mainly to the middleman who handles the farmers product? My study has been devoted to the answers of these questions, and I think we will all agree that the facts rather than sentiment should govern our final action.

I firmly believe that in our deliberation on the proposed rates, not only in this particular schedule but in all of the schedules, we must constantly apply, if it is not to be all sheer favoritism and logrolling, the only principle of tariff making that by common consent we now have available to apply—namely, the principle of equalizing costs of production per unit of product at home and abroad. And if we apply that test, what do we find with respect to many agricultural products? Either that they cost less here than abroad, and so are on an export basis, or they cost only slightly more here than abroad, and so are imported in small quantity. In so far as it is reasonably possible for me to make such comparisons, I am determined to approve only of duties which are based on such differences. I recognize that for many commodities we have no reliable cost studies, and in such cases I am willing to accept other tangible evidences of costs, such as wholesale prices for comparable articles. But I will not accept increases of duties which are proposed not on scientific grounds, not on cost or price differences, but, rather, on the general sentimental ground that they might help our farmers. In many of the commodities in the agricultural schedule we are on a tremendous export basis—imports are of no moment. To increase rates in such cases is to deliberately deceive the great mass of our farmers into believing that they are going to derive some tariff benefit when in fact we know it is impossible.

The Bureau of the Census reports that in 1928 it estimates the total population in the continental United States at 120,013,000, and for Massachusetts at 4,290,000. No data are available as to the number of the residents in Massachusetts for 1928 which were living on farms or in cities. However, the data reported for the 1920 census are highly significant. In that year 94.8 per cent of the total population in Massachusetts was urban. This confirms what we already know that Massachusetts is not a farm State and that its paramount interests are industrial. We from Massachusetts are most naturally concerned with any measure that may increase the cost of our food. Our own production is relatively unimportant. We must bring into our State foods produced far from our communities, and the prices we pay include high transportation costs. We pay heavy toll, not only to the primary producer but also to the transportation companies and to various middlemen. There is no short cut for us of direct or nearly direct transactions from near-by farmers to consumers.

We realize that the prosperity of our own industries and the wage earners they employ is dependent on the prosperity of other consumers, among whom we value highly the farmer. And we do not intend to oppose rates of duties that will help to make profitable farm enterprises. But we insist that the same yardstick that is used to measure the tariff needs of our industries be used to measure the needs of the various groups of farm producers. We insist that sentiment shall have no part in the deliberations of the Senate; that facts be the basis of the action taken; that there be repudiated the highly sophisticated and uneconomic argument advanced by the farm representatives that the duties on farm products be adjusted not in accordance with the individual needs of the particular farm commodity, but rather by a slavish adherence to the principle that agricultural rates and industrial rates should represent the same amount of nominal protection. Farm leaders have insisted that agricultural rates be raised to a minimum of 45 per cent ad valorem. Their position is absurd.

Many farm products can not be aided by any duty. Others need much more than 45 per cent. No hard and fast rule can be made. To adopt their proposal would be a simple way of writing a tariff. All that would be necessary would be to pass a bill to the effect that all commodities on the dutiable list bear a rate of 45 per cent ad valorem. We would need no tariff commission to assemble economic data as to domestic and foreign products; we would need no public hearings; we would need no deliberative action by the Congress.

There is only one test to apply for all commodities, industrial or farm, and that test is the economic position of the article—the domestic production, the imports, the costs of production, the marketing problems. Such an examination will indicate what can or can not be done for a particular item by tariff legislation. And it is such an examination that I have made for Schedule 7.

In 1928 the total revenue collected for duties paid on articles in Schedule 7 was $63,994,000. If the rates set in the Senate Finance Committee bill are approved, the Tariff Commission estimates that for products which are dutiable on the same base as in the act of 1922, the duties in 1928 would have been $86,302,000. In addition there are some items on which a new form of duty is to be imposed, and the commission is unable to estimate what the revenue from those items would be. However, since all of such items are actually increased, it is fair to assume that the same amount of revenue as was collected under the act of 1922 would at least be collected under the proposed bill. These items amount to $4,438,000, and bring the total revenue estimated for 1928 up to $90,740,000.

If we assume that the people of Massachusetts are taxed in exact accordance with the relationship of the population in Massachusetts to the total in the United States, then the proposed act would mean that if it had been in effect in 1928 Massachusetts would have paid into the Public Treasury in the form of tariffs on foods imported $3,244,000, instead of $2,287,000. But this is only a small part of what they will have to pay if the new rates go into effect. If the rates are honest, and if they are intended to raise the prices of farm products, the people in Massachusetts will have to pay many additional millions of dollars in increased prices for foods. According to the Tariff Commission the ad valorem equivalent of the duties collected for Schedule 7 under the act of 1922 was 22.67 per cent in 1928; under the Senate bill, for the same year, the ad valorem equivalent would have been 32.86 per cent, an increase of more than 10 per cent.

It is difficult to make accurate estimates of the effect of the tariff on farm prices. In the tables that follow there are presented the data covering the total value of all farm products and the income derived from the sale of farm products. These tables have been prepared by the Department of Agriculture and are presumably fairly accurate. They indicate that our farmers have distinctly improved their economic position since 1921, and that certain branches of agriculture, such as dairying and cattle raising, have increased considerably.

In examining the following estimates of the effect of the duty on farm products it must be remembered that one basic assumption has been made, that duties are effective, and raise prices

to the full extent of the duty. This assumption undoubtedly is in error for many of the protected farm products; but it is not possible to determine the actual effect of the duties. Furthermore, if the duties are not in large measure effective, then they are to a degree useless and are of service only in giving both producer and consumer false ideas as to their effect.

In the crop year 1927–28 the Department of Agriculture reports a total cash income from sales for all farm production of $9,816,000,000. The average ad valorem equivalent for 1928 for duties collected under Schedule 7 was 22.67 per cent. Accepting this figure as a measure of the effectiveness of the act of 1922 for agricultural products, and reflecting it back to the cash income from sales of all farm products, first deducting cotton and cottonseed sales, we obtain $1,545,000,000 as the effect of the duty; and if we apply the ad valorem equivalent estimated for the proposed bill—32.86 per cent—we get $2,239,000,000, or an increase over the act of 1922 of $694,000,000. If Massachusetts bears a share of these increased prices in proportion to her relationship to the total population of the United States, then her residents have paid $55,000,000 in 1928 under the act of 1922, and would have paid $80,000,000 under the proposed bill over the prices that would have existed for farm products if there had been no tariffs on them. I admit that these figures are open to question, and that in only a few farm products is there complete effectiveness of the duty, but I offer them as indicative of what the present tariff act and the proposed act would mean for farm products if a duty did fully raise the price. And I reiterate that we who live in Massachusetts, who, because of our geographical situation, generally pay the highest prices for our foods, will resist any attempt to further increase the duties on farm products unless it can be proven that proposed increases are justified by differences in the costs of production in the United States and foreign countries.

Mr. President, I ask that various tables which relate to the subject matter of my remarks may be inserted in the RECORD at this point.

The PRESIDING OFFICER (Mr. PATTERSON in the chair). Without objection, it is so ordered.

The tables referred to are as follows:

Gross value of farm production and gross income

[In millions of dollars; i. e., 000,000 omitted]

Year	Gross value of all farm production	Deductions for products fed, used for seed, and waste	Gross income from farm production [1]		
			Total	Value of food and fuel consumed on farms	Cash income from sales
1919–20	24,025	8,306	15,719	2,887	12,832
1920–21	17,800	5,132	12,668	2,645	10,023
1921–22	12,894	3,680	9,214	2,129	7,085
1922–23	14,909	4,543	10,366	2,168	8,198
1923–24	16,249	4,961	11,288	2,360	8,928
1924–25	17,086	5,083	12,003	2,327	9,676
1925–26	16,995	4,325	12,670	2,535	10,135
1926–27	16,487	4,360	12,127	2,590	9,537
1927–28	17,033	4,780	12,253	2,437	9,816

[1] These deductions, to obtain gross income, cover portions of crops and dairy products fed to livestock, used for seed in further crop production, and waste. For the industry as a whole these deductions constitute raw materials, the income from which is derived from the finished products sold or consumed in the farm home.

Source: Crops and Markets, vol. 5, No. 7, p. 267.

Gross income, by groups of commodities

[In millions of dollars; i. e., 000,000 omitted]

Year, July 1–June 30	Grains	Meat animals	Fruits and vegetables	Cotton and cottonseed	Dairy and poultry products	All farm products
1919–20	3,005	3,346	1,747	2,271	3,598	15,719
1920–21	2,246	2,328	1,705	1,272	3,502	12,668
1921–22	1,266	1,932	1,379	760	2,877	9,214
1922–23	1,393	2,180	1,410	1,251	2,957	10,366
1923–24	1,393	2,167	1,526	1,608	3,315	11,288
1924–25	1,842	2,619	1,333	1,719	3,258	12,003
1925–26	1,594	2,848	1,686	1,749	3,589	12,670
1926–27	1,455	2,883	1,585	1,260	3,775	12,127
1927–28	1,636	2,842	1,453	1,458	3,628	12,253

Source: Crops and Markets, vol. 5, No. 7, p. 268.

Net income available for capital invested in agricultural production, including rewards for management

Year	Current value of all capital invested in agricultural production [1]	Current value of operator's net investment in agricultural production [2]	Income available for—[3]		Per cent of—	
			Total capital investment	Operator's net capital invested	Total capital investment	Operator's net capital investment
	Million dollars	*Million dollars*	*Million dollars*	*Million dollars*		
1919–20	79,449	47,065	5,030	2,675	6.3	5.7
1920–21	73,139	41,172	375	1,720	.5	4.2
1921–22	63,811	34,711	785	797	1.2	2.3
1922–23	62,549	34,321	2,014	419	3.2	1.2
1923–24	60,472	33,046	2,097	520	3.5	1.6
1924–25	59,743	32,574	2,656	1,039	4.4	3.2
1925–26	59,712	32,727	3,082	1,413	5.2	4.3
1926–27	58,299	31,856	2,494	928	4.3	2.9
1927–28	58,431	32,191	2,669	1,102	4.6	3.4

[1] As of Jan. 1 in the period indicated values include land, buildings (dwellings and other), livestock, implements, machinery, motor vehicles, and an allowance for cash working capital.

[2] Total capital investment less property rented from nonoperators and debts owed to nonoperators.

[3] Exclusive of residential value of dwellings.

Source: Crops and Markets, vol. 5, No. 7, p. 268.

Mr. BROOKHART. Mr. President, I should like to ask the Senator from Massachusetts a few questions. The Senator stated that we should use the same yardstick in measuring the cost of production in the case of agriculture that is used in industry. I call the attention of the Senator to the fact that in manufacturing industries in the United States the average wage is something over $1,200 a year, while in agriculture since 1920 the average wage which the farmer and his family, including children under 16 years of age, have received for their work on the farm, due to the low prices which they have obtained for the commodities produced, has been less than $700 a year. That is all the wage they get. Is the Senator willing to figure in the cost of production a wage to the farmer and his workers equal to that received by industrial workers?

Mr. WALSH of Massachusetts. I am certainly not willing to consider in the levying of tariff duties, either upon agricultural products or other products, statistics which show what the average earning capacity of an operative is in a factory or the earning capacity of a farmer. I am willing to consider in every instance where the levying of a tariff duty is under consideration the cost paid in labor among other items in the production of a given article, and I should expect to allow the farmer full consideration for his labor costs in producing any given commodity.

Mr. BROOKHART. Then, the Senator does not consider that the actual wage the farmer receives now as a result of the low prices for his products is a fair wage?

Mr. WALSH of Massachusetts. I say that I do not intend to take a general wage of $1,200 a year to all laborers and apply it to those classes of industry where those engaged in it are receiving three or four thousand dollars a year, or where the women are reported to receive less than $500, nor do I propose to apply to the farmer a standard income which the statistics show to be the average received by a farmer.

Mr. BROOKHART. The very purpose of the present session and of the pending tariff revision being for the relief of agriculture, the Senator will concede that we must in some way afford a better wage for the farmer for his work or there will be no relief?

Mr. WALSH of Massachusetts. Mr. President, the purpose of the remarks which I made was, first, to try to influence the Senate, if I could, to distinguish between effective agricultural duties and noneffective agricultural duties, and to remove, if it is possible to do so, the sentiment which is abroad—and I think it is in the Senate in part—that increasing the rates on the long line of agricultural products is going to be of benefit to the farmer.

To my mind, such a contention is unfounded. There are agricultural products as to which no amount of tariff duty will be beneficial or helpful. On the other hand, duties can be levied upon some agricultural products that will become effective whether we apply the right yardstick or not and which will be of benefit to the farmer.

Mr. BROOKHART. Mr. President——

Mr. WALSH of Massachusetts. I will ask the Senator to let me conclude.

Then there is another class. I made the speech I did more particularly because I come from Massachusetts, and I wanted

the Senate to have the point of view of the people of that State. No duty, however high, in my judgment, levied on a large number of agricultural products, including milk and cream, potatoes and other vegetables, will be of any benefit to any of the farmers of this country. I will state why. The reason is that nearly all of such farm products are localized and sold on the local market. Where there are a million people producing eggs, and their market is in a limited area, no amount of tariff protection is going to help them.

Mr. BROOKHART and Mr. DILL addressed the Chair.

Mr. WALSH of Massachusetts. Pardon me for a few moments. There are sections of the country, however, and there are times when a tariff duty upon the commodities I have named will become effective. During the summer months an increase in the tariff duty on cream and milk will be effective in my State, because the production in New England is not sufficient to take care of the increased demand for ice cream, ice-cream cones, and other similar products. During that season the dealers have to go to Canada to get their milk and cream, and therefore an increased tariff duty will mean an increased price for milk and for cream and for the foods which are made from those commodities. The people upon whom that increased burden will fall are not responsible for the excessive and extortionate protective-tariff duties which it is alleged the manufacturing interests of New England enjoy. I further say that even during that period of the year no farmer will benefit, because the domestic supply is not sufficient and it will be necessary to import from Canada and to pay the increased duties.

The same thing is true of potatoes. Senators may put all the duties they want to on potatoes. That commodity has been in the situation of having practically no duty imposed on it and then of receiving rates of duty of 30, 40, or even 60 per cent, I believe. However, a duty on potatoes does not amount in my State, which does not produce potatoes, to a snap of the finger; it does not affect the price in ordinary times; but if a year should come when there was a famine, and there was also a shortage of the potato crop, then the poor people of my State would find there was an effective tariff duty on potatoes which would penalize them because they would have to import potatoes from Canada and pay an increased price.

Mr. BROOKHART. Mr. President——

Mr. WALSH of Massachusetts. I do not want at this time to enter into a discussion of detailed matters, but my thought in presenting my views was to suggest that there is another element who are more or less innocent victims, if I may use that expression, of protective-tariff duties who at times may have to bear a considerable hardship if we go to extremes in levying tariff duties on agricultural products. Particularly are they innocent victims if the agricultural duties are not helpful to the American farmer, but simply result in the factory workers of a certain section of the country, during times of famine and during the summer months, being forced to pay more for commodities which they must have.

They will have to go to Canada, from which country there is a shorter haul than there is from the far West, and obtain the limited number of products which I have in mind.

However, as I said before, I had rather not go into a discussion of details now. When the various items come up one after the other we can develop the points which may be involved.

I merely wish to suggest that we try to determine here what tariff duties are effective. I will concede that tariff duties on some agricultural products are effective; I will concede that some are beneficial to the farmer; I will concede, if we throw away all yardsticks and go sky-high in some of the duties on agricultural products, they can be made very effective to the farmer; we can go to extreme limits as to a limited number of agricultural products; but as to most of them, the larger number of them, the tariff duties are not effective except in restricted communities at a time when they ought not to be effective.

The duty on potatoes ought not to be effective when poor people are forced to pay two or three dollars a bushel instead of 75 cents. The duty on milk and cream ought not to be effective during the hot summer months when it is not effective at any other period of the year. A reasonable duty is all right even during the period to which I have referred when there may be a shortage or a famine.

We ought not, however, to be levying duties simply to appear to be helpful to the farmer, and have the farmer get no benefit therefrom, while at particular periods of time groups of our people who are least able to bear the burden do feel the effectiveness of that duty and no American farmer benefits. We simply pay it to the Canadian farmer.

I would rather not prolong the discussion unless the Senator insists.

Mr. BROOKHART. I want to ask the Senator a few more questions.

Mr. WALSH of Massachusetts. Will not the Senator wait until we take up the particular schedules?

Mr. BROOKHART. The Senator has discussed the general proposition, and I want to ask him with reference to that.

Mr. WALSH of Massachusetts. Very well; but I will remind the Senator that I have not had my lunch, and I should like to go to it very soon.

Mr. BROOKHART. The farmer concedes to the manufacturer of Massachusetts that he is entitled to his cost of production plus a reasonable profit. That has always been conceded. The Senator concedes that the farmer is entitled to the same thing, does he not?

Mr. WALSH of Massachusetts. Absolutely.

Mr. BROOKHART. In connection with the cost of production I have asked first about the wage that the farmer should receive, whether it should be comparable to the payment that the manufacturer receives for similar service.

Mr. WALSH of Massachusetts. I refuse to levy any tariff duty based upon a common wage to all working people. I want to know what the wage is to the men and women in that industry; and when it comes to a foreign product I want to know, not what is the common income or wage of farmers, but what is the cost in wages paid out, among other items, in the production of the article.

Mr. BROOKHART. But suppose the Senator finds in an industry that the wages are too low and that they are not a living wage; is he not in favor of raising that wage to those workers?

Mr. WALSH of Massachusetts. In that industry; yes.

Mr. BROOKHART. Yes; in that industry. Now, we found, and the Senator will concede, that a wage of $700 is too low for the farmers of the United States. Nobody will claim that that is high enough.

Mr. WALSH of Massachusetts. I personally have the utmost sympathy for the farmers. I think they have experienced a period of very great depression; but I do say to the Senator—and I admire him and his colleagues for attempting to remedy that situation by trying to find some relief here in this tariff bill—that the remedy, in my humble judgment, is not in the tariff.

It is in cutting down the enormous cost that the farmer has to pay for transportation and in the elimination of the outrageous and extortionate spread between what the farmer gets for what he produces and what the consumer in my mill towns has to pay for these farm products. That is the problem that we ought to be fighting, and not over tariff duties that, in my humble judgment, except in a few instances, can not be of special benefit or of any benefit to the great farming population of the country.

Mr. BROOKHART. The Senator goes too fast for my questions. I want to stay with this cost-of-production proposition.

The farmer is entitled to a better wage, and to have that figured into his cost of production, in the first place. In the next place, the farmer is entitled to depreciation for his buildings and his fences and his work animals and his breeding animals and his soil, the same as any other producer is entitled to his depreciation; is he not?

Mr. WALSH of Massachusetts. Oh, there is no doubt about that.

Mr. BROOKHART. Now, I want to say to the Senator that if we use the same yardstick, upon that basis none of the agricultural rates proposed here measures the full difference in cost of production at home and abroad, if we make those allowances to the farmer.

Mr. WALSH of Massachusetts. I do not want to go into special cases with the Senator from Iowa; but I recall one of the members of the Finance Committee upon the other side stating, in connection with some of the agricultural rates here, that they deliberately gave a rate in excess of what they thought or found to be the difference in cost of production at home and abroad.

Mr. BROOKHART. What the Finance Committee thought and what I think are two different propositions on this farm problem. Now I want to come to the Senator's question of effective rates.

I agree that in the case of those local, special crops that he has mentioned mostly the rates can not be made effective, but let us take the big, staple crops that have an exportable surplus.

Mr. WALSH of Massachusetts. Wool, for instance. The Senator agrees that that is an effective duty.

Mr. BROOKHART. That is effective.

Mr. WALSH of Massachusetts. And the Senator agrees that that duty can be raised so as to destroy the entire woolen industry of this country.

Mr. BROOKHART. It ought to be raised high enough to give the wool producers cost of production, and at least a 5 per cent profit on their capital investment, and pay them a reasonable wage for their work, as industries do, and also allow them this depreciation. That is the rule for wool; and when we do that we will get a pretty good rate on wool. It will be about as high as on industrial products. But I want to go ahead with these ineffective rates on articles that have an exportable surplus, like wheat, like corn, like oats, like livestock products, and like cotton.

Mr. WALSH of Massachusetts. Does the Senator really think anything good will come from our questions and answers? Will we not finally get down to the point where the Senator will naturally get the elements in fixing this rate that he thinks from his environment are most helpful to his constituency, and will I not be influenced by my environment, and be looking to minimizing and reducing the cost so as to keep down the prices of agricultural products to my constituents?

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. BROOKHART. I do.

Mr. SMOOT. I ask unanimous consent that at the conclusion of the business of the Senate to-day it recess until 10 o'clock to-morrow morning.

Mr. BARKLEY. The Senator means when we conclude our business to-night?

Mr. SMOOT. Of course, it is "to-day" until 12 o'clock at night.

Mr. BARKLEY. I just wanted to understand the Senator's proposal.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HATFIELD. What is the question, Mr. President?

Mr. SMOOT. I asked unanimous consent that at the conclusion of to-day's business by the Senate it recess until to-morrow morning at 10 o'clock.

Mr. FRAZIER. Mr. President, is not that a violation of the unanimous-consent agreement?

Mr. SMOOT. Not at all; I said "at the conclusion of the business of to-day."

Mr. HARRISON. Mr. President, a parliamentary inquiry. What is the order about? Is a unanimous-consent agreement pending?

The PRESIDING OFFICER. That when the Senate recesses to-day it recess until to-morrow morning at 10 o'clock.

Mr. HARRISON. Mr. President, that is not fair. It is not keeping faith with what the Senate has done. We have just adopted an order that from now on we shall have night sessions; that the Senate shall recess at 5.30 and meet at 7.30; and that means to-night.

Mr. SMOOT. That is true.

Mr. HARRISON. I offered that resolution. I offered it twice; and I do not think the Senator from Utah ought to offer anything that would change that in my absence, when he knew I would object to it.

Mr. SMOOT. I have not asked that it be changed.

Mr. HARRISON. That is all right, then. We are going to meet to-night, are we not?

Mr. SMOOT. Why, certainly. When we adjourn to-night we will meet to-morrow morning at 10 o'clock.

Mr. HARRISON. That is all right.

Mr. SMOOT. That is all I asked. The Senator does not think I would do a thing like that, does he?

Mr. HARRISON. I did not think so.

The PRESIDING OFFICER. The agreement has been entered into. The Senator from Iowa has the floor.

Mr. BROOKHART. Mr. President, in reference to these ineffective rates on exportable surplus, the corn rate is ineffective; the wheat rate is ineffective; the pork-product rate is ineffective, and all that; but the Senate has done something to make those rates partly effective. It has already passed the debenture plan, which will at least make half of those rates effective, and to that extent, if we maintain the debenture, the Senator's fears about enacting useless rates do not obtain. To my mind, the debenture plan that we have put in is the most important thing in this tariff bill for the farmers of the United States, and I want to maintain it above all other provisions.

Mr. WALSH of Massachusetts. I am well aware of the Senator's position on that matter; but I say frankly to the representatives of the farm interests that if they concentrate their efforts for relief upon the debenture I think they will get an unfavorable response from the country. I hope the Senator will pardon me for frankly stating my views. I base that statement upon the fact that the farm interests have reached out first for a $500,000,000 fund to create and operate a farm relief board, and have next turned to a debenture, and are now turning to the agricultural rates to increase rates which, I point out, if effective at periods of time, are going to be effective upon a class of people who ought not to be asked to pay anything further.

Mr. NORBECK. Mr. President——

Mr. WALSH of Massachusetts. I like to be courteous, but no good will come from prolonging this debate. I have expressed my views, and there are various items in this schedule in connection with which we can discuss them further. I wish the Senator would excuse me from continuing.

Mr. BROOKHART. There is one other point in reference to labor.

Mr. WALSH of Massachusetts. If that is the last point, I shall be glad to take that up.

Mr. BROOKHART. The Senator has raised the proposition that a higher price for these farm products would mean higher food costs. In all the discussions of this farm problem I have consulted with all the labor leaders in the country, and every one of them has said to me, and has said before the Agricultural Committee, "The farmer is entitled to his cost of production and his margin of profit over that, and if it raises our cost we stand ready to pay it." Labor has been absolutely fair toward the farmers of the United States in this respect all the time.

Mr. WALSH of Massachusetts. I agree with the Senator. He has been asking me some questions. Now, let me make a proposition, in all seriousness. Let us drop a good many of these doubtful remedies that the farmers are seeking to have—and I am not critical of them, because they are in distress, and I do not blame them; I would be doing the same thing for my people if there were great distress—and let the friends of the farmers and the friends of the consumers get together upon something that will help both.

Let us slash the transportation rates upon food products and farm products and cut out the awful waste between the producer and the consumer and we will help the consumer and we will get relief for the farmer. That is my position.

Mr. BROOKHART. Let me ask the Senator a question.

Mr. WALSH of Massachusetts. I yield the floor.

Mr. BROOKHART. Let me ask the Senator if he will support the amendment I have offered here to regulate the profits of these big combinations and big protected industries?

Mr. WALSH of Massachusetts. I do not know the nature of the Senator's amendment. Therefore he will not expect me to make a direct reply; but I am sure the Senator knows my political philosophy well enough to know that I have consistently and repeatedly pointed out as one of the great economic evils of this country the consolidation of industry and of business and the placing of the distribution of the products of industry in the hands of a few. I think it is a serious problem. If some party and some man made that the dominant issue in American politics, he would sweep the country, no matter what label he bore, because I believe that the great middle class of people realize as well as the rank and file the great economic injury that is going to result from the amassing of wealth in the hands of a few great holding organizations in this country, and which will result only in making all the rest of the people work for a limited number of combines and of agencies.

The Senator knows also that I have repeatedly joined in criticism of the economic tendency for the consolidating of retail and wholesale business which has resulted in driving out the independent merchant and eliminating the entire middle class of our population, so that we are fast approaching a condition where we will have a small exceedingly wealthy class, and all the middle class will be wiped out, and all the rest of us will be simply working for a few great big combines that will control all the money and all the industry and all the business of the country.

Mr. BROOKHART. Mr. President, the Senator has talked well in generalities. That I never do. I talk on specific things. I think I have had a specific basis for every position I have taken in the Senate.

Mr. WALSH of Massachusetts. The Senator does not expect me to say that I will vote for a bill that I have not read, I am sure.

Mr. BROOKHART. Oh, no, I do not.

Mr. WALSH of Massachusetts. I do not know its provisions.

Mr. BROOKHART. I have approved the Senator's speech as a generality. Now I want to say something particular, something specific.

The amendment that I have offered is based upon the theory that in the case of industries coming to the Government and asking protection so that they can make profits, it follows as night the day that the Government has the right to say to those industries how much profits they shall take from the people.

Following that basis I have figured up what there is in this American pool. I have taken the figures of the Department of Commerce, over which the present President of the United States presided as Secretary, and I have found that the wealth production of this country is 5½ per cent a year; that is, the new wealth that is produced by all capital—and all labor and everything. I do not think capital is entitled to all the wealth production. I think there ought to be some taken off of it. So I took off a half per cent, and I said these industries which come to us for protection should be allowed to earn only 5 per cent—to take that much in earnings from the pockets of the people of the United States.

In doing that I have made this sort of a guaranty as a return. I have provided that they might accumulate equal to 50 per cent of their capitalization as a guaranty of that 5 per cent, and hold that surplus so that the 5 per cent would be paid each year. I have also provided that if they want to enlarge and increase the business, they can use the earnings for that purpose, but they must issue to the Treasury of the United States a stock dividend for those earnings which go to enlarge and to increase the business. In that way business can develop as rapidly as it does now, and inequality of profits under the law taken from the people will be ended.

Mr. WALSH of Massachusetts. Mr. President, does the Senator think that plan of his would help the farmer immediately?

Mr. BROOKHART. It would help him immediately if we could get him in the 5 per cent class, and that is what we want to do with the debenture and with the Farm Board.

Mr. WALSH of Massachusetts. The Senator has not responded to my invitation for us all to join in a movement to slash transportation costs on farm products and to seek some way of eliminating the waste between the producer and the consumer.

Mr. BROOKHART. If the Senator had closely examined my record and my campaign and my speeches in the Senate, he would have found that nobody in the Senate had had as much to say specifically, not in general terms, about the injustice of our transportation system and about the fact that $7,000,000,000 of water was injected into the valuation of the railroads for rate-making purposes by the Esch-Cummins railroad law when it was put into operation. I have said that on this floor many times. I have pointed out other items of the excess profits of the inside subsidiary corporations. I have pointed out the waste of competition, $400,000,000 a year. I have figured out something specific about this all the way along. I have added them all up, and I have found ten to thirteen hundred million dollars a year of excess charges for transportation put upon the people of this country. I have a bill pending now before the Committee on Interstate Commerce for the Government to take over a line of road clear through this country, condemn these securities, and squeeze out some of this water in the valuation and get into competition, in a way, with these roads. I have had something specific along the lines the Senator has suggested in a general way.

The PRESIDING OFFICER. The clerk will state the next amendment.

The next amendment was, on page 126, line 4, before the words "per gallon," to strike out "5 cents" and insert "6½ cents," so as to read:

PAR. 707. Whole milk, fresh or sour, 6½ cents per gallon.

Mr. CONNALLY. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CONNALLY. Are we now finishing each paragraph as we reach it, or simply handling the committee amendments?

Mr. SMOOT. Handling the committee amendments only.

Mr. CONNALLY. I had understood we were going to complete each paragraph as it was reached.

Mr. SMOOT. I tried to get unanimous consent again to-day, and it was objected to.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 126, line 5, before the words "per gallon," to strike out "48 cents" and insert "56$\frac{6}{10}$ cents," so as to read:

Cream, fresh or sour, 56$\frac{6}{10}$ cents per gallon.

Mr. GEORGE. Mr. President, I want to ask the chairman of the committee the effect of this amendment. What is the increase made in this paragraph?

Mr. SMOOT. From the present law?

Mr. GEORGE. Yes.

Mr. SMOOT. The rate in the act of 1922 is 20 cents per gallon. The President issued a proclamation increasing it to 30 cents a gallon. The House made the rate 48 cents a gallon and the Senate committee has increased it to 56.6 cents a gallon.

Mr. FLETCHER. Are there any importations?

Mr. SMOOT. There are slight importations.

Mr. WALSH of Montana. Mr. President, I have in mind the statement made some time ago by the Senator from Pennsylvania [Mr. REED], confirmed by the Senator from New Jersey [Mr. EDGE], to the effect that in the case of all agricultural rates no attention was paid to the differences in the cost of production, and that in the case of such rates they were generally, if not universally, in excess of the difference in the cost of production.

If that be true, and the flexible provisions of the present law remain in the law, of course we may expect that whatever rates we fix in this bill will, upon proper application and inquiry by the Tariff Commission, be very substantially reduced. I suppose probably our action upon these rates should not be taken without due consideration of the facts as thus given to us by these two Senators, so influential in the preparation of this bill as it came to us from the Committee on Finance.

Mr. NORBECK. Mr. President, will the Senator yield?

Mr. WALSH of Montana. I yield.

Mr. NORBECK. Just to keep the matter before us, the Senator from Montana admits the ineffectiveness of most of the agricultural rates, does he not?

Mr. WALSH of Montana. Of many of them.

Mr. NORBECK. There are so many of them that are useless, or nearly so.

Mr. SMOOT. That does not apply to milk and butter.

Mr. NORBECK. No; but we will discuss them later. It applies to a great many that have been increased. On the other hand, there is one commodity that I know of where the tariff is 100 per cent effective to the farmer. The average effectiveness of the tariff is much less than 2 per cent, but there is one commodity where the tariff is 100 per cent effective, and on that the Finance Committee reduces the rate below the House rate. I refer to flax.

Mr. WHEELER. Mr. President, while we are on the agricultural schedule, I was interested in looking over on the other side to see where the leaders of the new farm bloc were. According to testimony which came out before the committee investigating the lobby it appeared that we have a new farm bloc in the United States Senate. That farm bloc consists, according to Mr. Arnold, of Senator WATSON, of Indiana; Senator MOSES, of New Hampshire; and Senator REED, of Pennsylvania.

I want to read one or two letters. I also want to call attention to the fact that the man who is collecting the money to carry on the propaganda for this new farm bloc is Mr. Arnold, who is connected with the Southern Tariff Association, with the American Taxpayers' League, and with the National Council of State Legislatures. On different occasions Mr. Arnold has had the farm leaders of the different States come to Washington, and he has had prominent members of the legislatures here advocating a reduction of the income taxes and the inheritance taxes.

He also professes to be interested in a tariff on farm products. When the late Senator Gooding, who, we all recognized, was one of the ablest fighters for agriculture on the floor of the Senate, passed away Mr. Arnold looked around to find some one to take his place to fight for agriculture in the Senate of the United States. He addressed a letter to Mr. E. A. Burguieres, 827 Union Street, New Orleans, La., in which he said:

Following your suggestion that the Southern Tariff Association get in contact with some one to take the place of Senator Gooding:

I took occasion to discuss this subject with a group of important Senators, including Senators SMOOT and WATSON and others, and was agreeably surprised to learn that they had designated Senator WATSON, of Indiana, to contact with us in so far as the Republican Party in the Senate is concerned.

As you know, Senator WATSON will be the floor leader of the Republican Party in the Senate and is a member of the Finance Committee. He will associate with him in this work Senator MOSES, of New Hampshire, and Senator REED, of Pennsylvania.

Of course, we all know that Senator REED, of Pennsylvania, and Senator MOSES, of New Hampshire, are both brilliant fighters for farm relief and for tariff rates on raw materials in the form of farm products, as their past records will disclose. I am surprsied to find them absent from the Senate at this time.

Mr. NORBECK. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. NORBECK. I was much surprised to find that the Finance Committee had reduced the tariff on flaxseed, when it is one thing in the Northwest on which the tariff is effective; but I see now that it was made up on the recommendation of the new farm bloc, WATSON, REED, and MOSES. Is that right?

Mr. WHEELER. I was just coming to that.

Senator WATSON will address the Southern Tariff Association meeting here to-morrow, so he promised me on the phone a few moments ago.

Commissioner of Agriculture Wilson of your State—

The State of Louisiana—

has been in town the past few days, and he has been very helpful to us in working out the vegetable-oil schedules.

Very truly yours.

The next letter to which I want to call the Senator's attention is a letter to the Hon. DAVID A. REED, United States Senate, Washington, D. C.:

DEAR SENATOR REED: At a conference of the farm group yesterday it developed that Senator BROOKHART and Senator FRAZIER stated that the insurgents had an agreement with the Democrats that if the insurgents would stand by the Democrats on the flexible and administrative provisions, that the Democrats would permit the insurgents to write the rates.

Senator BROOKHART worked out some 75 amendments which he proposed to offer, all of them on midwestern agricultural products, and in most instances greatly increasing the rates of the Senate Finance Committee's bill and over those requested by the national farm group.

We merely write you as a matter of information.

Yours very truly.

So the Senate will understand that one of the functions of Mr. Arnold in his position as head of the Southern Tariff Association and as head of the American Taxpayers' League and as head of the National Council of State Legislatures was to have a contact between the eastern farm bloc and the western farm bloc, and whenever he talked to members of the western farm bloc like my friend from North Dakota [Mr. FRAZIER] or my friend from Iowa [Mr. BROOKHART] and got any information with reference to their activities, he immediately took it and turned it over to the eastern farm bloc, composed of REED, of Pennsylvania, MOSES, of New Hampshire, and WATSON, of Indiana.

I wish to read another letter, dated October 29, 1929, as showing his further activity in connection with farm legislation:

Hon. JAMES E. WATSON,
United States Senator.

DEAR SENATOR WATSON: At a conference of the farm group to-day it developed that Senator BROOKHART, of Iowa, has advised the Farm Bureau that he and Senator FRAZIER will handle the amendments on midwestern agricultural products, and they will increase the rates over those proposed by the Senate Finance Committee and over the requests of the farm group.

Senator BROOKHART stated that the Democrats had promised the insurgents to vote for agricultural rates they desired in return for the support the insurgents were giving the Democrats on the administrative features, particularly the flexible provision. The insurgents, in this manner, propose to write the tariff measure in so far as rates are concerned.

Yours very truly,

JAMES A. ARNOLD.

Mr. President, a few days ago I called attention to a statement which had been made by the distinguished Senator from New Hampshire [Mr. MOSES], in which he characterized the progressive Republicans and the so-called insurgents—and their numbers, by the way, have increased considerably since that time—as "sons of the wild jackass." Knowing the attitude of the Senator from New Hampshire in the past with reference to farm legislation, I presume that was one of the reasons why he was selected as one of the eastern farm bloc. I go back to 1921 and I find that the distinguished Senator from New Hampshire, who I am sorry is absent from the Chamber this afternoon, in speaking of the legislation in the tariff bill of 1922, said:

Oh, yes; and I am trying to make an appeal to my protectionist brethren on this side of the aisle to support it—

This had reference to an amendment which he had offered proposing to substitute the provisions of the Payne-Aldrich bill for the emergency tariff bill on farm legislation—

Oh, yes; and I am trying to make an appeal to my protectionist brethren on this side of the aisle to support it, because it can not be that the measure now before us in the form in which it now stands, and to which I can never give my vote, can be adequately defended by anybody. It is regarded very generally as a measure which is indefensible. Private conversation among Senators shows that to be the fact. It has been admitted almost in terms by Senators who have spoken in its favor upon the floor. It is a bill that grows out of an unwise yielding to pressure which was applied at the other end of the Capitol. It is the offspring of a union between the cotton field, the sugar-cane brake, the rice paddy of one section of the country, and the sheep run, the cattle range, and the wheat field of another section. It is a misshapen brat at best. It is lopsided; it is blind; it is deaf; it is bandy-legged; and it suffers from congenital economic rickets. It is misconceived, hagborn, and, to complete the characterization, ditch delivered. Republican Senators can not go to the country upon such a proposition.

This is how he felt about a tariff to help agriculture in 1921.

After I called the attention of the Senate the other day to the characterization by the Senator from New Hampshire, I found an editorial in the Kansas City Star, and I am going to read it for the edification of Senators coming from the New England States and from New Jersey and Pennsylvania. The Kansas City Star, let it be remembered, in recent years at least, has been one of the conservative Republican papers in the country. It was an ardent champion of Mr. Coolidge when he ran for President in 1924. It was an ardent champion of Mr. Hoover in the last campaign. It likewise was an ardent champion of Mr. Hoover when he was a candidate for the Presidency.

The editorial appeared in the Kansas City Star of November 10, 1929. It is entitled "'Wild Jackasses?' Yes!" It reads as follows:

"WILD JACKASSES?" YES!

"Sons of wild jackasses" is Senator GEORGE H. MOSES's description of western insurgent Senators who are trying to make the tariff fair to the West.

The New Hampshire Senator is right—everlastingly right. We westerners have been jackasses and sons of jackasses to go on generation after generation paying high tariff rates for the benefit of New England.

New England industries have been fostered at the expense of the West. The factories of the Senator's home State and the States adjoining have been kept going through high protection for which the West has paid. The States of the great valleys and beyond have been held up for artificial prices on textiles, on shoes, on jewelry to support the uneconomically situated industries of New England.

As industry has moved south and west to the sources of the raw material, New England industries have clamored for ever-increasing tariff protection to save them. And the West has yielded to their clamor. It has seen its cost of living lifted to unnatural levels to meet the demands of New Hampshire and its neighbors. It has put its hand in its pocket to subsidize factories that could not maintain themselves in competition with better-located industries without prohibitive protection.

Jackasses? Senator MOSES has used precisely the right word. But he used the right adjective, too, when he said "wild" jackasses.

I agree with the Senator from New Hampshire [Mr. MOSES] and I agree with this editorial in the statement that those who got out and supported the last presidential candidate and those who supported the previous administration were foolish if they expected those administrations to do otherwise than they are doing.

Mr. TYDINGS. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Maryland?

Mr. WHEELER. I yield.

Mr. TYDINGS. As I understand the situation, our friend from New Hampshire [Mr. MOSES] has issued a statement in which he said that as chairman of the Republican senatorial campaign committee he will do his best to reelect to the Senate all of them who happen to be candidates. Then he said that part of those who will be nominated evidently belong to that category which he terms "sons of the wild jackass," so that he means that he, the Senator from New Hampshire, will do his best as chairman of the Republican senatorial campaign committee to put in the Senate the "sons of the wild jackass."

Mr. WHEELER. Of course; and when I go out to campaign in those different States I am going to say as a Democrat to the people there, "I am not going to express my opinion of you men, but I am going to quote what your campaign manager, Senator MOSES, said about you."

Mr. SMITH and Mr. CARAWAY addressed the Chair.

The VICE PRESIDENT. Does the Senator from Montana yield; and if so, to whom?

Mr. WHEELER. I will yield first to the Senator from South Carolina and then I shall be glad to yield to the Senator from Arkansas.

Mr. SMITH. Some one, referring to the expression of the Senator from New Hampshire characterizing the insurgents as "sons of the wild jackass," said he did not see why they should

take umbrage, that he only differentiated his group from that group by one adjective.

Mr. WHEELER. I now yield to the Senator from Arkansas.

Mr. CARAWAY. I do not know whether the Senator has called attention to it or not, but I rather imagine there is a change coming over the dreams of our friend from New Hampshire. He is now a member of the farm bloc.

Mr. WHEELER. Yes; I called attention to that a moment ago.

Mr. CARAWAY. He and the Senator from Pennsylvania [Mr. REED] and the Senator from Indiana [Mr. WATSON] are the new farm bloc.

Mr. WHEELER. Yes; I called attention to that, too.

Mr. CARAWAY. And in their hands, of course, the farmers are safe.

Mr. WHEELER. I was inquiring why it was that members of the farm bloc, which had been selected by Arnold to carry on the fight on the floor of the Senate for the farmers, were not in their places at the present time standing up and fighting for a tariff upon the agricultural products of the West.

Mr. CARAWAY. Because they are not "wild."

Mr. WHEELER. Somebody has pointed out the difference between wild jackasses and tame jackasses, the Senator will remember.

The editorial in the Kansas City Star proceeds:

> For the jackasses have been goaded too far. At last they have turned and are running wild in the Senate. New England and its allies can not stop them.
>
> What an exhibition of folly from the States that have been the beneficiaries of the tariff system at the expense of the rest of the country!

Of course, we find in the Senate at the present time the progressive Senators from the West voting with the Democrats constantly upon the one great economic issue which divides the two parties, if there is any difference between them at all. The one economic issue that divides them is the tariff. We not only find the progressive Republicans doing that but we find papers, like the Kansas City Star, after having advocated the election of Mr. Coolidge from the New England States, after having advocated the election of Mr. Harding, after having advocated the election of Mr. Hoover, now denouncing New England and denouncing the Senator from New Hampshire [Mr. MOSES], when, of course, they knew, if they were at all familiar with the expressions which have been made on the floor of the Senate of the United States by the Senator from New Hampshire, how he felt toward the agricultural West. They must have known what everyone else upon the floor of the Senate knows, and that is that the man closest to the President of the United States, the man who was for him first, last, and all the time, before most of my good friends on the other side of the aisle would even say they were for him in the campaign, is the distinguished Senator from New Hampshire.

Is it possible to believe that the Senator from New Hampshire, when he came out among the first for the present President of the United States, did not know how the President stood upon the tariff and how he felt toward the things for which the Senator from New Hampshire stood? It is inconceivable to me that such could be the case.

I read further from the editorial:

> The insurgent Senators are the spokesmen of a deep-seated economic discontent. There is nothing personal in this revolt. It is a vast section of the country that is speaking through the men who are fighting for a just tariff.
>
> If these individuals were not protesting the States would send other Senators to voice their resentment against the unfair advantages that the proposed tariff gives to the industrial East.
>
> And yet the representatives of the tariff beneficiaries are so blind that one of them can sneer at the insurgents as "sons of wild jackasses," and another (REED, of Pennsylvania) can refer to them as "worse than communists."

Why should not the Senator from Pennsylvania [Mr. REED] and the Senator from New Hampshire [Mr. MOSES] expect a tariff for the manufacturers of the East? Does not the Kansas City Star know and does not Mr. Murphy, of the Minneapolis Tribune, know that it was Mr. Grundy and his manufacturers' association in Pennsylvania that collected the largest part of the sinews of war to elect the Republican Party in the last election? Do they not know the farmers contributed nothing except votes obtained under false promises? Do they not know that the manufacturers of Connecticut contributed large sums of money and that the manufacturers of New England contributed large sums of money, and that Mr. Grundy was speaking the truth when he said that he collected the money, he paid it over to the Republican campaign fund, and "Now, I am down here," said Mr. Grundy, "to see that they carry out their pledges"? How much more honorable a position is he taking than are those like the Kansas City Star and Mr. Murphy, of the Minneapolis Tribune, who went out and supported the Republican ticket knowing where the money was collected and then wanting to repudiate the manufacturers of Connecticut and Pennsylvania and Massachusetts after they put up the money? Frankly, I have not very much sympathy with men who know that this money has been paid in by Mr. Grundy and the manufacturers and who then want to repudiate him. I have no sympathy with men who do that sort of thing.

Mr. TYDINGS. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Maryland?

Mr. WHEELER. I yield.

Mr. TYDINGS. If, as is sometimes claimed, the Chief Executive of the country is siding with the insurgent element on the other side of the Chamber, the Senator from New Hampshire has brought him in fact into a strange category. Of course, he may be with the conservative element on the other side, but if he is siding with the insurgents, what I should like to know is, Does not the Senator from New Hampshire mean that a certain high official in our own Government—perhaps the highest—is also to be labeled in the manner that he has labeled the insurgents?

Mr. WHEELER. No; I do not think the Senator from New Hampshire could possibly mean that, because I think the Senator from New Hampshire and the so-called Old Guard Senators have the ear of the President of the United States, and when we recall that the Senator from New Hampshire was one of the first Senators on the Republican side to come out and espouse the cause of the present President of the United States and when we all know that nearly all of the other Senators on the other side were against him, we must realize that the Senator from New Hampshire knew what he was talking about. A few days ago it appeared in the newspapers that the Senator from Indiana [Mr. WATSON] had selected the Senator from New Hampshire [Mr. MOSES] as the chairman, I think, of the Republican senatorial campaign committee or as floor leader at the request and at the instance of the President of the United States.

Mr. TYDINGS. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Maryland?

Mr. WHEELER. I shall be glad to yield to the Senator.

Mr. TYDINGS. I am inclined to think that the Senator from Montana has placed the President in the proper category, because so far his action upon the tariff measure that has been before the Senate has been tame rather than very wild.

Mr. WHEELER. The concluding paragraphs of the editorial read as follows:

> Apparently the Republican Old Guard has forgotten what happened when it ignored western protests on the Payne-Aldrich tariff of 1909. In 1910 the jackasses of the West ran wild and two years later only two States remained in the Republican fold.
>
> Does the Old Guard want another similar uprising? Such men as MOSES and REED are doing their best to incite a revolt against eastern control that may easily become revolution.

Of course, Mr. President, the Senator from Pennsylvania, the Senator from New Hampshire, and the Senator from Connecticut [Mr. BINGHAM] know perfectly well what they are doing. They know that they can come here and denounce the progressive Republicans 365 days in the year, and they know perfectly well that the Minneapolis Tribune and the Kansas City Star will champion the cause of the Republican Party. Regardless of what some of its members may say about the progressives or what it does about them, they will always find some excuse to be for the Republican Party when it comes to the campaign and the election.

Mr. WAGNER. Mr. President, will the Senator from Montana yield to me?

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from New York?

Mr. WHEELER. I am glad to yield.

Mr. WAGNER. I was just going to suggest that it ought to be noted that among the insurgents there were a few, and only a few, notable exceptions to that rule in the last campaign.

Mr. WHEELER. A few days ago, Mr. President, the Senator from Pennsylvania, in a letter to Mr. Murphy, denounced progressive Senators, stated that they were worse than communists, and that what the people ought to do out in the western and northwestern section of the country was to send men to the United States Senate who were not guided by sectionalism. As to whether the Senator from New Hampshire was guided by sectionalism, let Senators go back and read and

reread the speech that was made by that distinguished Senator on the tariff bill in 1921, and again harken to what, according to the press, he said while he was in Chicago recently. He stated:

Turning to the tariff bill and the lobby investigation, MOSES said he would like to kill the tariff because "it puts high duties on the things which manufacturing communities have to eat and low duties on things they have to make and sell in order to eat." He added:

"Lobbies? Why the agricultural lobby far exceeds that of the manufacturers in number, influence—I hesitate to say arrogance—and in effectiveness.

DEFENDS BINGHAM

"Nobody will say that Senator BINGHAM was not indiscreet, but his purpose was entirely praiseworthy. The Senate should not constitute itself guardian of the conduct of its Members to the extent that it has."

Mr. President, is not that sectionalism? And that is exactly what the West has been complaining of.

Yes, Senators on the other side of the Chamber say, "We gave you a tariff upon wheat." They went out before the farmers of the country and said, "The tariff upon wheat is going to solve the farm problem"; and yet there is not a Republican on the floor to-day who dares stand up and reiterate what he said in 1921, that the tariff upon wheat did not do the farmer one particle of good except in very rare instances. The Republican Party gave the farmer a tariff upon wheat, but they gave him a tariff which they knew would not do him any good, because they knew that the farmers were producing a surplus of wheat in this country. I have not a doubt, my friends, but that the Republican Party will gladly give the farmer a tariff upon cotton, because they know a tariff upon cotton, except upon long-staple cotton, would not be of any benefit to the farmer at all. I have not any doubt but that the manufacturers of the East would be perfectly willing to give the farmers of the country a tariff upon anything upon which the tariff would not be effective, provided that they could wheedle the representatives of the West and of the farming interests into voting for high-protective duties on the manufactured articles produced in the East.

Mr. President, the Senators from the West who are fighting for agriculture are not fighting a sectional battle; they are fighting for equality with the manufacturers. The manufacturers of the country have long enjoyed very high tariff rates. Incidentally they come here and say, "We are pleading first for labor, and then we are pleading, if you please, so that we may make a living." But, Mr. President, when you examine the records of their income taxes you find what they have been doing. They have not been paying out the money in dividends to the stockholders; not at all; they have been splitting up their stocks; they have been increasing their stock; and they have kept on increasing their stock and paying stock dividends. Then they come to Congress saying, "We must have a higher tariff duty because we have got to pay dividends upon all this watered stock that we have pumped into our companies." That is the trouble; that is what the East is suffering from; it is the watered stock that has been pumped into the manufacturing industries. In my humble judgment, that more than anything else is what has caused the break in Wall Street from which people all over the United States have suffered.

Some man speaking in the city of New York the other day said that the crash in Wall Street was due to the fact that the coalition in the Senate of the United States would not give them the kind of tariff protection they want. Give them the kind of tariff protection they want! I venture to say that there is not a Senator on this floor who is not perfectly willing to give to the eastern manufacturers a legitimate profit upon a legitimate amount of investment; but that is not what they want; what they want is a tariff so that they can mulct the American consumers in order to enable them to pay dividends upon millions and billions of dollars of watered stock.

The farmers are not here asking for a tariff so that they can pay dividends upon any watered stock. All they are asking for, whenever they ask for anything, is to be given just a fair return upon their original investment without any water in it whatsoever.

In conclusion, Mr. President, let me say that, notwithstanding the fact that the President has not expressed his views with reference to the tariff bill, I can not help but feel that the Old Guard are expressing the views of the President upon the floor of this body. I know it has been claimed by the progressives, as it has been claimed by some of the newspaper men whose articles circulate throughout the Middle West and the West, that the President as a matter of fact is against the Old Guard and that he is with the progressives, but in the East the impression prevails—and I am inclined to think it is correct—that the President is with the Old Guard, because, as I said a moment ago, the Senator from New Hampshire and the Senator from Pennsylvania and the Senator from Connecticut, in my humble judgment, have his ear much more than have any of the progressives on the other side of the Chamber; and, of course, much more than have any of the Democrats upon this side, and, having his ear, stand up here fighting day after day for high tariff rates on manufactured articles and for low duties upon raw materials. I feel, Mr. President, that those who are charging that the President is not with the Old Guard are doing him a great injustice.

Mr. BRATTON. Mr. President, when the Senate took up Schedule 7, the agricultural schedule, I asked that the paragraph dealing with livestock be postponed without prejudice. In looking into the matter further, I find that the committee amendment does not deal with the subjects in which I am interested, and therefore I withdraw the request that those paragraphs be postponed without prejudice.

Mr. SMOOT. Then, Mr. President, I ask to return to the amendment in paragraph 701, on page 125, in line 10.

The VICE PRESIDENT. Is there objection?

Mr. COPELAND. Mr. President, I am sorry that we could not hear the request of the Senator from Utah.

The VICE PRESIDENT. The Senator from Utah has asked that the Senate return to the amendment on line 10, page 125.

Mr. SMOOT. That amendment was passed over at the request of the Senator from New Mexico, who has now withdrawn the request.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In Schedule 7, "Agricultural products and provisions," in paragraph 701, page 125, line 10, after the word "per," it is proposed to strike out "pound" and insert "pound; dried blood albumen, light, 12 cents per pound; dark, 6 cents per pound."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment will be stated.

The CHIEF CLERK. In paragraph 707, on page 126, line 5, after the word "sour," to strike "48 cents" and insert "56.6 cents," so as to read:

Cream, fresh or sour, 56.6 cents per gallon.

Mr. WALSH of Massachusetts. Mr. President, I assume it is more or less a waste of time to attempt to modify or change the committee amendment, but I do feel that the RECORD should contain some information in reference to this item. I therefore wish to submit some facts as to the exports and imports and as to the rapidity with which we have increased the rates of duty on milk and cream since 1922, all of which evidence, it seems to me, indicates that this amendment is indefensible.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Utah?

Mr. BRATTON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his parliamentary inquiry.

Mr. BRATTON. What disposition was made of the amendment on line 4, page 126.

The VICE PRESIDENT. That amendment has been agreed to.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Utah?

Mr. WALSH of Massachusetts. I yield.

Mr. SMOOT. I was going to say to the Senator that all of these duties are based upon the relative importance of the commodity, beginning with milk and ending with butter and cheese. That idea has been carried out throughout. The amendment increasing the duty on milk has been agreed to, but I want to say that the same relative rates are provided for the other commodities in this paragraph.

Mr. BLAINE. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Wisconsin?

Mr. WALSH of Massachusetts. I yield for a question.

Mr. BLAINE. I was going to make a statement.

Mr. WALSH of Massachusetts. I fear the Presiding Officer will take me from the floor if I should yield to the Senator to make a statement.

Mr. BLAINE. Very well; I will not interrupt the Senator at this time.

The VICE PRESIDENT. The Senator from Massachusetts has the floor.

Mr. WALSH of Massachusetts. I call the attention of the Senate to the rates on milk and cream in the act of 1922. In

that act fresh milk was given a dutiable rate of 2½ cents per gallon, and cream—I will discuss cream at the same time, because it is included in the same paragraph—was given a dutiable rate of 20 cents per gallon. Under a proclamation of the President, effective June 13, 1929—bear in mind the date—fresh milk became dutiable at 3¾ cents per gallon and fresh cream became dutiable at 30 cents per gallon.

Now, observe to what extent the Senate Finance Committee has disregarded the act of the President of the United States in proceeding to levy duties upon milk and cream after an extensive investigation by the Tariff Commission.

Mr. SMOOT. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Utah?

Mr. WALSH of Massachusetts. Yes.

Mr. SMOOT. I want to say to the Senator that the presidential proclamation was limited to an increase of 50 per cent. The President gave the 50 per cent increase and could not give a greater increase under the law.

Mr. WALSH of Massachusetts. Did the report recommend a larger increase than 50 per cent?

Mr. SMOOT. The report recommended a larger differential than that fixed in the act of 1922.

Mr. WALSH of Massachusetts. But I suppose both the Tariff Commission and the President realized that their limitation was an increase of 50 per cent, and therefore recommended that sum and no more.

Mr. SMOOT. Yes.

Mr. WALSH of Massachusetts. If the Senator has any evidence that the Tariff Commission recommended a higher increase than 50 per cent, I should like to have it produced.

The House bill places the duty on milk, fresh or sour, at 5 cents per gallon, 1¼ cents per gallon more than the presidential proclamation of June 13, 1929, and 100 per cent increase over the law of 1922. The House bill recommended a duty on fresh or sour cream of 48 cents per gallon, though the President's proclamation made the duty 30 cents per gallon. So the House increased the duty over the presidential proclamation 18 cents per gallon. If we refer back to the law of 1922, we see that the House increased the rate 150 per cent, from 20 cents per gallon in the law of 1922 to 48 cents per gallon. The rate recommended by the Senate Finance Committee, and which is now before us for consideration, is, for fresh milk, 6½ cents per gallon, as against the law up to the presidential proclamation of June last of 2½ cents per gallon. Either some Members of Congress have been most derelict in their duty in not providing a reasonable duty upon milk or cream, or this excessive increase is a meaningless and empty gesture to give the appearance of providing in this bill high duties for the benefit of the agricultural industry.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. Certainly.

Mr. SMOOT. The Finance Committee simply increased the rate in conformity with the facts found by the Tariff Commission. In fact, it is slightly less than they found. The Tariff Commission found a difference in cost of 4.03 cents; and the committee simply made it 4 cents increase, just as near as we could to what the Tariff Commission found the difference to be.

Mr. WALSH of Massachusetts. Mr. President, the Finance Committee recommended an increase in the duty upon fresh cream from 48 cents per gallon, the duty levied in the House bill, to 56.6 cents per gallon; and this is an increase over the duty of 30 cents per gallon levied in the law of 1922 of almost 100 per cent.

Now, Mr. President, I want to submit for the RECORD—because I want the American people to read these facts—the story of the production of milk. The production of milk in this country has increased from 90,058,000,000 pounds in 1919 to 120,766,000,000 pounds in 1923.

The 1926 total was used as follows:

Fifty-six billion pounds plus for household use as milk or cream.

Forty-three billion pounds plus as butter.

Four billion pounds plus as cheese.

Four billion pounds plus as condensed or evaporated milk.

Four billion pounds plus as ice cream.

Three hundred and ten million pounds for other products.

Three billion nine hundred and forty-two million pounds as food for calves.

Three billion six hundred and twenty-two million pounds as waste or loss.

So we see a very steady and constant increase in production since 1919.

Now let us turn to the imports. The imports, the extent of them and where they come from, will assist us in determining whether or not such a duty as this is effective, and when it is effective, and where it is effective, if at all.

These imports come chiefly from Canada. Fifty-five per cent of the milk and 65 per cent of the cream enters the United States from May to September, at the period of the year when there is a very largely increased demand for milk to be used as food for younger folks, and for milk and cream to be used in making ice cream. The consumption of milk and cream in the summer months jumps at an enormous rate, and certain sections of the country have resorted to Canada to get that extra supply of milk and cream.

I venture to suggest that the Senator from New York [Mr. COPELAND]—who, I observe, is interested in this discussion—could, from his experience as health officer of the great city of New York, give us very valuable information as to the extent to which the consumption of milk and cream increases in our large cities during the summer and as to the great benefit from a health-producing standpoint of milk and cream. I will not ask him now to present his views upon that aspect of the question; but after I have finished I am sure the Senate will be able to have his views as to the effect this duty might have on the great city of New York and its millions of consumers, especially those who rely so much upon milk and cream for sustenance during the summer months.

I said that the imports come mostly from Canada and come during these months. The importations of milk in 1928 were only 5,499,424 gallons, or only a slight increase since 1923 of 1,000,000 gallons, though it is true that the importations were 7,386,200 gallons in 1926.

The 1928 import figure of 5,499,424 gallons, when translated into pounds at 8.6 pounds to a gallon, is only 47,695,046 pounds, or about 0.0004 per cent; about 0.0004 of 1 per cent of the total domestic production of milk and cream, which, as I have stated, amounts to 120,000,000,000 pounds. So these slight importations that came from Canada during the period from May to September to supplement the production in northern New York and in northern New England are insignificant and inconsequential, and if we should shut them all out it would not be of much benefit to the milk producers in the other part of the country.

Mr. COPELAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from New York?

Mr. WALSH of Massachusetts. I yield to the Senator from New York.

Mr. COPELAND. What are the importations from Canada? I was not clear about that.

Mr. WALSH of Massachusetts. The importations of milk from Canada in 1928 were only 5,499,424 gallons. The importations are 0.0004 of 1 per cent of the domestic production.

Mr. COPELAND. Mr. President, will the Senator yield further?

Mr. WALSH of Massachusetts. I yield.

Mr. COPELAND. How much is the increase in the pending tariff bill over the present arrangement? I do not mean the bill of 1922, but after the President made the increase?

Mr. WALSH of Massachusetts. It is between 150 and 200 per cent increase. The law of 1922 in regard to fresh milk is 2½ cents. The proposal before us is 6½ cents per gallon for fresh milk; and in the case of cream the law of 1922 fixes the duty upon cream at 20 cents per gallon, while the Finance Committee recommends 56.6 cents per gallon—enormous increases on the most common and most necessary and most valuable, I venture to say, of all the things that human beings consume to sustain life and to promote health.

Mr. NORBECK. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from South Dakota?

Mr. WALSH of Massachusetts. I do.

Mr. NORBECK. If I remember correctly, the restrictive measures against Canadian milk were based on hygienic arguments. It was claimed that Boston was in danger on account of its milk supply being of uncertain quality. If I remember rightly, Congress passed a bill here actually putting an embargo on Canadian milk and that was followed up by an increase in the duty; but it was all done at the request of Boston and for the welfare of Boston I thought.

Mr. WALSH of Massachusetts. I am glad to inform the Senator that it is just the reverse, that the Senator from New York and myself vigorously opposed restrictions contained in the so-called Lenroot-Taber bill adopted at the request of some dairy interests in the Middle West that wanted to get the New York and New England market. We produced abundant evidence that the Canadian authorities had permitted the New York public-health officers and the Boston health officers to go into their territory and to make restrictions and in every way

operate so as to produce milk in a sanitary condition. It is just the reverse of what the Senator thought the situation was.

Mr. NORBECK. I am sorry. I thought we were helping out Boston.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I yield.

Mr. COPELAND. May I say this, that there was a feature of the Lenroot-Taber bill which I thoroughly approved, which had to do with the sanitary supervision of the milk supply sent from Canada. I would not wish to have the RECORD show that I opposed that feature of the bill, because I did not. I favored that heartily.

Mr. WALSH of Massachusetts. Mr. President, now I want to turn to the question of exports. Exports are insignificant. In 1928 the exports amounted to 124,610 gallons, chiefly sent to Canada, Panama, Mexico, and Cuba.

The conclusions which are reached after recitation and study of these figures are as follows.

The increase in duties on milk and cream seems unjustifiable for the following reasons:

First. The only supply of milk and cream imported has been along a natural extension of the milk sheds of New England and New York. Neither New England nor New York has as yet developed a milk supply adequate for its needs. It is necessary for our distributors to go into the Canadian territory during certain months of the year to get their milk and cream, and it will be a very serious handicap upon our people to have to pay the advanced price for milk and cream which must follow if these duties become effective.

Second. The relation of milk and cream imports to the total dairy production in the United States indicates there is no danger to the producer. The amount of milk required for milk and cream imports is 0.4 of 1 per cent of the total production.

Third. The area affected as to consumption is small. Less than 6 per cent of the cream and four one-hundredths of 1 per cent of the milk imported comes in west of Buffalo.

Fourth. Seasonal nature of the trade requires ready access to milk and cream supplies. Hot summer spells frequently cause a shortage. Is it fair that under these conditions the cost of transportation for a distance of 1,000 to 1,500 miles should be added to a fair charge for milk and cream produced in the natural milk shed of the consuming areas?

Some further pertinent facts are as follows:

The effect of this tariff will be to divert from the consuming public Canadian milk and cream, and compel them to purchase dairy products from the far West which would mean both an increase in price and a lessening of quality because of the long freight haul. The Canadian market is very accessible to the large industrial centers of the Northeast.

We must, in the interest of keeping down the cost of living, seek to get our necessary oversupply from the nearest possible market at the lowest possible cost of transportation.

To compel us to go to the Middle West when there is a clean, wholesome supply in Canada is an injustice, for it must be remembered that these imports come merely into the industrial cities of the Northeast.

The greatest injustice in connection with this increased duty is that the burden will fall upon those who need the milk, mostly, small children, as well as invalids and the poor. In the cost per family of five it is estimated that, in case these duties become effective, it will mean $9.50 per year. That may seem to be a small item, but when we put together all the other increases that are bound to come in the cost of living because of these increased rates, it is going to be a very serious burden.

I want to say just one word of warning. There is a possibility of this bill being so drafted, especially if rates are imposed here that will not be effective, as to give the bill the reputation of being the worst drain upon the pocketbooks of the consumers of America ever framed.

We can not visualize, unfortunately, to the average man and woman what the effect of a heavy duty upon some steel product may be, what the effect of a duty upon an automobile may be, what the effect of a duty even upon some clothing may be; but when it comes to milk and butter and bread and meat and poultry and cereals and the other common foods necessary for existence, the common man and woman can visualize it, and I warn the friends of the farmers not to frame this bill by putting it in the power of their opponents on their own side to say that the bill now being framed is a bill which seeks to extort unnecessarily high prices from the great working classes and consuming public of our industrial communities, many of whom get no benefit from a protective tariff levied for the benefit of industries. I suggest that you be careful, that you go slowly, because there is that possibility of reaction.

Therefore I hope that Senators on the other side who are sincerely and earnestly seeking—and I commend them for their zeal—to readjust this bill in the interest of the farmer, not to put rates into the bill that will not be generally effective, but which will be construed by your opponents on the other side as levying outrageous and excessive duties upon the consumers in the industrial centers. I plead for moderation rather than taking the extreme course that is threatened. Indeed, through your demands the Finance Committee in this instance and all through this schedule have proposed to levy indefensible rates that have already made the bill obnoxious to the consumers of the country.

Indeed, the senior Senator from New Hampshire [Mr. MOSES] has already been quoted as referring to this bill in that manner and fashion. That is the kind of a campaign you are going to meet, and everybody who votes for this bill who comes from a community where there are large industrial centers must be prepared to defend himself against the allegation that if these high rates upon foods are translated into increased costs of living he is partly responsible for it.

Mr. NORBECK. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I yield.

Mr. NORBECK. I have no argument with the Senator who warns us against fixing rates on agriculture, because we have had in the consideration of all tariff bills and have now a tariff on straw and a tariff on hay and in a great many cases a tariff on all commodities locally used, or any commodity of which there is an exportable surplus, or any commodity which in its production has almost reached the point of domestic consumption and is in danger of having a surplus.

I can assure the Senator, however, that there are some of these agricultural rates which can be cut down instead of increased, but not from the standpoint of the farmer. The farmer must live. It takes some little earnings to enable him to live, and I just want to remind the Senator from Massachusetts that before a committee there appeared Mr. Green, the president of the American Federation of Labor, who said that even though tariff duties on agricultural products would add to the cost of living, the members of the American Federation of Labor would stand for them.

He did feel that the middleman was absorbing too much and that there was no need of such increases, but he said:

> What we are trying to do is to keep the farmers from coming into the cities and taking our jobs. Therefore we want them to have good wages on the farms.

Mr. WALSH of Massachusetts. Mr. President, I appreciate what the Senator says, and I appreciate the splendid address which he made on the floor of the Senate a few days ago, which impressed me very favorably, in which he analyzed clearly the limited number of agricultural products on which a tariff duty was effective. I think it was one of the most enlightening and one of the fairest speeches that has been made during this whole tariff debate. I was delighted to find the Senator frankly stating that on certain agricultural products the duty was of no consequence, and therefore I know the Senator will agree with my suggestion that care should be exercised in piling up such a large number of increased duties here that the argument can not be made that this is a bill unnecessarily burdensome to the consumers.

Mr. President, I have said all I care to say. I appreciate the fact that it is going to be impossible, under the circumstances here, to get any votes against any duty that may be proposed upon an agricultural product, and I must be content with putting into the RECORD from time to time my views on these various products. However, I intend to protest these food rates in the name of the unorganized consumers, even if I stand alone.

Mr. BROOKHART. The Senator has had a good deal to say about these ineffective rates, and then he turns around and says they would increase prices to the consumers. If they are ineffective, they are not going to affect the prices at all.

Mr. WALSH of Massachusetts. The Senator did not do me the honor of listening to my entire argument. I have again and again and again said that these duties were effective only at certain periods of time, and in limited areas in many instances. I did say just now that it was not a question of whether they were effective or not. That ought to be considered, but if they were actually ineffective, you should be careful not to put ineffective duties so high that political opponents could show or attempt to show to the consuming public that you had increased the cost of living to them in the prices of food products.

Mr. BROOKHART. Let us get down to this agricultural item. I investigated dairy conditions in northern New York and Vermont, and I will say that they need this protection. I saw hundreds of abandoned dairy farms up there, and I have a letter from the Boston Post in which they said, "Why 14 cents

a pound on butter? It is robbery of our people up here. The dairy is the most prosperous thing in the country." That same day there came into my office a man from Boston, who had just bought a dairy farm on the edge of New Hampshire, and he paid less for it than the value of the buildings on the land; he got the land for nothing.

Mr. SIMMONS. Mr. President, I want to make a brief statement to the Senate. I did not wish to make the statement, however, in the absence of the Senator from Washington [Mr. JONES]. I have for some little time endeavored to get in touch with him so that I could have him return to the Chamber.

Mr. HARRISON. Mr. President, will the Senator yield to me to suggest the absence of a quorum?

Mr. SIMMONS. I yield.

Mr. HARRISON. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Kean	Sheppard
Bingham	George	Kendrick	Shortridge
Black	Gillett	Keyes	Simmons
Blaine	Glass	McKellar	Smith
Borah	Glenn	McMaster	Smoot
Bratton	Goff	McNary	Steiwer
Brock	Goldsborough	Metcalf	Stephens
Brookhart	Greene	Norbeck	Swanson
Broussard	Hale	Norris	Thomas, Idaho
Capper	Harris	Nye	Townsend
Caraway	Harrison	Oddie	Trammell
Connally	Hastings	Overman	Tydings
Copeland	Hatfield	Patterson	Vandenberg
Couzens	Hawes	Phipps	Wagner
Deneen	Hebert	Ransdell	Walcott
Dill	Heflin	Reed	Walsh, Mass.
Fess	Johnson	Robinson, Ind.	Walsh, Mont.
Fletcher	Jones	Sackett	Wheeler

The VICE PRESIDENT. Seventy-two Senators have answered to their names. A quorum is present.

Mr. SIMMONS. Mr. President, I am going to make a statement with reference to the concurrent resolution for adjournment offered by myself earlier in the day. I am not making the statement because I was disappointed in the result of the vote or because I am in any way chagrined, for I am not; but in justice to myself and my associates I feel that I should explain the circumstances which surrounded the introduction of the resolution. Ordinarily resolutions of that kind come from the majority side of the Chamber. I recognize that fact and had referred to it earlier in the day.

The situation with reference to the attitude of Senators with regard to adjournment had been pretty thoroughly canvassed, I think, and was thought to be well understood. It was understood that Senators on this side of the Chamber desired to take an adjournment a short time before the beginning of the regular session. It was understood that the progressives on the other side of the Chamber did not favor an adjournment. It was our understanding that the so-called regulars on the other side would support the resolution for adjournment proposed by me after conference and agreement with their leader.

Anyway, on yesterday the distinguished Senator from Washington [Mr. JONES], for whom I entertain the highest regard and than whom I think there is not a fairer, more sincere, and honest man in this Chamber, who is the leader of the other side in the absence of his chief, the senior Senator from Indiana [Mr. WATSON], approached me upon the subject of adjournment. Our views were in accord in respect to the matter. We canvassed the day when the adjournment should be taken and agreed upon the 23d of November. The Senator then advised me that he would to-day offer a resolution providing for adjournment on that day, and I am advised he apprised some of the members of the press of his purpose in that behalf. It was my understanding then that the regulars would favor this course and, of course, I thought he represented the so-called regular element on the other side of the Chamber.

This morning the Senator from Washington again approached me and we renewed our conversation, in the course of which he advised me that certain Senators representing the regular element on his side of the Chamber thought the resolution should come from this side of the Chamber. He said that under the circumstances he would prefer not to offer it, and suggested that if I or some one from this side of the Chamber would offer it that it would be satisfactory. I understood him to mean, if indeed he did not so expressly state, that it would in that event receive the support of the regulars.

I did not suppose there was any politics in the matter and so stated to the Senator from Washington and expressed to him my willingness to offer the resolution, but indicated that I would like to first confer with my associates on this side of the Chamber.

After I had conferred with my associates I decided to offer the resolution, understanding, as a result of the conversations which I had with the Senator from Washington and as a result of some statements which had been made to me from other sources, that the resolution would receive the support of the regulars on the other side of the Chamber. Under these circumstances, my utter amazement and astonishment can be well understood when 28 of the regulars voted against the resolution. I am not complaining of their action. They had the right to take it if they wanted to do so. I believe the Senator from Washington was misled, because I know his absolute honesty and sincerity.

If I have misstated anything that happened between the Senator from Washington and myself I shall be very glad to have him correct me; otherwise, I shall be glad to have him corroborate my statement.

Mr. JONES. Mr. President, I think the statement of the Senator from North Carolina is substantially correct, although my recollection is that I told him, with reference to the so-called regulars, that I thought many, if not most, of them would support the resolution if it came from his side of the Chamber. I had, I thought, good reason to believe that that was the case. I never dreamed of any politics with reference to the matter.

I wish to say that I have always voted against proposals to adjourn near the close of a session. I had come to the conclusion that I would vote against any proposition of the kind this time, but on reflection and when I gave thought to the long sessions which the Finance Committee had during the summer and appreciated more than ever the fact that the Senator from Utah [Mr. SMOOT] had been sitting here day after day ever since the bill was reported to the Senate and that the other members of the Finance Committee have given their attention to the bill day after day through these long months, it seemed to me that it was nothing but right that they at least should have a week or so of rest before we started into the regular session. I also had the impression that by pursuing that course we would probably get along with the tariff bill more rapidly in the regular session than we will expedite it by continuing now without a recess.

I had conversations with the Senator from North Carolina substantially as he has related. I had not had an opportunity, of course, to talk with all of the Senators on this side of the Chamber, but I talked with some who stated to me that they had talked with others, and I thought that substantially all would really like to have the adjournment.

Personally I was willing to offer the resolution. I intended to offer it, not as assistant leader on this side of the Chamber, but upon my sole personal responsibility. However, after conferring with some of the Members again this morning I learned that it was the great desire of most of our so-called regulars that any motion of that kind should come from the other side of the Chamber.

As I said, I thought I had reason to believe that if the motion did come from the other side of the aisle, then they would feel perfectly free to vote their sentiments in regard to it which I understood, as I said, were rather inclined to favor an adjournment. But the Senate knows the result. I will say that I myself was rather surprised that so many of our friends on the other side of the aisle, as well as on this side of the aisle, voted against adjournment.

As I have stated, personally I have come to the conclusion that the Senate ought to adjourn out of consideration for the members of the Finance Committee. I think I can appreciate why members of that committee would vote against adjournment; I think I can appreciate why the honorable chairman of the committee, who has been giving day after day to this work, should vote against adjournment; but I know that he would have welcomed it, if the Senate should have accorded it to him and to the other members of the Finance Committee.

That is all I have to say with reference to the matter.

Mr. HARRISON. Mr. President, I do not think I would say anything if it were not for the fact that the Senator from Washington seems to think that the same condition prevailed on this side of the Chamber as on the other side.

Mr. JONES. No, not entirely; not to such an extent.

Mr. HARRISON. Not to such an extent. I think if the Senator will look over the roll call he will find that there were but very few on this side of the Chamber who did not vote with the Senator from North Carolina [Mr. SIMMONS], and that with reference to most of them they had expressed themselves to the Senator from North Carolina or to those of us who were working with him in the matter, and had expressed the thought that the Senate should go right on through. So there was no double dealing nor was there any double-crossing from this side about which anybody knows.

Mr. JONES. Mr. President, will the Senator permit an interruption?

Mr. HARRISON. Yes.

Mr. JONES. I did not intend to convey the impression that I thought there was any double-dealing or anything of that kind.

Mr. HARRISON. I understand that, and I have very deep sympathy for the predicament in which the Senator from Washington has found himself in this matter. I suppose if we should search the whole history of this Senate from the beginning up to this day we would never find such confusion and such—I will not say lack of leadership, but I will say refusal on the part of those on the other side to have a leader. So I sympathize with the Senator from Washington, because he is placed in this particular position on account of the illness of the distinguished Senator from Indiana [Mr. WATSON]. If the Senator from Indiana were here, we should have the same condition.

Senators on the other side of the Chamber would throw him down just as they have thrown down the chairman of the senatorial campaign committee; just as they throw down here daily the chairman of the Finance Committee, and just as they threw down, and then laughed over the fact, the distinguished Senator from Washington this morning.

Of course, the Senator from North Carolina [Mr. SIMMONS] would never have assumed to offer the resolution for adjournment if he had not been led to believe that those who belong to the Old Guard on the other side of the Chamber and who pretend to be in a different camp from the so-called progressives, had not led their leadership to believe that they would vote for a recess of one week; but either for the reason that they wanted to punish their leader, the Senator from Washington [Mr. JONES], or because of a lack of courage or because they were afraid to go back to their States for even a week and face their people, they have voted as they have in the consideration of the tariff bill. They have thrown down their leaders and say, "Oh, well, let us stay here and work."

Most of the Senators on the other side who voted that way have either had trips to the Panama Canal Zone or to Europe or been at home for three or four months, playing, resting, and enjoying themselves, while Senators, such as the Senator from Utah [Mr. SMOOT], the Senator from North Carolina [Mr. SIMMONS], and other members of the Finance Committee, have stayed here and worked.

It has been said before that some of us have not been away from here for seven months. Do Senators who have voted against the adjournment resolution think their people have not enough appreciation of their services that they can fool them by refusing to vote for a resolution which, if agreed to, would give a week's vacation and rest or would give a week for Senators to attend to their personal affairs between the closing of this session on the 23d of this month and the reconvening of Congress on the 2d day of December?

The session which is then coming on is going to be a busy one. We shall start immediately on the Vare contested-election case. Then we shall return to the consideration of the tariff bill, which is filled with thousands of items; then we hope to push through some tax-reduction measure; then the great supply bills will come before Congress for consideration. Yet Senators on the other side did not have the courage to vote for the resolution which would give a week's rest.

They desire to say, "We are standing by Mr. Hoover in his plea to the Senate that we finish the consideration of the tariff bill and pass it in two weeks," when they know that it is impossible to do so; when they know that Senators on this side of the Chamber have cooperated with their leadership on the other side in bringing quick votes on the various items and in expediting the consideration of the bill in every way and that we are also pledged to Senators on the other side that we are going to pursue a similar course in the future; but because some of them wanted to oppose adjournment they said, "No; we have had our rest; we have had our recreation; and we are not going to vote even for a week's recess."

I hope that during the night sessions some of the Senators who have not been here long and have shunted aside their leadership will be here to answer the roll calls, so that they will not have to answer to their constituents and explain why they have voted against giving us a week's rest, and were unwilling to come here at night and work in the consideration of this bill. I do hope that Senators on the other side of the Chamber will get together and acknowledge some kind of leadership.

Even the Senator from Utah who has worked hard, and who, as I believed and as the Senator from North Carolina believed, would vote for the resolution to adjourn, did not have the courage to do it, even when everybody thought he was going to vote for it.

That may be the reason that the 18 or 20 new Senators on the Republican side who have formed a little group of their own and who devise their plans and lay out their programs "slashed" the Senator from Washington. I suppose they say, "Well, if the chairman of the committee did not want to follow the Senator from Washington and have a recess we will not follow him." But there have been brought about chaos and confusion on the other side. May we hope that Senators over there will soon get together in some kind of a spirit?

Mr. JONES. Mr. President, I desire to say merely a word. I do not consider that I have been "slashed" or that I have been "thrown down" by any of my colleagues. As I said a moment ago, I thought I had fair reason to believe what would be done, but I may have assumed too much. I know that there was no Senator on this side who had any idea of throwing me down or "slashing" me or anything of that kind.

Mr. WALSH of Massachusetts. Mr. President, I think all Senators have been "slashed" by having an order adopted which requires our presence here to-night, when no Senator expected it and many Senators had made plans which make it impossible for them to be here to-night. I have no objection to night sessions, but I do think we ought not to punish ourselves by being forced, without notice, to come back here to-night and stay here. I therefore ask unanimous consent that the order which was entered on motion of the Senator from Mississippi [Mr. HARRISON] be rescinded.

Mr. HARRISON. To which I will object. I hope the Senator will not ask that that be done.

Mr. WALSH of Massachusetts. I thought perhaps the Senator would show more generosity than he attributed to his colleagues on the other side of the Chamber.

The PRESIDING OFFICER (Mr. MCNARY in the chair). Objection is made.

Mr. SMOOT. Mr. President, a year ago to-day I returned from my home after having buried my wife, and I have been out of the city but twice from that time until this.

I want the Senator from Mississippi to understand that I am not a coward. I have not asked any Senator on this side to vote as I voted. Nobody asked me how I would vote in relation to the question, and, so far as I am concerned, I will stay here just as long as I can stand on my feet, night or day, if that is the wish of the Senate. If it shall kill me, all right. What I want to do is to pass the bill, and we can pass it without holding night sessions if we will stick to the bill and talk to the amendments to the bill.

So far as I am concerned I am perfectly willing, as I have said before, to let the coalition agree as to rates, bring them in, and let the bill pass. I will not ask for a minute's time, but will be glad to have the Senate vote upon the rates exactly as the coalition may agree upon and submit them to the Senate. If that could be done we could adjourn before the 23d of November.

If the Senate wants to adjourn on Monday or Wednesday or Saturday of next week, I am perfectly willing that it adjourn on any of those dates. I know that we can not pass this bill before the expiration of the special session unless an entirely different attitude toward the bill is evinced than has been evinced during the last month. Let us not fool ourselves. We are reasonable men, and let us show the country that we are.

I have not criticized any Senator for speaking on the bill; I have not criticized any Senator because he has voted for or against any amendment. The amendments which have been reported to the bill are there because a majority of the Republican members of the Finance Committee agreed to them. I am chairman of the committee, and it was my duty to make the report in conformity with the action of the majority members of the committee. I think I have performed that duty. Whether I believe in it or not, I consider it my duty to stand by the bill, and, if God gives me strength, that is what I am going to do.

If the Senate wants to adjourn I have no objection, and, as I have told the Senator from North Carolina, I have not the least idea of asking any Senator to vote against adjournment. I do not think that politics ought to play any part whatsoever in the question of adjournment. I believe that if we were able to secure a little rest, we could then come back and pass the bill without as much discussion as we have had heretofore during its consideration.

Senators, all in the world I want is to get the bill into conference. Let it go there, and if the conferees can not agree on it, well and good.

Mr. BORAH. That would not be well and good.

Mr. SMOOT. I think it would be if the conferees could not agree.

I have already said to the Senate that the two great questions involved in the amendments of the Senate to the tariff bill are the flexible tariff and the debenture. I am going to ask the instructions of the Senate on those matters. If the conferees can not agree to the House provisions I shall ask instructions from the Senate. It is the Senate action. I may be one of their representatives on the conference committee, and before any final action is taken the matter will come back to the Senate of the United States for instructions.

Mr. HARRISON. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. Yes.

Mr. HARRISON. If the Senator feels that way about adjournment, why did he vote "nay" this morning when a plan to adjourn was laid before the Senate?

Mr. SMOOT. I voted "nay" for the reason that I did not want anyone in the United States or anywhere else to believe that I, as chairman of the committee, had gone back on the proposition of trying to secure the passage of this bill. I said to the Senate time and again that I was going to do everything I could to see it passed. I say now, as I have said before, that if the Senate of the United States wants to adjourn, I shall not object, for I should like to have a little rest; but I am not going to beg the Senate to do it even if I am tired.

Mr. COPELAND. Mr. President, I should not be true to my professional training if I did not make another plea to Senators to adjourn the Senate. All anyone has to do is to read the RECORD of this afternoon to know that the Senate is not in a frame of mind to legislate as it should.

This morning, on top of the statements made here by many Members that we ought to adjourn because of the physical condition of the Senate, a proposal was carried overwhelmingly to have night sessions.

Mr. HARRISON. Mr. President, will the Senator yield for a question?

Mr. COPELAND. I will.

Mr. HARRISON. Does the Senator make the statement that the Senate is not in a frame of mind to legislate as it should because after he had made a long speech for adjournment this morning he then voted against the resolution to adjourn?

Mr. COPELAND. I voted against the particular resolution to adjourn because if we are going to stay here until Saturday of next week we might just as well stay until the 2d day of December, because we shall have a couple of days off, anyway, when Thanksgiving comes. The proposed plan offered little of real benefit.

I want the Senator from Utah [Mr. SMOOT] and the Senator from North Carolina [Mr. SIMMONS] and the Senator from Mississippi [Mr. HARRISON] and all the other members of the Finance Committee to have a decent rest, so that they can come back here and help us to pass a bill. The only reason why we do not adjourn on Saturday of this week, or to-day or to-morrow or Monday, is because we are afraid of the political effect upon our particular section of the Senate. If we had 30 cents' worth of courage, we would vote now to adjourn; and that is what we ought to do.

To-day—this very day—Senators have come to me and said, "I can not sleep nights, I am so worn-out." I am a sort of a confessional, and I have no doubt my colleague of the medical profession on the other side [Mr. HATFIELD] is one, too, for men who come to us and tell of their disabilities.

Why, Senators, we have no business to be here attempting to legislate; and the worst of it is, as I said the other day, that death places a premium upon those who work hardest.

When the Senator from Massachusetts [Mr. WALSH] an hour ago was making an earnest plea regarding a paragraph in the bill relating to the farmer, there were not six members of the farm group in the Chamber. They were not here. I want the RECORD to show that they are not here; that this is all politics.

I beg of you, Senators, do not keep up this farce. To come here to-night, after having been eight hours in the Senate Chamber, and to attempt to legislate in any decent way, simply can not be done, and you know it. We are not fair to the citizens of the United States if we attempt to legislate when we are in no condition physically or mentally to carry on our work. I beg of you to take a sensible view of the matter.

I am led to introduce a resolution which may be voted down, but I introduce a concurrent resolution, Mr. President, that at the end of business on Saturday of this week no further work upon the tariff bill shall engage the attention of the Senate at this session. I want to put it in such a form that you will know exactly what I mean—that on Saturday of this week we shall go as far as we can with the bill, and that from that time forward, awaiting the action of the House to make it complete, we shall do no further work upon the tariff bill at this session.

I present that matter, if it may be put in form.

Mr. NORBECK. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from South Dakota?

Mr. COPELAND. I yield to the Senator.

Mr. NORBECK. The Senator from New York referred to the farm bloc as being absent during the address of the Senator from Massachusetts [Mr. WALSH]. I know that most of the representatives of the Northwest were here. I am wondering if he did not refer to the new farm bloc of MOSES and REED. [Laughter.]

Mr. COPELAND. Well, they were absent, too.

Mr. ROBINSON of Indiana. Mr. President, I do not intend to speak for anyone but myself. Certainly I am not presumptuous enough to attempt to speak for any group in this body; but the indictment suggested by the distinguished Senator from Mississippi was sufficiently broad to include me, since I voted against adjournment this morning twice—against immediate adjournment, and against adjournment on the 23d of this month.

We were called into special session for a certain purpose, to do certain work. We have a certain task to perform. We have not finished that task, and we have until the 3d of next month still to finish the work we were called here to do.

It is my judgment that we ought to continue on the job until the work is done. We have repeatedly attempted to have night sessions, always without success. I am hoping, now that we have agreed to meet here every evening, that we may show the country by constructive work done that the Senate of the United States is not impotent. Practically everybody here undertakes to say that he favors passing this bill at the earliest possible moment. Then, it seems to me, we should live up to that suggestion which has been made on so many occasions by so many Members of this body.

I think it is unfair of the Senator from Mississippi to suggest that there are a number of new Senators on this side who for some cause or other have "let down on their leadership," to use his phraseology as nearly as I remember it, or who are fearful of going back to face their constituents if they vote the other way, and accordingly vote against adjournment. It seems to me the Senator from Mississippi should applaud the Senators who have recently become Members of this body for being sufficiently industrious and zealous to remain here and assist in passing the bill. I think some of the Members who are older, who are senior to the newer Members here, might profit by the splendid example they set in being willing to remain on the job until the job is done.

Mr. TYDINGS. Mr. President, a point of order. As I understand, a motion to adjourn is not debatable. Is that correct?

The PRESIDING OFFICER. There is no motion pending before the Senate.

Mr. DILL. Mr. President, we have been talking for two hours about this matter. We might have been halfway through the agricultural schedule by this time. I suggest that we vote on the pending question.

The PRESIDING OFFICER. The question is on the amendment found on page 126, line 5.

Mr. BLAINE. Mr. President——

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. BLAINE. I am going to accept the advice of the chairman of the Finance Committee and discuss the immediate thing before us; that is, the tariff.

Mr. COPELAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. COPELAND. What has become of the concurrent resolution I submitted?

Mr. BLAINE. Mr. President——

The PRESIDING OFFICER. The Senator from New York is addressing a parliamentary question to the Chair, and has a perfect right so to do. The proposal has never been formally made by the Senator from New York. It is a privileged matter and can be considered without debate.

Mr. BLAINE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. If the Senator from Wisconsin will wait just a moment, the Chair is answering a parliamentary inquiry of the Senator from New York.

Mr. BLAINE. A point of order, Mr. President. I understand that when a Member is recognized and has the floor, before he is displaced the Chair asks him to suspend. Here was a colloquy between the Senator from New York and the Presiding Officer, and the Member who had the floor was left with-

out any information as to what was going on unless he ceased his debate to listen in on the remarks.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. BLAINE. I rise to the point of order that when a Senator has been recognized, until there is some parliamentary procedure so that he may be advised whether or not he may proceed, it is out of order to interrupt him.

The PRESIDING OFFICER. The present occupant of the chair will state that a parliamentary inquiry was proposed by the Senator from New York, which the Chair was attempting to answer. It is true that the Senator from Wisconsin can not be interrupted for a privileged matter until he first consents to the interruption; and the Chair assumes that the Senator from Wisconsin does not now desire to yield.

Mr. BLAINE. I prefer not to yield at this time.

The PRESIDING OFFICER. The Senator declines to yield at the present time. After he concludes his remarks the Senator from New York can offer his privileged concurrent resolution.

Mr. COPELAND. Mr. President, will the Senator yield for a question?

Mr. BLAINE. I may state that the rule, as I understand it, is that if I yield for any other purpose than to have a question asked, I surrender the floor.

Mr. COPELAND. Will the Senator yield for a question?

Mr. BLAINE. I yield for a question.

Mr. COPELAND. Will not the Senator yield in order that my concurrent resolution, which is in form now, and which I informally and very crudely presented to the Senate a few minutes ago, may be laid before the Senate?

Mr. BLAINE. Mr. President, I should like to accommodate the Senator from New York, but I can not yield for that purpose.

The PRESIDING OFFICER. The Senator from Wisconsin declines to yield.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from North Carolina?

Mr. BLAINE. I yield for a question.

Mr. SIMMONS. Will not the Senator let us vote on this matter without any discussion?

Mr. BLAINE. Mr. President, I should much prefer to proceed with a discussion of the very important question that is now pending before the Senate in connection with dairy products.

I am not going to take very much time. I should like to clear the minds of some Senators of some misapprehension, some misunderstanding respecting the rates that are proposed on dairy products. If I may be permitted to continue, I am sure I can conclude very shortly.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. BLAINE. I appreciate the position of the Senator from Massachusetts [Mr. WALSH]. I listened very attentively to his presentation. I was one of the farm group who were present. I think the Senator from Massachusetts has failed to appreciate the fundamentals upon which these rates are based.

I call attention to this fundamental, that all dairy products, whenever we are dealing with the question of tariff rates, must be considered in the light of the butterfat content of milk. There is a formula that applies to all dairy products—whole milk, skimmed milk, milk in any form, butter, and cheese. I am going to set forth that formula.

One gallon of milk containing 3½ per cent of butterfat weighs 8.6 pounds. Eight and six-tenths pounds of milk will produce 3.61 pounds of butter on the basis of an overrun of 20 per cent.

The equivalent of the butter duty per gallon of 3½ per cent milk is 5.5 cents per gallon. In addition to the butterfat, the residue of the whole milk is skimmed milk, and the duty on skimmed milk, on the basis of 35 per cent ad valorem, which is the equivalent of 14 cents a pound on butter, is 1.76 cents per gallon of skimmed milk.

To the duty on butterfats as butter in a gallon of milk must therefore be added 85 per cent of the duty on a gallon of skimmed milk, or 1.49 cents, which makes a total duty on a gallon of milk of 6.54 cents.

The bill provides 6½ cents per gallon. That rate is based upon the butterfat content, and the duty fixed upon butter and the residue of milk after the butter is made.

The market for dairy products is very sensitive. A slight change in the rate of duty on whole sweet milk or cream or butter or cheese will almost immediately bring about a shifting in the production of the respective dairy products in the competitive countries, our chief competitors. That was very clearly indicated, as I pointed out a few days ago, that when the President increased the rate on butter from 8 cents a pound to 12 cents a pound, leaving cheese at 5 cents a pound, the Canadian butter producers immediately went into the production of cheese, shifting their production of butter to that of cheese, and there were imported into the United States from Canada several million pounds of cheese within a few months after the increased duty on butter went into effect.

A shifting in production takes place very quickly, and unless the rates on dairy products are equalized, starting with a basis of butterfat content, we may have a shift in the chief competing countries from butter to cheese or cheese to butter, or to whole milk or cream from cheese and from butter. So that it is essential to have tariff rates on the various dairy products equalized, using as the basis the butterfat content, and that is what is proposed in this bill.

I am not going to discuss the details of this proposed legislation further. If a change is made in the rates on whole milk or on cream, there should also be a corresponding change with respect to butter and cheese. If there are those who contemplate that the rates will be changed, then we should begin our consideration of the rate on butter before considering any other rate, for if we reduce the proposed duty on milk or on cream, we will find the chief competing country of the United States with respect to dairy products, just over the border, Canada, shipping in her milk and her cream at a low rate of duty, and out of that milk and out of that cream there will be manufactured in the United States butter and cheese, which, of course, will result in exactly the same thing as would follow if we reduced the rate of duty on either butter or cheese.

I know that this increase on milk may increase the price to the consumers on the Atlantic coast to some degree, slightly, but the increase will be very slight. It should not increase the price. I want to say now that the farmers who are producing whole milk for distribution and for consumption in the cities are selling it at less than one-third of the amount the consumers are compelled to pay for that milk.

I am also convinced that the tariff on butter, even at the rate in the present law, has not been effective, and is not effective. Butter prices in the United States on the New York market, as compared with butter prices on the London market, are only from 6 to 7 cents a pound more. So the farmer, the producer of butter, is receiving only about one-half of the tariff. In other words, the tariff of 12 cents a pound is about 50 per cent effective.

Who profits out of this? I repeat, as I have stated time and time again on this floor, it is the cold-storage people—those who buy the farmer's butter when it is at the peak of production and place that butter in storage until the time when the farmer's production is at the lowest tide; and therefore the cold-storage people, those who store the farmer's butter, receive, during the period when they release that butter from storage, the entire benefits of the tariff.

I know the Senator from Utah [Mr. SMOOT], the chairman of the Committee on Finance, has argued and does contend that if we did not have the 12-cent tariff on butter, the foreign butter would come in at the same time at the lower rate in competition with the domestic production when domestic production is at its peak and thereby further reduce the price of the domestic product. I appreciate that there is a great deal of force in that argument, but the fact remains that the farmers do not receive the full benefit of the 12 cents a pound on butter.

I want to call attention to some statistics to indicate this very situation. The monthly creamery-butter production in the United States in 1927, by months, was as follows:

In January, February, March, October, November, and December it ranged from 86,000,000 pounds to 102,000,000 pounds. That was during the period of lowest production of butter.

For the months of April, May, June, July, August, and September the monthly creamery-butter production ranged all the way from 110,000,000 pounds to 190,000,000 pounds. That was during the six months of the peak production of butter. That was the period when the cold-storage interests impounded the butter and stored it for future sale, and during that time those farmers who were producing butter on this peak production, perhaps, received a very small benefit from the tariff. But the composite benefit for farmers is the difference between the New York market and the London market on the average for the year of about 6 to 7 cents a pound.

Mr. President, the solution of that problem lies in another field. It is not in the tariff. Therefore the dairy interests of this country and the dairy producers of this country feel that the amount of tariff to be imposed should be an amount that would equal the difference between the cost of production at home and abroad. The difference between the cost in the United States and in the chief competing countries with reference to butter is about 14 cents a pound.

The Tariff Commission made a report in 1926 to the President of the United States in connection with the subject of butter. On page 25 of that report the Tariff Commission has inserted a table which shows the average cost for all areas included in farm-cost study. The total cost of butter laid down in New York—that is, the domestic cost—was 56.06 cents per pound. The cost in the then chief competing country as found by the Tariff Commission was in Denmark, 41.11 cents per pound. The commission reached the conclusion that the difference in the cost of production in America and in Denmark was 14.95 cents per pound. In other words, it cost almost 15 cents per pound more to produce butter in America than in Denmark.

Denmark is an important competitive producer of butter. Canada is also an important competitive producer of butter. But in order to protect the American producer of butter it becomes necessary to fix the rate at the difference in the cost of production in the United States and in Denmark, and that is 14.95 cents per pound. The committee have fixed the rate at 14 cents per pound.

Mr. President, I have outlined just briefly the considerations which enter into fixing a rate on dairy products. If there is to be any change in those rates, we should begin with the paragraph relating to butter and work out the other paragraphs accordingly. But the evidence before the Congress, if we are going to protect the American producers, is to the effect that we must fix a rate which will equal the difference in the cost of production in America and in one of the chief competing countries.

So, Mr. President, the rate of 14 cents a pound becomes the essential rate for that purpose. That rate having been determined, then all other proposed rates of duty in all paragraphs preceding the paragraph on butter should be fixed according to the formula I have outlined.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Montana?

Mr. BLAINE. I yield.

Mr. WALSH of Montana. The Senator stated that the Tariff Commission found that the cost of producing butter in the United States is 56 cents or thereabouts?

Mr. BLAINE. They did in their report in 1926 or 1925.

Mr. WALSH of Montana. I find that the Tariff Commission report to us that the average price of butter in New York in 1926 was 42.75 cents per pound; in 1927 it was 47.25 cents per pound; and in 1928 it was 46.75 cents per pound. In 1926 the prices ranged from 39 cents to 47 cents; in 1927 from 42 to 50 cents; and in 1928 from 45 to 49 cents a pound. It would appear then that for three years butter was being sold in the New York market at something like 7 to 10 cents a pound less than it cost to produce it. Is that correct?

Mr. BLAINE. The incorrectness of the statement is due to the fact that I did not make myself clear. The cost of production, I should have stated, is the cost of the quantity of butterfat used. Butter in the process of its manufacture has about 20 per cent overrun.

Mr. WALSH of Montana. Then we should divide the 56 by 1.20?

Mr. BLAINE. Yes; or thereabouts. I am sorry I did not make myself clear. The Senator's statement would have been correct had I let my statement stand as he understood it.

Mr. President, I do not care to pursue the discussion any further except to call attention to one other item. When we reach paragraph 710, respecting the rate on cheese, I shall propose an amendment changing the ad valorem rate. In order to preserve equality between the various dairy products and cheese it will become necessary to increase slightly the ad valorem rate proposed by the committee.

Mr. COPELAND. Mr. President, may I say before I begin my comments on the bill that at 11 o'clock to-morrow morning, if I can obtain the floor, I shall call up the resolution for adjournment which I offered a little while ago.

Mr. President, I am sorry that the Senator from Massachusetts [Mr. WALSH] is not in the Chamber at the moment. He called attention to the imports of milk from Canada. I have before me the report of the United States Tariff Commission to the President pointing out the differences in the cost of production of milk and cream in the United States and in the principal competing countries. The Senator from Massachusetts pointed out, quoting from this document, that the importations of milk in 1924 were, in round numbers, 5,000,000 gallons, in 1925 were 7,000,000 gallons, in 1926 were 7,000,000 gallons, in 1927 were 4,500,000 gallons, while for the year 1928 the quantity was 5,500,000 gallons.

Of course, that sounds like a lot of milk, but as a matter of fact when we bear in mind that the city of New York alone consumes about 3,200,000 quarts, or about 800,000 gallons per day, Senators can see that the largest quantity imported in any one year from Canada would not supply the city of New York for 10 days.

I think it proper to point out that so far as this particular item of the bill is concerned, in my opinion no consuming public need be greatly alarmed. The quantity sent to Boston or New York or to any given community is so small that it could have no effect upon the price either way. However, I realize that in my State the dairy farmers have been much distressed because at certain seasons of the year there has come across the border a considerable quantity of milk which has competed directly with the farmers in northern New York, and I assume that is true of the dairy farmers in northern Vermont and perhaps a few in Massachusetts. I am not disturbed about this item and have no disposition whatever to find fault with the proposal regarding the rate imposed upon it.

For many years I have been interested in the activities of the Dairymen's League which is made up of about 70,000 members, most of them dairy farmers of my State, a good many from Pennsylvania and New Jersey, a few from Connecticut, and some from Massachusetts and Vermont. It is because of the great success of this organization that I have had personally such faith in the possibility of the farmers establishing successful cooperative organizations for the marketing of wheat and other grains as well as other farm products.

It is a much more difficult thing to market milk than it is to market wheat because milk can not be stored away for weeks and months as grains can be. It is a product which deteriorates so quickly that unless it is taken to the consumer within 48 hours it is practically useless, at least to be sold as fluid milk.

The dairy farmers deserve every possible assistance they can be given. There is a much greater menace from the importation of cream, and especially sour cream, and particularly butter. I have no question at all that it is important that the farmer should be given ample protection on some milk products. The reason why special attention must be given to the by-products of milk, if I may put it that way, is because the flow of milk is very uneven. During the flush season, the season when the meadows are lush and the flow of milk is great, there is a surplus. Fortunately that season corresponds with the season of greatest demand for the product, for it is in the warm weather when milk is most largely consumed for beverage and other purposes. But there is so great a surplus that it is necessary to manufacture the surplus milk into various products, such as butter, cheese, evaporated milk, condensed milk, milk powder, and so forth. If the surplus is converted into butter, it can be put in cold storage and kept indefinitely and can be sold when there is a demand for it; in other words, orderly marketing is possible, provided funds are available for carrying over these by-products of milk.

There is a tremendous importation of butter from Denmark, and it has had its effect from time to time upon the sale of American-made butter in the domestic market. Of course, the problem we have to deal with in New York is different, I have no question, from the problem the dairy farmer of Wisconsin and Minnesota has to deal with, because there, to a great extent, I understand, the milk is converted at once into other products.

For my part, as the representative of a consuming public—and I know that I speak the sentiment of my people when I say this—I am willing to vote a reasonable advance in the rate of tariff upon dairy products in which our farmers actually compete with the foreigner; but there is no advantage, one way or the other, so far as I can see, in having a tariff upon milk. There is always a surplus of milk. It is like fixing a tariff upon wheat which is inoperative, because we have an exportable surplus of wheat all the time.

The problems of the farmer have been presented time and again in the city of New York. The great groups of laboring people and the labor unions of my city have always indorsed the program for farm relief, and are glad to contribute their part toward the success of the farmer, because we are a great manufacturing center, and unless there can be prosperity on the farm, where the products of the city are sold, there must follow, in greater or less degree, unemployment in the manufactories of the city. Our working people realize that fact, and so are willing to contribute their portion toward lending assistance to the farmers of America. However, so far as this particular amendment is concerned, the one now before us, I am sure that my friend from Massachusetts [Mr. WALSH] and others who are concerned over the danger of an increase in the cost of the essential foods of the consuming public, need have no worry, because, as I have pointed out, the importations of

this product are infinitesimal as compared with the consumption in my section of the country.

Mr. WALSH of Montana. Mr. President, I am entirely satisfied that the best service that could be rendered to the farming population in connection with this bill would be such as is directed to reducing the rates on industrial products rather than increasing the rates on agricultural products. Moreover, for reasons which I have set forth elsewhere, and which I do not purpose to repeat here, I think it an exceedingly short-sighted policy to be imposing high and practically prohibitive duties upon everything that comes to the United States from the neighboring country of Canada. I do not think, however, Mr. President, with all due respect to my esteemed friend the Senator from Massachusetts that the State of Massachusetts ought to complain very seriously about duties on agricultural products, inasmuch as Massachusetts derives, as was disclosed by a schedule put into the RECORD on the 7th of this month, benefits aggregating $814,000,000, according to the computation of an expert of the Department of Commerce. So if the people of the State of Massachusetts should be required to pay a little more for butter and cream they ought not to complain very bitterly about it.

However, Mr. President, I can not believe that there ought to be an increase in the duty on either butter, cream, or milk as the duty has been fixed by the present law and by the Tariff Commission with the assistance of the President. In addition to the information to which I invited attention a little while ago concerning current prices for butter in the New York market, I want to submit two paragraphs from the report of the Tariff Commission upon which we are supposed to act. I read from page 1053 as follows:

> The average farm and plant cost of producing 40 per cent cream in the United States was about $2.55 per gallon. This average cost includes the relatively low-cost areas in the North Central States, such as Wisconsin and Minnesota, which ship cream to the eastern markets.
>
> The average cost of producing 40 per cent cream in Canada was about $2.18 per gallon. Average transportation charges not included in the above costs were about 5 cents per gallon on domestic cream to New York and Boston. Transportation charges on Canadian cream to the same markets were about 9 cents per gallon.

The difference between a cost of $2.55 in the United States and $2.18 in Canada, taking account of the difference in the cost of transportation, makes 33 cents. Adding 5 cents to $2.55 makes $2.60, and adding 9 cents to $2.18 makes $2.27, a difference of 33 cents, according to the report of the Tariff Commission in the summary, which is before us.

The present law imposes a duty of 48 cents on a difference in the cost of production of 33 cents, and it is proposed to raise the rate of duty to 56.6 cents. I appeal to our friends who are sincerely desirous of helping the farmers to give no kind of countenance to rates that can not be justified upon the principle of the difference in the cost of production by asking in the case of cream, the difference in the cost of production of which is 33 cents, for a rate of 56.6 cents.

Moreover, if any such rate should be prescribed by the Congress and the flexible provision should remain in the law, there would be nothing for the commission to do, upon its own findings, except to reduce that rate by 50 per cent, or at least by as much as shall reduce it so that the duty shall amount to no more than 33 cents.

Now I wish to have the attention of the Senator from Wisconsin [Mr. BLAINE] for a moment. The Senator from Wisconsin gives us the item of 56 cents as the cost of producing not a pound of butter but a pound of butterfat, and butterfat will produce butter to the extent of 120 per cent of its weight. Accordingly the cost of producing so much butterfat as goes into a pound of butter is 56, divided by 1.20, which is 47 cents a pound; that is to say, the butter cost 47 cents a pound. The butterfat competing with it costs, according to the statement of the Senator, 42 cents a pound, and the cost of a pound of foreign butter, figuring on the basis of 1.20, to which I have referred, would be 35 cents a pound. The difference, then, in the cost of producing 1 pound of butter at home and abroad is the difference between 47 cents and 35 cents, according to the very figures given to us by the Senator from Wisconsin. In other words, the difference in the cost of producing a pound of butter is 12 cents, the duty now fixed by the law, which it is proposed to raise to 14 cents.

We can not appeal to this body to reduce industrial rates to represent the difference in the cost of production here and abroad—and there will be practically no opposition to rates of that character upon this side of the Chamber, I am sure—we can not appeal to the Senate to reduce rates upon the manufactured products if they shall be no greater than what will represent the difference in the cost of production here and abroad if at the same time we are asking for rates upon agricultural products in excess of such difference.

Mr. BROOKHART. Mr. President——

Mr. WALSH of Montana. I yield to the Senator.

Mr. BROOKHART. Does the Senator know what rate of wages the commission allowed the farmer for his work in producing the butter and milk?

Mr. WALSH of Montana. I do not undertake to challenge the figures of the commission. The Senator from Iowa may do so. My present information is as I have indicated, and I take it for granted the figures are correct.

Mr. BROOKHART. They are correct on one basis, but not on the right basis.

Mr. WALSH of Montana. That may be so. The Senator may be prepared to convince the Senate that the figures given us by the Tariff Commission are erroneous.

Mr. BROOKHART. They are correct, considering the basis which was used. I want to use a different basis; I want to add compensation to the farmer for his work; I want to allow an adequate depreciation for the buildings and work animals and breeding animals.

Mr. WALSH of Montana. I assume that the Tariff Commission endeavored to do that.

Mr. BROOKHART. It did not pretend to do it. It simply took the wages the farmer gets out of the low prices he receives, which is not fair.

Mr. WALSH of Montana. Of course, the Senator, then, will be obliged to challenge the figures of the commission.

Mr. BROOKHART. The figures are all right when the Agricultural Department method of figuring costs is taken, but we can not get farm relief by holding the farmers down to that sort of a cost of production.

Mr. WALSH of Montana. Mr. President, so far as milk and cream are concerned, it is understood that the milk and cream which will be affected—and no other milk and cream will be affected—by this increase in rates is the milk and cream that goes to the great industrial and commercial centers, such as Boston, New York, Philadelphia, and other great cities in that section of the country, coming from the immediate neighborhood and possibly from as far west as Wisconsin.

The Senator from Iowa told us a little while ago that he had been in northern New York and Vermont and he found the dairy farms there are abandoned for one reason or another, and he thinks that a little tariff will help them. Mr. President, so far as that section of the country is concerned, they are represented here by able Senators, and I dare say that we may very well trust the Senators from those States to take care of the interests of the people of those States. If they are not complaining, if they are not asking for an increase in the duty upon milk and cream, it seems as though we from the far West ought not to constitute ourselves the representatives of their interests.

Mr. BROOKHART. Mr. President, in answer to the Senator's statement I will say that the dairy organizations of that section came to me and asked me to offer an amendment increasing these rates, and that those engaged in dairying whom I met in northern New York and in Vermont made the same request. The Senators from New York may not be exactly representing the interest of the farmers of the northern part of that State when they take a different view.

Mr. WALSH of Montana. I have stated the considerations that induce me to believe that the rates ought not to be increased.

Mr. COPELAND. Mr. President——

The PRESIDING OFFICER. The hour of 5.30 o'clock having arrived, the Senate stands in recess until 7.30 o'clock this evening.

Thereupon (at 5 o'clock and 30 minutes p. m.), under the order previously entered, the Senate took a recess until 7.30 o'clock p. m.

EVENING SESSION

The Senate reassembled at 7 o'clock and 30 minutes p. m., on the expiration of the recess.

The PRESIDENT pro tempore. House bill 2667 is before the Senate as in Committee of the Whole.

REVISION OF THE TARIFF

The Senate, as in Committee of the Whole, resumed the 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 PRESIDENT pro tempore. The pending amendment is on page 126, line 5.

Mr. BORAH. Mr. President, I suggest the absence of a quorum.

Mr. HARRISON. Mr. President, will the Senator withhold that suggestion for just a moment?

Mr. BORAH. Yes.

Mr. HARRISON. I hope the Senator will not make that point now. Let us see if we can not get along with a few items here, and then let the Senator raise the point.

Mr. BORAH. I do not care for a quorum unless other Senators desire it.

Mr. HARRISON. Let us see if we can not get along without a quorum for a few minutes.

Mr. BORAH. Very well.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the committee on page 126, line 5. The amendment will be stated.

The CHIEF CLERK. In paragraph 707, page 126, line 5, strike out "48 cents" and insert "56.6 cents," so as to read:

Cream, fresh or sour, 56.6 cents per gallon.

Mr. SMOOT. Mr. President, I wish Senators would give their attention for just a moment, and I think we can hasten the consideration of paragraphs 707 and 708 in this way.

All the items in paragraphs 707 and 708 should be made to conform to whatever rate is provided for butter. The rate on butter is the basis of all those rates. Therefore I am going to ask unanimous consent for the consideration of paragraph 709, butter, 14 cents per pound, and if that is reduced according to the amendments that have been suggested to 12 cents, I shall ask that all of these other amendments be rejected and the proper rate put into each of those paragraphs.

Mr. McKELLAR. There is no committee amendment as to butter.

Mr. SMOOT. I know it. I am going to ask unanimous consent that that be done.

Mr. DILL. Mr. President, it was the understanding to-day that that would not be done.

Mr. SMOOT. All right, Mr. President.

Mr. HARRISON. Mr. President, in the case of the first three schedules we were to take up the Senate committee amendments and then go on to the other schedules before coming back to the first three; but in the case of the schedules we are now considering we are to take up the Senate committee amendments first and then the individual amendments, and finish the schedule before going to the other schedules.

Mr. DILL. No, Mr. President; that was not the agreement.

Mr. McKELLAR. No; that was not the agreement.

Mr. HARRISON. I understood that that was the program.

Mr. SMOOT. No. I asked for that, and it was refused. We shall have to go on now with the committee amendments.

Mr. HARRISON. I had hoped that the request of the Senator from Utah would be agreed to, because, of course, the rate that we fix upon butter will determine the rates that we fix upon cream and upon milk and upon everything from which butter is made; and the rates on milk and cream and those things can not be fixed until we do fix the basis on butter.

Mr. McKELLAR. Mr. President, if the Senate committee amendments are agreed to, that indirectly at least fixes the rate on butter, because everybody understands the situation.

Mr. SMOOT. It is a poor way to do it, however.

Mr. McKELLAR. Perhaps it is.

Mr. GLASS. Mr. President, the readjustment of these related items should be more comprehensive than indicated by the Senator from Mississippi. The chief cost in the conduct of a dairy farm is the concentrated feed; and I note from this bill that nearly if not quite all constituents of concentrated feedstuffs have been raised.

Mr. HARRISON. That is true.

Mr. GLASS. Therefore the figures presented here late in the afternoon by the Senator from Montana [Mr. WALSH] are not worth a thrip if we are going to raise the tariff on wheat and oats and corn and every other ingredient of dairy concentrates.

Mr. SMOOT. Mr. President, the question of butter is the important one to decide upon. If 14 cents a pound is not sufficient, change it; if it is too much, change it; but when we finally agree upon that, the other rates should be in accordance with the butter rate.

Mr. GLASS. That is exactly what I am saying—that we will have to readjust the whole schedule, because all of those items are vitally related to the prices of cream and butter.

Mr. SMOOT. That is the reason why I asked unanimous consent that the butter paragraph be considered now; but it has been refused, so we shall have to go on in the way we have been going.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the committee.

Mr. BLAINE. Mr. President, I think I owe an explanation to the Senate and also to the Senator from Montana [Mr. WALSH], if I may have his attention. I am quite sure that I misled the Senator before we recessed, and, due to that situation, his remarks no doubt were different than they otherwise would have been.

I quoted from page 25 of the report of the Tariff Commission in its investigation of the cost of production of butter; and in answer to an inquiry from the Senator from Montana I stated that the cost of production of butter was based upon the cost of the production of butterfat. I was in error in that.

The table, as given on page 25, indicates that the farm cost of the quantity of butterfat used in 1 pound of butter is 49.85 cents, and the factory cost of buying, conversion, administration, and interest is 4.80 cents, and the cost of shipping to New York is 1.40 cents per pound, making a total cost of butter laid down in New York of 56.06 cents a pound instead of the cost of butterfat.

On page 58 of the report, the summary entitled "Comparison of Cost of Producing Butter in the United States and in Denmark," including Nebraska, gives the cost per pound in the United States as 56.06 cents. The cost of a pound of butter in Denmark in cooperative creameries, including the conversion of Danish money into United States money, was 41.11 cents; and the differential is 14.95 cents per pound for butter.

I feel that correction sets forth the facts in regard to the cost of producing butter, at least as shown by the report of the Tariff Commission.

Mr. WALSH of Montana. Then, Mr. President, we must recur to the information given us at page 1064 of the summary furnished by the Tariff Commission, from which we learn that the average price of butter wholesale in New York in 1921 was 43 cents; in 1922, 41 cents; in 1923, 47 cents; in 1924, 43 cents; in 1925, 45 cents; in 1926, 44 cents; and in 1927, 47 cents; from which it will appear that ever since 1921 American butter has been sold in the New York market at less than the cost of producing it.

However that may be, Mr. President, the prices of Danish and New Zealand butter in London were as follows:

In 1921, Danish, 43.7 cents—a little higher than the New York price; New Zealand, 41.8 cents.

In 1922, Danish, 39.8 cents; New Zealand, 37.3 cents.

In 1923, Danish, 39.1 cents; New Zealand, 37.7 cents.

In 1924, Danish, 41.6 cents; New Zealand, 38.7 cents.

In 1925, Danish, 44.8 cents; New Zealand, 41.3 cents.

In 1926, Danish, 39.1 cents; New Zealand, 36.7 cents.

In 1927, Danish, 31.9 cents; New Zealand, 36.7 cents.

Which confirms the view expressed by the Senator from Wisconsin at the beginning of his discussion of this subject to the effect that the butter duty is not effective to a greater extent than 50 per cent, and probably not nearly that much. But, however that may be, the Senator from Wisconsin made a very commendable argument. When the duty on casein was under consideration some days ago, he opposed the high rate asked by the Senator from California [Mr. SHORTRIDGE], and, as I think, demonstrated that the rate thus asked was higher than the difference in the cost of production of casein in this country and abroad; and at that time he laid down the rule that in fixing the rates in the agricultural schedules we ought to be cautious, as we ought to be, not to go beyond the difference in the cost of production.

If it costs 48 or 49 cents to produce a pound of butter in this country, mounting up to 56 cents a pound when it gets into New York, the cost of transportation being added, I find it difficult to understand how it can possibly be sold in that market, as it appears to have been sold, at the figures I have given—43 cents in 1921, 41 cents in 1922, 47 cents in 1923, 43 cents in 1924, 45 cents in 1925, 44 cents in 1926, and 47 cents in 1927.

Under all ordinary circumstances I should feel disposed to follow the figures given by the Tariff Commission concerning the difference in the cost of production here and abroad; but how can we reconcile these figures? I can not entertain the idea that for eight years butter has been sold in New York on an average throughout the year at less than it cost to produce it. I can not think that the information that it cost 48 or 49 cents a pound to produce this butter can possibly be correct.

Mr. BROOKHART. Mr. President, a little while ago I referred to the Senator from New York [Mr. COPELAND], although I think not by name. I was incorrect in my statement. The Senator did favor the rates, and was not opposed to them. I think he has always stood for the farmers of his State in that way.

Mr. BLEASE. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Kean	Sheppard
Barkley	Gillett	Kendrick	Shortridge
Blaine	Glass	Keyes	Smith
Blease	Glenn	La Follette	Smoot
Borah	Goff	McCulloch	Steck
Bratton	Goldsborough	McKellar	Steiwer
Brock	Greene	McMaster	Stephens
Brookhart	Hale	McNary	Swanson
Broussard	Harris	Metcalf	Thomas, Idaho
Capper	Harrison	Moses	Thomas, Okla.
Caraway	Hastings	Norbeck	Townsend
Connally	Hatfield	Nye	Trammell
Copeland	Hayden	Oddie	Vandenberg
Couzens	Hebert	Patterson	Wagner
Cutting	Heflin	Phipps	Walcott
Deneen	Howell	Ransdell	Walsh, Mont.
Dill	Johnson	Robinson, Ind.	Waterman
Fess	Jones	Sackett	

Mr. SHEPPARD. Mr. President, I desire to announce that the Senator from Utah [Mr. KING] is necessarily detained from the Senate by illness.

The PRESIDENT pro tempore. Seventy-one Senators having answered to their names, a quorum is present.

Mr. GLASS. Mr. President, just before the recess the Senator from Montana made a very impressive appeal to the Senate against an excessive duty on this dairy product, and standing by itself the statement was rather conclusive. But there are other factors entering into the problem which require consideration.

If this particular rate is altered, in equity many other rates in the agricultural schedule should be readjusted, because the commodities enter largely into the economic problem of dairying.

For example, I find that the rate on bran, shorts, and other commodities that are fed to dairy cattle has been increased from 7½ per cent, as in the existing law, to 10 per cent.

Again, the rate on corn has been increased from 15 cents per bushel, as under existing law, to 25 cents. The rate on another article, oats, has been increased, and mixed feeds, which come in free of duty under the existing tariff law, has had a rate of 0.3 of 1 per cent per pound imposed.

Anybody who has any knowledge of dairying at all knows that the major items of cost are the concentrates that are fed to dairy cattle, and if a point is to be made upon the figures furnished by the Tariff Commission, consideration must be given to the fact that those figures of cost are based upon existing tariff rates on these various ingredients that enter into dairy feeds. I think the Senate ought to know that before it votes.

Mr. BLAINE. Mr. President, it is quite inconceivable that the price received for butter as stated by the Senator from Montana should be considerably less than the cost of production in the United States as reported by the Tariff Commission.

I merely want to suggest in this connection that when the Tariff Commission investigates the cost of the production of a commodity such as butter, it takes into account the cost of feed; that is, the market cost of feed, the price that a farmer would pay for feed if he purchased all of the feed used on the dairy farm, the cost of labor as determined by the average cost of those who are employed on the farm, the cost of pasturage at a rental value for the land, and some other items of cost which, of course, create a situation that brings about exactly what the Senator from Montana has described.

In other words, the farmer does not receive the market value for his crops when he feeds his own grown crop to his dairy cattle, nor does he receive the value of his labor when he produces the dairy product, nor does he receive the rental value of his land, his pasturage, if we take into account taxes, interest, upkeep, depreciation, and operation of the land.

That explains why the farmer sells his product at a price less than the cost of production. It would be different if the farmer were receiving the wage to which he was entitled, interest on his investment, the price to which he would be entitled if he sold his crops that he feeds to his cattle, and the many other elements that enter into the industry. The farmer does not receive those things. That is why he does not get the actual cost of producing a pound of butter. He must sacrifice his own labor. His wife and family must contribute their labor. He must sacrifice interest on his investment. He must sacrifice many of these elements of income which to-day are received by industry. That explains briefly what otherwise would seem almost impossible.

The PRESIDING OFFICER (Mr. FESS in the chair). The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment will be stated.

The CHIEF CLERK. On page 126, line 6, the committee proposes to strike out "1¾ cents" and insert "2 $\frac{1}{16}$ cents," so as to read:

Skimmed milk, fresh or sour, and buttermilk, 2 $\frac{1}{16}$ cents per gallon.

The amendment was agreed to.

The next amendment was, on page 126, line 14, before the words "per pound," to strike out "1.4 cents" and insert "1.8 cents"; in line 15, before the words "per pound," to strike out "2¼ cents" and insert "2¾ cents"; and in line 16, before the words "per pound," to strike out "2 cents" and insert "2.53 cents," so as to read:

PAR. 708. (a) Milk, condensed or evaporated: In air-tight containers, unsweetened, 1.8 cents per pound; sweetened, 2¾ cents per pound; all other, 2.53 cents per pound.

The amendment was agreed to.

The next amendment was, on page 126, line 17, before the words "per pound," to strike out "4¾ cents" and insert "6 $\frac{1}{12}$ cents"; in line 18, before the words "per pound," to strike out "10½ cents" and insert "12⅓ cents"; in line 19, after the word "buttermilk," to strike out "2½ cents" and insert "3 cents"; and in the same line, after the word "per," to strike out "pound" and insert "pound" and a semicolon, so as to read:

(b) Dried whole milk, 6 $\frac{1}{12}$ cents per pound; dried cream, 12⅓ cents per pound; dried skimmed milk and dried buttermilk, 3 cents per pound.

The amendment was agreed to.

The next amendment was, on page 126, after line 19, to insert the following proviso:

Provided, That dried skimmed milk containing more than 3 per cent of butterfat and dried buttermilk containing more than 6 per cent of butterfat, shall be dutiable as dried whole milk; and dried whole milk containing more than 35 per cent of butterfat shall be dutiable as dried cream.

The amendment was agreed to.

The next amendment was, on page 127, line 2, before the words "ad valorem," to strike out "30 per cent" and insert "35 per cent," so as to read:

(c) Malted milk, and compounds or mixtures of or substitutes for milk or cream, 35 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 127, line 7, before the words "per pound," to strike out "7 cents" and insert "8 cents," so as to read:

PAR. 710. Cheese and substitutes therefor, 8 cents per pound, but not less than 35 per cent ad valorem.

Mr. BLAINE. Mr. President, I do not know whether it is in order or not, but the ad valorem rate in paragraph 710 is not compatible with 8 cents a pound. I ask unanimous consent that I may offer an amendment striking out "35" and inserting "42½."

The PRESIDING OFFICER. The Senator from Wisconsin asks unanimous consent that permission be given to amend a provision which the Senate committee has not proposed to amend. Is there objection?

Mr. DILL. I object.

The PRESIDING OFFICER. Without objection, the amendment of the committee in paragraph 710 is agreed to. The clerk will state the next amendment.

The next amendment was, on page 127, line 9, before the words "per pound," to strike out "6 cents" and insert "8 cents," so as to read:

PAR. 711. Birds, live: Chickens, ducks, geese, turkeys, and guineas, 8 cents per pound; baby chicks of poultry, 4 cents each; all other live birds not specially provided for, valued at $5 or less each, 50 cents each; valued at more than $5 each, 20 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 127, line 15, before the words "per pound," to strike out "8 cents" and insert "10 cents," so as to make the paragraph read:

PAR. 712. Birds, dead, dressed or undressed, fresh, chilled, or frozen: Chickens, ducks, geese, and guineas, 10 cents per pound; turkeys, 10 cents per pound; all other, 10 cents per pound; all the foregoing, prepared or preserved in any manner and not specially provided for, 10 cents per pound.

The amendment was agreed to.

The next amendment was, on page 128, line 9, after the word "advanced," to insert "(except that the fins may be removed)"; and in line 11, after the word "per," to strike out "pound" and insert "pound, except that from October 1 to May 1, both dates inclusive, the duty shall be one-half of 1 cent per pound," so as to read:

PAR. 717. (a) Fish, fresh or frozen (whether or not packed in ice), whole, or beheaded, or eviscerated, or both, but not further advanced (except that the fins may be removed): Halibut, salmon, mackerel, and swordfish, 2 cents per pound; other fish, not specially provided

for, 1 cent per pound, except that from October 1 to May 1, both dates inclusive, the duty shall be one-half of 1 cent per pound.

Mr. COPELAND. The Senator from Massachusetts [Mr. WALSH] was unaware that we would have a session to-night. After it was determined to do so, and because of his inability to be here to-night, he asked me to submit a request for unanimous consent that the paragraph relating to fish might go over until to-morrow.

Mr. SMOOT. Let it go over.

The PRESIDING OFFICER. Paragraph 717 will be passed over. Will the Senator from Utah indicate the next paragraph which he desires to have considered?

Mr. SMOOT. I ask the Senator from New York if he also wishes to have the amendment in lines 17 and 18 in the paragraph go over?

Mr. COPELAND. Yes; and I would like to have paragraphs 718, 719, and 720 go over.

Mr. SMOOT. In paragraphs 717 and 718 there are no amendments, so the Senator's request should apply only to paragraphs 717 and 719.

Mr. BORAH. Mr. President, I am not going to object to this request, but I am not going to consent that these matters be passed over for the accommodation of those who are not here.

Mr. SMOOT. I quite agree with the Senator from Idaho, but the Senator from Massachusetts [Mr. WALSH] did not know there would be a session to-night. From now on there will be night sessions, and I hope the suggestion of the Senator from Idaho will be carried out strictly.

Mr. GILLETT. Mr. President, the request is that the paragraph go over until to-morrow. Does that mean that it will come up the first thing in the morning, or when will it come up to-morrow?

Mr. SMOOT. I should say that we would recur to it as soon as we meet to-morrow.

Mr. DILL. Mr. President, I am not going to object to this request to-night because our session to-night was unexpected on the part of the Senator from Massachusetts and some others, but hereafter I shall object, because Senators ought to be here and take an interest in the amendments in which they are concerned.

Mr. SMOOT. That is just what I said, and I fully agree with the Senator. But I do not think it would be fair, when the Senator from Massachusetts has asked that these paragraphs go over, that we should insist on considering them to-night. The Senator from Massachusetts made an engagement before he knew that we would have a night session.

Mr. HARRISON. Mr. President, may I say to the Senator from Washington that that is quite true with reference to the Senator from Massachusetts? He made an engagement and tried very hard to get the session to-night postponed on that account. He is vitally interested in this proposition.

Mr. SMOOT. That is the reason why I asked that it should go over.

The PRESIDING OFFICER. How much of the provision does the Senator from Utah ask to go over?

Mr. SMOOT. I suppose the request would take in all of the fish paragraphs.

Mr. COPELAND. I suggest paragraphs 717, 719, and 720. I do not think the Senator from Massachusetts is interested in paragraph 721.

The PRESIDING OFFICER. The paragraphs indicated will go over. The clerk will state the next amendment.

The CHIEF CLERK. On page 132——

Mr. COPELAND. Mr. President, as far as the Senator from Massachusetts is concerned, we may take up the amendment on page 131, lines 8 and 9.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In paragraph 721, page 131, lines 8 and 9, the committee proposes to strike out "35 per cent" and insert "20 per cent," so as to read:

(b) Clams, clam juice, or either in combination with other substances, packed in air-tight containers, 20 per cent ad valorem.

Mr. COPELAND. Mr. President, I do not see the Senators from Florida here.

Mr. DILL. I am very much interested in this particular amendment.

Mr. COPELAND. I am, too.

Mr. DILL. I have no objection to it going over, except that if it is going to be put over, I want to know until what time.

The PRESIDING OFFICER. Without objection, the amendment just stated will be passed over until to-morrow.

Mr. COPELAND. So far as I am concerned, I am ready to take it up at any time.

Mr. SMOOT. I suppose the best way to do is to pass over the fish schedule and turn to page 132, paragraph 726, oats hulled or unhulled.

Mr. COPELAND. I can see no reason for passing over paragraph 721.

Mr. TRAMMELL. Mr. President, what is it that is being passed over on account of the absence of the Senator from Florida?

Mr. COPELAND. May I say that I called attention to the fact that the Florida Senators would be interested in paragraph 721, having to do with clams.

Mr. TRAMMELL. I am here, and, so far as I am concerned, I am ready to go ahead with the schedule. I do not want it passed over on my account.

Mr. SMOOT. Then let us continue with paragraph 721.

Mr. TRAMMELL. I do not know whether my colleague has asked anyone to pass over this paragraph on account of his inability to be here this evening. Of course, if he has, it ought to be passed over. Did he suggest the idea of having it passed over?

Mr. COPELAND. No. The sales company supplying these clam products is a New York concern, but they are prepared in Florida, and I assumed that the Florida Senators would wish to have a proper protection made against the Japanese importation of clams. I am indifferent whether the matter is taken up now or put over. Let the Senator from Florida determine that.

Mr. DILL. I do not see any reason why we should not consider it and act on it. There is no use having it put over and then coming back to it.

The PRESIDING OFFICER. The clerk will state the amendment in paragraph 721.

The CHIEF CLERK. On page 131, lines 8 and 9, the committee proposes to strike out "35 per cent" and insert "20 per cent," so as to read:

(b) Clams, clam juice, or either in combination with other substances, packed in air-tight containers, 20 per cent ad valorem.

Mr. DILL. I ask the Senator from Utah why the committee proposed to cut the rate from 35 to 20 per cent.

Mr. SMOOT. Mr. President, in the act of 1922 clams were on the free list. The House took them from the free list and put on a rate of 35 per cent ad valorem. The Senate committee proposes to reduce that to 20 per cent ad valorem. The duty on clams, clam juice, or either in combination with other substances, packed in air-tight containers, as provided for in paragraph 721 (b) has been returned to 20 per cent ad valorem.

The testimony before the committee was that the clam beds are becoming depleted in the United States. That being the fact, it seemed to the committee that taking the product from the free list and putting on a 20 per cent ad valorem duty would at least give them a fair protection in this country. That is the only reason I know as to why it was done.

Mr. DILL. Did not the clam producers or those who can the clams ask for 35 per cent and say it was necessary for the protection of the industry and the development of the clam beds?

Mr. SMOOT. That amendment was offered by some Senator, I think, and now lies on the table.

Mr. BARKLEY. Mr. President, does the testimony show whether the American clams are being depleted because of the fact that they are on the free list and too many are coming in from Japan, or that they are being exhausted by being overexploited in the United States?

Mr. SMOOT. I do not think it made any difference, but the committee thought as long as the situation is as it is the rate of 20 per cent ought to be granted. Not only that, but the testimony also showed that of late canned clams are coming in from Japan in large quantities.

Mr. BARKLEY. I wonder what tendency that would have toward developing the American clam?

Mr. DILL. It has this tendency. The Japanese clam products are coming in so cheaply that they force down the price of our clams to such a point that the American clam producer can not afford to keep the beds growing.

It is a question whether or not we can compete with the imported clams from Japan. The only way those who produce clams can afford to maintain their beds is to have sufficient protection so that they may obtain a decent price.

Mr. BARKLEY. So the situation has produced sort of a clam apathy.

Mr. DILL. It has produced a very bad condition in the clam industry.

Mr. SMOOT. The committee thought that a 20 per cent rate against clams coming in from Japan would afford the industry sufficient protection.

Mr. COPELAND. Mr. President, I had assumed that this bill was being enacted in the interest of the farmer, but I do not quite see what the connection is between clams and farming operations. I know, however, that the American canners of clams are competing with Japan and China. China has a 35 per cent duty on clams, as I understand, and there is no reason why we should not have exactly the same duty upon clams as is imposed by China.

The Japanese clam industry is subsidized by the Japanese Government and consequently can send into our market canned clams and sell them at a price below that which can be obtained by the American producer.

I have no particular disposition to pursue the matter further. As I have said, the sales company of this concern is in my State, but the chief producers of clams and of clam products are in Florida. In my opinion, the committee amendment should not be agreed to. We should leave the rate at 35 per cent.

Mr. TRAMMELL. Mr. President, this is quite an important industry in Florida, and it is being extended and enlarged. Those engaged in it say that they are unable to make expansion in this enterprise with a reasonable profit unless then can get increased protection. The competition from Japan has become much more acute recently, and they feel that an increased rate of duty will be necessary. I have not all the details or the figures to sustain the contention, but if we will glance over the items in relation to fish and similar products in this schedule I think we will realize that a duty of 30 or 35 per cent is not excessive. I hope the proposal of the committee will be disagreed to.

Mr. SMOOT. Mr. President, I wish to say to the Senator that the importations for 1928 were 1,371,100 pounds.

Mr. TRAMMELL. The importations seem to be growing. They have grown extensively recently, have they not?

Mr. SMOOT. The domestic production for the same year was 7,879,290 pounds.

Mr. TRAMMELL. The competition, however, is threatening to become serious, I think; at least that is the way those engaged in the industry feel about it. We should like very much to have the proposal made by the committee rejected and have the duty remain at 35 per cent; or if it is desired to have the question considered in conference, make it 30 per cent instead of 20 per cent.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee. By the sound, the ayes seem to have it.

Mr. DILL and others asked for a division.

On a division, the amendment was agreed to.

The PRESIDING OFFICER. The next amendment reported by the committee will be stated.

The CHIEF CLERK. On page 131, line 14, after the word "pound," it is proposed to insert "Any of the foregoing roe, if boiled and packed in air-tight containers, whether or not in bouillon or sauce, shall be subject to a duty of 30 per cent ad valorem," so as to make the subparagraph read:

(d) Caviar and other fish roe for food purposes: Sturgeon, 30 per cent ad valorem; other, 20 cents per pound. Any of the foregoing roe, if boiled and packed in air-tight containers, whether or not in bouillon or sauce, shall be subject to a duty of 30 per cent ad valorem.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was in paragraph 726, page 132, line 8, after the word "unhulled," to strike out "15 cents" and insert "16 cents," so as to read:

Oats, hulled or unhulled, 16 cents per bushel of 32 pounds.

Mr. BROOKHART. Mr. President, I move to amend the committee amendment by striking out "16 cents" and inserting "20 cents."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa to the amendment reported by the committee.

Mr. WALSH of Montana. Mr. President, I rise to inquire whether this is a duty that will do any good to the farmer or whether it is one of the kind of duties spoken of as intended to fool the farmer? My State raises a very high grade of oats. The statutory bushel of oats weighs 32 pounds, but, by measure, oats grown in my State will ordinarily run at least from 40 to 42 pounds to the bushel. So I would be naturally disposed to help out here if I could conscientiously do so.

But what is the fact? We raised in this country, according to the figures before us in 1928, 1,449,531,000 bushels; we raise nearly a billion and a half bushels of oats every year. There was imported in 1928 the insignificant quantity of 489,368 bushels, and during the previous year the total importations amounted to 84,913 bushels; while we exported in 1928, 10,421,056 bushels of oats, and the year preceding 10,052,558 bushels.

It is a problem of economics in the case of oats, of which we raise 1,449,000,531 bushels, export 10,421,056, and import only 489,368 bushels; what difference will a duty make in the price of oats?

Mr. BROOKHART. Mr. President, up to date I have not succeeded in getting the Senator from Montana to understand that, based on the tariff rate itself, this rate will afford no protection on account of importations particularly; but if we succeed in holding the debenture in the bill, which I hope to do, my amendment, if adopted, will give 10 cents a bushel protection. However, that is not sufficient; 20 cents on the high-grade oats grown in the Senator's State is not enough. So far as the cost of production is concerned, if I can get the Senator to adopt my theory that the farmer should have what he is entitled to, 20 cents will not cover the difference in the cost of production. So, as the Senate has already acted in favor of the debenture, this higher rate ought to be granted, and even then, on my theory as to the cost of production, it will not afford adequate protection.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Iowa to the amendment.

The CHIEF CLERK. In the committee amendment on page 132, line 8, the Senator from Iowa proposes to strike out "16 cents" and insert "20 cents," so that it will read:

Oats, hulled or unhulled, 20 cents per bushel.

Mr. NORBECK. Mr. President, I am sorry I can not see these matters as does the Senator from Iowa. I think from the standpoint of agriculture we can do nothing more dangerous than to be asking for arbitrary or ineffective rates, and this tariff is not effective. The debenture with me is a serious thing, but a 50 per cent debenture was agreed upon by the Senate when the amendment as to oats was before us and when we knew exactly what it was, and it is a good beginning. If the Senator from Iowa feels that the farmers are not getting enough—and I agree with him fully—the way is to change the rate of the debenture rather than the rate in the tariff bill.

Furthermore, I feel that some of the other rates are almost unjustifiable and some are ineffective because they affect immovable commodities. A tariff on hay or straw does not amount to much; a tariff on potatoes does not amount to much except in certain sections. We have given very liberal tariff rates here upon dairy products, with a great danger that we will have an overproduction, and with the further danger of causing the people to use substitutes to a greater extent than at present. We should recognize the fact that the eating of butter is a habit; that all people do not use it; and that it is well to keep our people eating butter. If it were within our power to put it at a higher price it might not pay us to do it; it might be the worst thing that could happen to the dairy industry.

Mr. BROOKHART. Mr. President, I should like to ask the Senator if he insists that 20 cents a bushel is too much to cover the difference in the cost of production, figuring for the farmer the wage he ought to have and the depreciation he ought to have on his farm and equipment in producing this commodity?

Mr. NORBECK. I quite agree with the Senator that under any cost of production he arrives at it is a fact that the farmer is greatly underpaid. The Senator from Iowa has convinced me that the actual cost of production, according to his way of figuring, would be about $1.75 on wheat; but our farmers out West would be happy if they could get $1.50 for wheat. So it depends on how the cost of production is figured. But I say it is not wise to raise one commodity above another; in that way it is thrown out of balance.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Iowa to the amendment reported by the committee.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment reported by the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The next amendment was, on page 132, line 13, before the words "per pound," to strike out "1¼ cents" and insert "1 cent," so as to read:

PAR. 727. Paddy or rough rice, 1 cent per pound.

Mr. SHORTRIDGE. Mr. President, I rise merely to express the hope that the Senate will not agree to this committee amendment. I think the rate should be as fixed by the House, 1¼ cents. The proposed amendment reduces it to 1 cent.

Mr. WALSH of Montana. Mr. President, a few years ago I made a trip over to the Orient. In Yokohama we unloaded an

enormous amount of rice loaded in San Francisco. Let me ask the Senator from California if his State is still exporting rice to Japan?

Mr. SHORTRIDGE. We have exported some; not a great deal.

Mr. SMOOT. Somebody exports it.

Mr. SHORTRIDGE. It is raised in Arkansas; it is raised extensively in Louisiana; and I am assuming that the Senators representing those two States will agree with what I have just stated, namely, that the rice industry, at the moment confined to those three States, asked the House to grant, and the House did grant, the rate suggested, 1¼ cents.

Mr. McKELLAR. Mr. President, has the Senator from Utah the figures as to importations and exportations?

Mr. SMOOT. Yes.

Mr. McKELLAR. Will he give them?

Mr. SMOOT. The Finance Committee returned to the present law, the act of 1922. The rates of the House bill on rough and milled rice were reduced to the rates of the act of 1922 for the reason that the industry to-day is on an exportable surplus basis, exports being approximately nine times as large as imports. In other words, the export of grain rice is 288,702,000 pounds. Of the broken rice there were 90,257,000 pounds exported.

Mr. BROUSSARD. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Louisiana?

Mr. SMOOT. Yes.

Mr. BROUSSARD. I understand that those figures include as exportations the rice shipped out of this country to Hawaii and Porto Rico and possessions of that kind, where large quantities of rice are shipped.

Mr. SMOOT. The figures I have quoted do not include the exportations to Hawaii and the Philippines, but they do include the exportations to Porto Rico. These are the exportations outside, to Japan, Germany, and so forth.

Mr. COPELAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New York?

Mr. SMOOT. Yes.

Mr. COPELAND. It is true, too, is it not, that the exportations have been increasing? The figures given by the Senator are, for the year 1928, 288,000,000 pounds, while in 1927 they were 239,000,000, and in 1926, 77,000,000. So the exportations have been steadily increasing.

Mr. SMOOT. And the imports have been decreasing, Mr. President.

Mr. COPELAND. Yes.

Mr. SMOOT. Yes; that is true, as I was saying.

Mr. HARRISON. Mr. President, that statement is not quite correct.

Mr. SMOOT. I have the figures.

Mr. HARRISON. In 1926 there were imported 101,000,000 pounds and there were exported only 77,000,000 pounds. Since 1926 there has been some shift. The importation dropped down to 36,000,000 pounds and the exportation increased to 239,000,000 pounds. So we might say that in the last two years there has been a decrease in the importations and some increase in exportations; but in 1926—and that is true also of 1925—the importations of rice were larger than the exportations.

As a matter of fact, on many of these cereals where there is a certain importation, where the exportations are very large and the importations are very small, the rate is going to be ineffective unless the debenture plan applies. Rice is one product, if it should be returned to the conditions of two years ago, where the tariff would be effective. As it is now, I think it is ineffective.

Mr. SMOOT. Mr. President, the statement I made was based upon the importations as found in the Summary of Tariff Information.

In 1926 the importations of clean rice were 79,572,713 pounds.

In 1927 they were only 26,203,874 pounds.

In 1928 they were 20,121,361 pounds.

So they have been decreasing, as I stated.

I simply give the figures as they are. Whatever the Senate wishes to do will be acceptable to me.

Mr. HARRISON. Mr. President, as the Senator will admit, this is really one of the few items where the Senate committee decreased the House rates.

Mr. BROUSSARD. Mr. President, I wish to make a statement with reference to the importations and exportations.

If the chairman of the committee will look at the report of the Tariff Commission on page 1194, he will find that we produce less rice in this country than is consumed here. I want to make this explanation, which applies to this particular grain:

The American consumer is very much harder to please than the average consumer in South America or Central America or in Asia. We find that when this rice is harvested, if the season is unfavorable, the product will be what is called broken rice. It is cracked by the effect of the sun on the shock. After the rice has been shocked, if rain and a hot sun come, this grain will separate and break up when it is in the milk.

Formerly our market for that rice was the brewers. We sold that rice to the brewers. That market has been destroyed. Nobody in this country will buy that sort of rice. The poorest laborers among the people who consume rice want the whole grain. They will turn down the broken rice. We have to export that rice in order to find a market for it. That accounts for the large exportations; but we produce only 94 per cent of the rice that is consumed in this country.

We import quite a large quantity of rice from Mexico in the rough. It is milled here. We also import some from the Netherlands. There has been a ruling of the Department of Agriculture excluding the Asiatic rices except when milled. We get a large quantity of that rice. Much of the rice that is brought in here in the rough is brought here for milling purposes, and is shipped outside afterward.

This is the situation; and you will find that in the case of the large portion of the rice that is grown in continental United States—and I am familiar with it, because Louisiana produces nearly 50 per cent of the rice grown in this country—we have to find a market for it. It is a drug on the market. There is no market for this broken rice, or even the cracked rice; and we have to put it in bond, and store it, and organize financial concerns to hold it until we can find a market for it elsewhere. So that it is not a test as to what rice duties are needed here. We certainly need protection against rice coming from Mexico in the rough, or rice coming from Asia milled.

The House has granted us a rate of 2½ cents a pound on milled rice. The Senate committee reduced that to 2 cents. I wish to say to the chairman that I know of very few instances where the Senate committee reduced any rates on agricultural products; and I think the committee should not be sustained.

Mr. SMOOT. Mr. President, I call the Senator's attention to the fact that the House provided a duty of five-eighths of 1 cent per pound for broken rice which will pass readily through a metal sieve perforated with round holes five and one-half sixty-fourths of 1 inch in diameter, and rice meal, flour, polish, and bran. That is new. This sieved-rice provision is new.

Mr. BROUSSARD. I know that.

Mr. SMOOT. What the Senator said in relation to broken rice before this provision was put into the bill was no doubt true.

Mr. BROUSSARD. But, if the Senator will permit me——

Mr. SMOOT. Yes; I yield.

Mr. BROUSSARD. These duties are arranged just as they are in the case, say, of the sugar rates. They begin at 76 and 72 degrees and go up; and so it is that you have to provide a duty here on milled rice, and then brown rice, and then broken rice, and then graduate that upon the seven sizes which you specify there; but, as a matter of fact, we are not importing these rices. We are exporting them; but we have to fix the duty in case some is presented to this country for importation.

The rice we send out, outside of a market we have in England and one or two smaller countries of Europe for the highest class of rice—some of it goes to England, but that is only a small quantity—the rest of the rice that goes to Cuba, that goes to Central America, that goes from California, or even from Arkansas and Louisiana back to Asia, is the broken rice. It is the inferior grade of rice. What we need is protection for the product that is really consumed here.

Mr. COPELAND. Mr. President, I trust that this higher rate will not be placed on rice. I assume that the rate fixed by the committee is the present law, the law of 1922. Am I right in that?

Mr. SMOOT. Yes. The rates, as I stated, are the rates of the act of 1922.

Mr. COPELAND. That is, the amendments proposed by the committee, if adopted, would leave rice where it is at present?

Mr. SMOOT. Yes.

Mr. COPELAND. Certainly the Senators from the rice-producing States can not complain of that, because the exports of rice are 11 per cent of the domestic production of rice grain, and they are increasing all the time. California is sending enormous quantities to the Orient.

I hope Senators, in preparing this bill, will not forget that there is a great consuming public. To impose a burden upon rice, to make the price any higher, would not drive our people to the consumption of some other cheaper grain. They would simply be obliged to spend larger amounts for this familiar

product; and I appeal to Senators to adopt the amendment of the committee, and leave rice on the present basis as regards tariff.

Mr. CONNALLY. Mr. President, this is an agricultural rate. We have now arrived at the very point where this session is supposed to do something for the farmer.

Senators say that the rate on rice is not effective. If it is not effective, it will not hurt anybody. If it is effective, it will help the rice farmer; and the rate is only a quarter of a cent more than the present duty.

I hope the Senate will reject the Senate committee amendment.

Mr. SMOOT. Mr. President, I will admit that the rate provided by the House is partially effective. It is not altogether effective, but it is partially effective. It is for the Senate to say what the rate shall be.

Mr. CONNALLY. If it is partially effective, what is the objection of the Senator from Utah to the adoption of the House rate?

Mr. SMOOT. I want the Senate to say what it shall be.

Mr. CONNALLY. Most of the rates that we are carrying on agricultural products are absolutely ineffective. A moment ago we raised the tariff on oats from 15 cents to 16 cents, and everybody knows that that is an ineffective rate. It is a gesture, of course, to the farmer. The exportations are many, many times the importations.

I want just a moment to compare the prices of oats in Winnipeg and in Chicago for 1928—the same grade of oats.

In Chicago, 55.2 cents; in Winnipeg, 58 cents.

In Chicago, 56 cents; in Winnipeg, 60 cents.

In Chicago, 62 cents; in Winnipeg, 67 cents.

We have just adopted a 16-cent rate on oats, and the statistics show that oats sell for more in Winnipeg than they sell for in Chicago with a 15-cent tariff duty on them.

Now, we reach a quarter of a cent raise on rice, which the chairman of the committee says can be effective in some degree, and Senators hesitate about voting that increase, when it is known that it will be effective and will do some good for the rice industry.

I hope the amendment will be disagreed to.

Mr. RANSDELL. Mr. President, I will take but a moment of the time of the Senate.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. RANSDELL. I yield.

Mr. SMOOT. I want to say to the Senate frankly that the increase, as I have already said, would be partially effective. If the Senate wants to disagree to the amendment, I have no objection; let them do it. The whole case has been presented.

SEVERAL SENATORS. Vote!

Mr. RANSDELL. Mr. President, I just ask time enough to request that there be inserted in the RECORD, without reading, a very able presentation of this whole case prepared at my request by the Tariff Commission, and to express the hope that the House rates will prevail. They are of great importance to a big industry in my State, and I hope the rates fixed by the House will be agreed to.

The PRESIDING OFFICER. Without objection, the matter presented by the Senator from Louisiana will be printed in the RECORD.

The matter referred to is as follows:

MEMORANDUM ON RICE PREPARED FOR SENATOR RANSDELL BY THE UNITED STATES TARIFF COMMISSION

The United States depends on the South for the production of three important farm products—cotton, rice, and peanuts. The production of rice in the South may be traced to the growing of this cereal in South Carolina in 1694. Attempts had been previously made to grow rice in Virginia, but success had not been attained because of climatic conditions. The introduction of rice in South Carolina was of material aid in the successful establishment of the colony. The production soon became sufficiently large to satisfy the needs of the colony for cereals. The industry rapidly spread to neighboring colonies, particularly Georgia and North Carolina, and by 1707, South Carolina was actually exporting rice. During the colonial period of our history our population was too small to consume the crop so that as early as 1712 more than 3,000,000 pounds of cleaned rice were shipped abroad. Production and export trade continued to increase in the years up to the Revolution. In 1770 exports reached a total of 76,000,000 pounds of cleaned rice, and at that time South Carolina dominated the southern production. There was a decline in the growing of rice during the Revolutionary War, but after the formation of the United States, this farm enterprise was revived and in 1859 the domestic crop was estimated at more than 187,000,000 pounds, South Carolina, Georgia, and North Carolina producing about 90 per cent of the total crop. South Carolina alone produced 60 per cent.

The rice-growing industry in the South Atlantic States was seriously checked by the Civil War. On account of the destruction of property and the scarcity of money and labor, only a small part of the farm lands could be cultivated. Thus, the growing of rice in South Carolina, Georgia, and North Carolina became less profitable each year because of the lack of sufficient funds properly to finance the new farm management which had become necessary by the change in labor conditions. The growing of rice had been conducted on a minor scale in the Gulf States, particularly Louisiana, before the Civil War. After the Civil War, production in Louisiana increased rapidly, partly because less labor was required for the growing of rice than for sugar cane. In the uncertain days which followed the close of the Civil War, farmers in Louisiana turned to rice because the crop was fairly certain and some income could be realized quickly without expending a great amount of money. By 1875 Louisiana was supplying fully 30 per cent of the total rice production of the United States. During the same period there was a recovery of the growing of rice in South Carolina as well.

In the early eighties the possibility of raising rice on the prairie lands of southwestern Louisiana became known. The extension of a railroad through this section of the State opened to settlement an important area of level prairie lands abundantly supplied with fresh water, and well suited to rice culture. Settlers in this territory soon introduced mechanical methods similar to those employed in the handling of wheat. By 1889 Louisiana became the leading rice-growing State in the country, producing about 60 per cent of the total. Production in South Carolina now began to decline. The successful outcome of the venture in Louisiana led to an increasing development of lands for rice culture in southeastern Texas and eastern Arkansas.

A great impetus was given to the growing of rice in these three States by the boll-weevil invasion. Beginning in 1903, Louisiana and Texas, and a few years later, Arkansas, were invaded by the boll weevil. Many of the cotton planters in these States, finding their crops practically destroyed or fearing that damages wrought in near-by communities would also be their portion, turned to the growing of rice as a temporary expedient while trying to find some means of combating the boll weevil. Most of these growers found the production of rice so much more profitable than cotton that they have abandoned the cotton growing almost entirely and have remained in the field of rice production. As a result, by 1909 the production of rice in Louisiana and Texas had increased tremendously. Of the total domestic crop, which amounted to 606,600,000 pounds in that year, Louisiana produced about 50 per cent and Texas about 40 per cent. Arkansas ranked third.

The expansion in rice culture which had taken place in the Gulf States led the United States Department of Agriculture to investigate the possibilities of growing rice in other parts of the country. In 1909 experiments were conducted in California. As a result plantings were undertaken in the Sacramento Valley and in the San Joaquin Valley. The introduction of rice in California gave a great impetus to the industry and the acreage in California by 1914 increased to 15,000.

The center of rice production, however, has remained in Louisiana and Texas, although Arkansas has increased both acreage and production.

Table I shows the acreage and production and the farm value of the production of rough rice in the United States.

TABLE I.—*Rice, rough: Acreage, production, value, United States, 1909–1928*

Year	Acreage	Production	Price per bushel received by producers Dec. 1	Farm value Dec. 1
	1,000 acres	*1,000 bushels*	*Cents*	*1,000 dollars*
1909	610	21,839		
1909	610	20,607	79.5	16,392
1910	723	24,510	67.8	16,624
1911	696	22,934	79.7	18,274
1912	723	25,054	93.5	23,423
1913	827	25,744	85.8	22,090
1914	694	23,649	92.4	21,849
1915	803	28,947	90.6	26,212
1916	869	40,861	88.9	36,311
1917	981	34,739	189.6	65,879
1918	1,119	38,606	191.8	74,042
1919	911	35,331		
1919	1,063	41,985	266.6	111,913
1920	1,336	52,066	119.1	62,036
1921	921	37,612	95.2	35,802
1922	1,055	41,405	93.1	38,562
1923	895	33,717	110.2	37,150
1924	744	29,526		
1924	850	32,498	138.5	45,009
1925	889	33,309	153.8	51,232
1926	1,034	41,730	109.6	45,722
1927	1,012	44,774	92.9	41,616
1928	965	41,881	88.5	37,077

Source: U. S. Department of Agriculture.

The growing of rice is important not only to a great many farmers, but also to an industry which has been established for the cleaning and polishing of the rough rice as received from the farm. It is difficult to estimate the number of persons on our farms who are directly interested in the production of rice. Most of the rice produced in the United States involves the employment of controlled water supply, which means that in addition to the farmers actively engaged there are also a great many other persons conducting irrigation operations, who depend in part at least for the success of their work on rice culture.

Table II shows the number of farms on which rice was grown during the census years of 1909, 1919, and 1924.

TABLE II.—*Rough rice: Number of farms growing*

	1924	1919	1909
Farms reporting:			
South Carolina	2,772	3,685	3,017
Georgia	1,129	3,064	1,740
Florida	487	1,893	609
Alabama	135	778	238
Mississippi	30	1,217	358
Arkansas	1,226	1,201	290
Louisiana	4,715	6,989	6,138
Texas	675	868	1,155
California	294	490	----------
All other	13	125	163
Total, United States	11,476	20,310	13,708
Total acreage	744,033	911,272	610,175
Production, bushels	29,525,543	35,330,912	21,838,580

Source: U. S. Census.

Table III shows the number of establishments, the wage earners, the wages, and the value of products produced by factories engaged in the cleaning and polishing of rice. There is not included in this table the number of persons employed in this business for the management, selling, or the general conducting of the operations. The figure represented by the wage earners does not include salaried employees. Nor does the data submitted include the great many people who are engaged in the distribution of rice in the United States as well as in the trade with Porto Rico, the Hawaiian Islands, and foreign countries.

TABLE III.—*Rice cleaning and polishing*

	1927	1925
Number of establishments	60	63
Wage earners	1,524	1,296
Wages	$1,546,315	$1,098,124
Cost of material	$46,480,679	$45,847,273
Value of products	$54,129,646	$53,497,857

1927	
Location of mills:	
Louisiana	26
Texas	14
California	11
Arkansas	7
Georgia	1
Tennessee	1
Total	60

Source: U. S. Census.

The importance of the food-manufacturing industry which uses the farmers' rough rice as a raw material is shown by examining the production of rice and rice products by this industry. The United States Bureau of the Census reports the various rice products manufactured by this rice-cleaning industry, giving not only the quantity in pounds but also the value.

Table IV shows the products by kind and value for the United States for the years 1923 to 1927, inclusive.

TABLE IV.—*Production of rice and rice products, by kind, quantity, and value, for the United States, 1927, 1925, and 1923*

	1927	1925	1923
Products, total value	$54,129,646	$53,497,857	$47,068,246
Clean rice:			
Pounds	1,246,642,941	947,787,290	1,171,633,833
Value	$51,827,572	$51,112,850	$44,798,516
Fancy head:[1]			
Pounds	1,005,153,283	732,632,610	913,153,380
Value	$45,823,634	$44,172,121	$39,159,924
Second head:			
Pounds	57,032,205	49,771,613	49,986,842
Value	$1,607,611	$2,008,824	$1,451,191

[1] Includes brown rice, milled.

TABLE IV.—*Production of rice and rice products, by kind, quantity, and value, for the United States, 1927, 1925, and 1923*—Continued

	1927	1925	1923
Screenings:			
Pounds	140,512,463	121,888,074	155,777,486
Value	$3,578,522	$3,997,957	$3,367,659
Brewers:			
Pounds	43,944,990	43,494,993	52,716,125
Value	$817,905	$933,948	$819,742
Polish:			
Pounds	34,625,646	32,735,250	39,939,217
Value	$451,956	$501,728	$535,048
Bran:			
Pounds	140,037,375	114,926,144	146,303,053
Value	$1,151,827	$1,321,057	$1,278,990
All other products, value	$698,291	$562,222	$455,692

Source: Census of Manufactures.

The census data for 1927 for products of the rice-milling industry have not been published to show the importance of the various States. The data given for other years, however, is significant for the industry and indicates the important position of Louisiana in the cleaning and polishing of rice.

Table V shows the value of the production of cleaned rice and rice products for the United States and for important producing States for the census years 1919, 1921, 1923, and 1925.

TABLE V.—*Rice and rice products, value of production by States, 1919, 1921, 1923, and 1925*

Products and census year	United States	California	Louisiana	Texas	All other States
Total value:					
1925	$53,497,857	$8,592,328	$23,554,906	$10,901,357	$10,449,266
1923	47,068,246	8,468,587	19,244,013	10,625,497	8,730,149
1921	41,213,472	5,919,651	22,087,502	7,998,665	5,207,654
1919	90,038,412	20,264,263	41,220,471	17,900,547	10,653,131

Three types of rice are produced in the United States—long-grained rice, produced in Louisiana, Texas, and Arkansas; medium-grained rice, produced in the same States; and short-grained rice, produced in California. Long-grained rices have slender kernels and are about three times as long as they are thick. The Honduras and Fortuna varieties grown in the Southern States are representative of this class. The medium-grained rices, of which the principal example is Blue Rose, have relatively thick kernels and are about two and one-third times as long as they are thick. Most of the rice grown in Indo-China, Siam, and Burma fall into these classes. These countries are the principal surplus producers of rice in the Far East. They now furnish the major part of the rice that competes in European and Latin-American markets as well as in our domestic market with rice produced in the Southern States. Patna rice from India is typical of a high-grade, long-grained rice. It is harder and more cylindrical than the others in this group, although it is claimed that Fortuna rice now being produced in our Southern States is of as good quality.

Short-grained rices are less than twice as long as they are thick. In the United States this class of rice is represented by the Wataribune, Colusa, and Caloro varieties, grown mainly in California. These short-grained rices are of Japanese origin and are known in the trade as "Japan rice." Since Japan is a deficit rice-producing country and must depend on its supply not only on its own production but also on that of her principal possessions, Chosen and Taiwan, the California rice producers are particularly interested in the production of rice in Japan and its colonies, and to a much lesser extent in the production in Indo-China, Burma, and Siam.

In years when the rice crop is short in Japan and its colonies, California exports considerable quantities to Japan.

The United States imports of rice are reported in the following groups: Paddy, or rice having the outer hull on; uncleaned rice, or rice free of the outer hull; cleaned rice; rice flour, meal, polish, bran, and broken rice; patna rice.

Imports of paddy rice come from Mexico only. Since, under quarantine No. 55 of the United States Department of Agriculture, importations of paddy rice from all countries except Mexico are forbidden. The imports of rice free from the outer hulls and cleaned rice come mainly from the principal oriental rice-producing countries, Indo-China, Burma, and Siam, via Hong Kong. There are, of course, some direct shipments, but they are not of any great importance. Rice flour, meal, polish, bran, and broken rice come principally to the United States from Mexico and Japan.

Table VI shows the imports for consumption by calendar years from 1919 to 1928, inclusive, of the various groups and types of rice imports which are subject to duty.

TABLE VI.—*Rice, not including patna; paddy, or rough; uncleaned, or brown; cleaned; and rice flour, meal, polish, bran, and broken rice; annual imports, 1919–1928*

Calendar year	Imports for consumption		
	Quantity	Value	
		Total	Per pound
	Pounds	*Dollars*	*Cents*
Paddy, or rough rice:			
1919	155,610	11,979	7.7
1920	143,295	12,681	8.8
1921 (Jan. 1–May 27)	8,250	323	3.9
1921 (May 28–Dec. 31)	48,365	3,178	6.6
Total, 1921	56,615	3,501	6.2
1922 (Jan. 1–Sept. 21)	540,753	12,064	2.2
1922 (Sept. 22–Dec. 31)	545,041	11,726	2.2
Total, 1922	1,085,794	23,790	2.2
1923	6,673,629	139,166	2.1
1924	2,611,339	130,185	5.0
1925	423,666	17,026	4.0
1926	11,633,358	404,930	3.5
1927	7,716,424	174,584	2.3
1928	3,423,646	169,368	4.9
Uncleaned or brown rice:			
1919	29,956,225	2,189,888	7.6
1920	28,555,537	2,400,299	8.4
1921 (Jan. 1–May 27)	14,618,964	731,481	5.0
1921 (May 28–Dec. 31)	5,220,632	321,187	6.2
Total, 1921	19,839,596	1,052,668	5.3
1922 (Jan. 1–Sept. 21)	1,447,482	97,360	6.7
1922 (Sept. 22–Dec. 31)	1,994,474	113,030	5.7
Total, 1922	3,441,956	210,390	6.1
1923	2,810,613	146,357	5.2
1924	1,987,077	113,943	5.7
1925	21,167,921	1,182,032	5.6
1926	10,579,782	521,063	4.9
1927	2,964,331	165,575	5.6
1928	2,205,862	116,754	5.3
Cleaned rice:			
1919	28,443,098	1,933,129	6.8
1920	21,540,543	2,240,103	10.4
1921 (Jan. 1–May 27)	15,357,753	734,912	4.8
1921 (May 28–Dec. 31)	1,720,306	69,373	4.0
Total, 1921	17,078,059	804,285	4.7
1922	14,345,270	635,991	4.4
1923	16,860,134	701,096	4.2
1924	18,635,850	823,543	4.4
1925	30,915,134	1,405,151	4.5
1926	79,572,713	3,761,187	4.7
1927	26,203,874	1,176,784	4.5
1928	20,121,361	870,655	4.3
Rice flour, meal, and broken rice:			
1919	1,026,344	83,517	8.1
1920	1,535,335	107,981	7.0
1921	787,215	53,549	6.8
1922 (Jan. 1–Sept. 21)	463,943	36,237	7.8
Rice flour, meal, polish, bran, and broken rice:			
1922 (Sept. 22–Dec. 31)	308,588	20,778	6.7
1923	766,078	51,360	6.7
1924	3,342,325	121,044	3.6
1925	2,469,215	126,967	5.1
1926	7,540,662	242,021	3.2
1927	2,074,222	56,167	2.7
1928	1,496,470	55,413	3.7

Table VII shows the imports of patna rice for calendar years 1922 to 1928.

TABLE VII.—*Patna rice—imports for consumption, 1921–1928*

Calendar year	Imports for consumption		
	Quantity	Value	
		Total	Per pound
	Pounds	*Dollars*	*Cents*
1922	579,062	33,086	5.7
1923	1,578,059	87,760	5.6
1924	1,353,953	74,079	5.5
1925	1,965,682	138,629	7.1
1926	2,204,091	147,167	6.7
1927	1,657,210	108,404	6.5
1928	2,202,866	135,442	6.1

Patna rice which is intended for use in the manufacture of canned soups is on the free list. This rice which is produced principally in the Province of Bengal, India, is imported to this country by way of the Netherlands.

The United States has been exporting considerable quantities of cleaned rice in recent years. Exports are widely distributed, our principal customers being the United Kingdom, Germany, Japan, Cuba, Canada, France, the Netherlands, and South American countries. In 1928, of the total exports of cleaned rice, which amounted to 288,702,000 pounds, 42,621,000 pounds, or 14.8 per cent, went to the United Kingdom; 42,467,000 pounds, or 14.7 per cent, went to Germany; 4,411,000 pounds, or 1.5 per cent, went to Japan; 25,369,000 pounds, or 8.8 per cent, went to Cuba; 17,163,000 pounds, or 5.9 per cent, went to Canada; 18,443,000 pounds, or 6.4 per cent, went to France; 27,438,000 pounds, or 9.5 per cent, went to the Netherlands. The remainder was shipped primarily to Argentina, Chile, and Greece.

In addition to the exports of cleaned rice the United States also exports rice flour, meal, and broken rice. In 1928, of the total exports of 90,257,000 pounds, 48,635,000 pounds, or 53.9 per cent, went to Japan; 7,948,000 pounds, or 8.8 per cent, went to Belgium; 12,732,000 pounds, or 14.1 per cent, went to Germany; 8,366,000 pounds, or 9.3 per cent, went to the Netherlands. The remainder was scattered among many countries, the United Kingdom being the most important in this group.

Table VIII shows the domestic exports of rice for recent years.

TABLE VIII.—*United States exports of cleaned rice, rice flour, meal, and broken rice, 1919–1928*

Year	Grain			Flour, meal, and broken rice	
	Quantity	Value		Quantity	Value
		Total	Per pound		
	Pounds			*Pounds*	
1919	376,876,000	$34,776,000	$0.092	(1)	(1)
1920	392,613,000	37,469,000	.094	(1)	(1)
1921	600,059,000	20,727,000	.034	(1)	(1)
1922	358,827,000	14,379,000	.040	52,716,000	$1,147,000
1923	292,852,000	11,574,000	.040	55,987,000	1,300,000
1924	122,543,000	6,022,000	.049	31,967,000	948,000
1925	39,907,000	2,375,000	.060	26,792,000	909,000
1926	77,081,000	3,536,000	.046	40,410,000	1,348,000
1927	239,596,000	9,742,000	.041	70,403,000	2,058,000
1928	288,702,000	10,878,000	.038	90,257,000	2,357,000

[1] Exports of cleaned rice and the group comprising rice flour, meal, and broken rice not separately recorded.

In addition to our domestic exports to foreign countries there is an important trade in rice with the Hawaiian Islands and Porto Rico. In considering data as to the quantities of rice shipped from the United States to the Hawaiian Islands and Porto Rico, it should be remembered that these shipments are in the same class as shipments made from rice-producing sections to other points in the continental United States. In other words, the Hawaiian Islands and Porto Rico are to all intents and purposes portions of the United States territory, and imports of rice are subject to the duties of the act of 1922. These two markets are of great importance to the rice producers in the United States, particularly since the shipments represented an important part of the domestic production as per capita consumption in the islands is higher than in the continental United States.

Table IX shows the shipments of rice from the United States to the Hawaiian Islands and Porto Rico.

TABLE IX.—*Shipments of rice from the United States to the Hawaiian Islands and Porto Rico for 1926, 1927, 1928, and the first six months of 1929*

Year	Hawaii		Porto Rico	
	Pounds	Value	Pounds	Value
1926	65,607,388	$4,233,497	181,660,212	$9,595,524
1927	68,285,112	3,566,525	194,380,898	8,513,497
1928	72,902,550	2,952,896	196,499,000	7,383,815
First 6 months of 1929	41,608,537	1,543,613	97,483,273	3,624,380

The prices of cleaned rice have declined sharply in recent years. The decline has been greater relatively than the decline in price of the important oriental rices in international trade. The most important domestic cleaned rice is that known as Blue Rose. Table X shows the wholesale price per hundred pounds at New Orleans of Blue Rose clean rice for the years 1914 to 1928.

TABLE X.—*Rice, Blue Rose, clean: Average wholesale price per 100 pounds, New Orleans, 1914–1928*
(Dollars)

Year beginning August	August	September	October	November	December	January	February	March	April	May	June	July	Average
Average:													
1914–1920			5.20	5.04	4.85	4.95	5.03	5.27	5.54	5.72	6.01	6.34	5.40
1921–1925	4.71	4.75	4.62	4.80	4.80	4.88	4.98	5.01	5.03	5.03	5.39	5.47	4.95
1914			3.62	3.06	3.16	3.56	3.75	3.50	4.10	4.06	3.47	3.88	3.62
1915	3.88	3.38	3.06	2.87	2.97	2.75	3.06	3.38	3.56	3.68	3.81	3.40	3.32
1916	3.40	3.31	3.00	3.31	3.16	3.18	3.31	3.87	4.94	6.18	6.13	6.25	4.17
1917	4.75	6.81	6.32	6.56	5.94	6.41	6.64	7.56	8.19	8.94	8.90	8.94	7.15
1918	7.88	6.75	6.56	6.44	6.06	5.94	5.94	5.82	5.63	5.25	8.00	10.82	6.76
1919		9.00	8.44	8.44	9.25	9.81	10.19	10.38	10.12	9.50	9.19	8.00	9.30
1920	7.25	6.25	5.38	4.62	3.44	3.00	2.50	2.38	2.25	2.40	2.56	3.06	3.76
1921	3.19	3.50	3.78	3.69	3.12	3.10	3.18	3.44	3.56	3.60	4.31	4.38	3.57
1922	4.10	4.25	3.62	3.82	4.00	4.06	3.94	3.91	4.00	3.56	3.75	3.94	3.91
1923	3.78	4.00	4.88	4.66	4.38	4.62	4.69	5.06	5.06	5.88	6.12	6.19	4.94
1924	5.88	5.69	5.12	5.50	6.10	6.30	6.50	6.38	6.34	6.50	6.81	6.88	6.17
1925	6.62	6.31	5.69	6.34	6.41	6.31	6.59	6.25	6.19	5.60	5.94	5.94	6.18
1926	4.94	5.62	4.81	4.44	4.38	4.50	4.19	4.34	4.06	4.12	4.52	4.22	4.51
1927	4.12	4.12	3.84	3.62	3.69	3.82	3.72	3.67	3.75	4.15	4.00	4.00	3.88
1928	4.00		3.87	3.92	3.82								

Bureau of Agricultural Economics. Compiled from annual reports of the New Orleans Board of Trade.
Prices for 1928 are from the New Orleans Times-Picayune and are subject to revision.

An important consideration in evaluating the tariff problem in the case of rice is to examine the price levels of our exports of rice in principal foreign markets and to contrast such prices with the prices of the leading oriental rices not only in the producing countries but also in the same international market. Such a comparison is made in table which follows. It will be noted that the price of American fancy Blue Rose rice in London follows very closely the price of Blue Rose rice at New Orleans. However, the significant feature of this price table is that during the crop years 1925–26 to 1927–28 the leading oriental rices have not changed to an important degree in price, but there has been an important decline in the price of Blue Rose rice. This would tend to indicate that for some particular reason American Blue Rose rice sells on a different basis than rices produced in exporting oriental countries. For the three years covered, India, Burma, Indo-China, and Siam rice have remained practically unchanged in price, not only in the producing country but also in London. This is in decided contrast to the downward course of prices of our American rise. Table XI shows the prices in cents per pound of milled rice in producing countries and in London for the crop years 1925–26, 1926–27, and 1927–28.

TABLE XI.—*Prices of milled rice, at important world markets, by months, for crop years 1925–26, 1926–27, and 1927–28*
(Cents per pounds)

Year and month	Prices in producing countries				Prices in London, c. i. f. basis			
	India, Burma, No. 2 at Rangoon	Indo-China No. 1 round white at Saigon	United States: Blue Rose head at New Orleans	United States: Honduras head at New Orleans	India, Burma No. 2	Indo-China No. 1 round	Siam garden No. 1	American fancy Blue Rose
1925–26:								
July	2.60	2.21	7.0	7.3	3.30	3.19	3.74	8.01
August	2.72	2.34	6.7	6.8	3.43	2.88	3.75	7.26
September	2.67	2.21	6.6	6.9	3.34	3.26	3.74	7.41
October	2.64	2.31	6.4	6.9	3.33	3.29	3.78	7.36
November	2.67	2.40	6.6	7.4	3.36	3.30	3.79	7.71
December	2.60	2.43	6.7	7.7	3.35	3.50	3.83	
January	2.53	2.25	7.0	8.1	3.26	3.19	3.66	
February	2.47	2.21	6.9	8.0	3.25	3.12	3.62	
March	2.74	2.29	6.9	6.9	3.36	3.15	3.70	
April	2.78	2.38	6.5	7.6	3.32	3.32	3.69	
May	2.80	2.37	6.6	7.3	3.29	3.25	3.69	
June	2.86	2.42	6.3	7.3	3.46	3.34	3.88	
1926–27:								
July	2.88	2.45	6.3	7.3	3.47	3.37	3.84	6.24
August	2.89	2.54	6.7	7.4	3.47	3.38	3.82	6.84
September	2.86	2.53	6.4	7.3	3.40	3.39	3.80	6.73
October	2.84	2.78	5.1	6.7	3.45	3.43	3.69	6.56
November	2.67	2.78	4.8	6.8	3.18	3.09	3.44	6.33
December	2.54	2.63	4.4	6.4	3.09	3.00	3.36	5.97
January	2.29	2.38	4.2	6.3	3.00	3.02	3.36	6.02
February	2.42		4.3	6.3	3.09	3.17	3.46	6.03
March	2.53	2.47	4.3	6.3	3.20	3.22	3.64	5.92
April	2.51	2.51	4.3	6.3	3.19	3.17	3.62	5.88
May	2.66	2.64	4.3	6.3	3.30	3.21	3.62	5.70
June	2.65	2.67	4.4	6.3	3.31	3.25	3.63	5.76
1927–28:								
July	2.57	2.59	4.1	6.1	3.24	3.18	3.52	5.76
August	2.56	2.54	4.1	6.2	3.19	3.14	3.45	5.63
September	2.53	2.43	4.1	5.4	3.15	2.97	3.41	5.32
October	2.43	2.27	3.9	5.1	3.05	2.78	3.35	4.97
November	2.52	1.97	3.8	5.1	3.11	2.74	3.37	4.67
December	2.51	2.17	3.7	5.1	3.12	2.84	3.37	4.75
January	2.35	2.10	3.8	5.1	3.10	2.77	3.37	4.73
February	2.44	2.38	3.7	5.1	3.15	2.99	3.48	4.62
March	2.39	2.24	3.6	4.9	3.07	2.89	3.38	4.36
April	2.24	2.20	3.7	4.9	2.94	2.83	3.32	4.52

In the foregoing discussion there has been presented, briefly, a picture of the domestic rice-producing industry which shows the importance of the farm enterprise and the related rice-cleaning industry; the statistics of our import and our export trade as well as our trade with the Hawaiian Islands and Porto Rico have been given in some detail; prices in world markets and in our domestic market have also been shown. It remains to discuss the international trade in rice and the significance of the fact that the United States both imports and exports considerable quantities of rice. It is fairly obvious that the underlying facts which permit both import and export trade for the United States are the basis for the determination and the limitation of the tariff problem involved in this commodity.

The world production of rice, excluding the production in China, is estimated at 125,000,000,000 pounds. The international export trade is estimated to be about 15,000,000,000 pounds. The United States export of domestic rice to foreign countries in recent years has been somewhere between 200,000,000 and 300,000,000 pounds annually, or approximately 2 per cent of the international trade.

The first question which arises is, How can the United States producer who admittedly, because of higher land values and higher wage costs, has a greater cost of production for rice than in any oriental country, export rice to compete in international markets with rice produced in oriental countries where labor and land represent only a fraction of the cost in the United States?

We have already recited the fact that the United States export trade is only about 2 per cent of the total international export trade and we have shown in price tables presented in the earlier part of this discussion that United States rice sells in London, and the same is also true for Hamburg, at a much higher price than the various grades of oriental rice quoted in those markets. This points to the evident reason for the ability of the United States to export in the face of the competition exerted by oriental rice sold at much lower prices. There appears to be a relatively small number of consumers in the world markets who are willing to pay a decidedly higher price for American rice because of its inherent quality and probably because of the fact that it is the most carefully graded rice which enters international trade. This leads to a further conclusion that the rice-growing industry in the United States will not be able to expand its acreage and to increase production unless two things happen: (1) The per capita consumption in the United States, the Hawaiian Islands, or Porto Rico should greatly increase; and (2) the demand by discriminating purchasers in foreign trade should greatly increase. An examination of the statistics covering the production of rice in the United States indicates that the acreage in 1928 is actually lower than the acreage in 1917, and that for recent years the tendency would indicate a production which appears to have reached about its limit. Thus, unless domestic consumption increases, or this demand by discriminating foreign consumers increases, or imports are regulated by adequate tariff duties, the rice industry can not make further progress, unless, perchance, agricultural methods can somehow be devised for reducing decidedly the cost of producing rice in the United States.

Having presented the reasons why the United States rice producer can export relatively small quantities of rice, we are now faced with the second question, How can there be imports of rice when the United States is on an export basis?

The United States imports of rice may be roughly classified according to the class or type of consumer for whom these imports are destined. The consumers may be roughly divided into three groups: (1) Orientals, who for personal or patriotic reasons, desire rice from their own countries; (2) residents who come originally from Italy or Spain and who desire rice grown in those two countries; and (3) the general consumer who is not a connoisseur in rice and who is usually unable to differentiate one type of rice from another.

When we examine the import statistics for cleaned rice which is dutiable in the tariff act of 1922 at 2 cents per pound, we find that there are some curious fluctuations in the duty-paid importations as shown, beginning with 1922. In 1922 the imports were approximately 14,345,000 pounds. In 1923, they increased to 16,860,000 pounds; in 1924, they further increased to 18,636,000 pounds; in 1925, they increased again to 30,915,000 pounds; in 1926, the imports rose very sharply and reached 79,572,713 pounds; in 1927, the imports declined to 26,204,000 pounds; and in 1928 they declined further to 20,121,000 pounds.

One definite conclusion can be drawn from these import figures, and that is, the fluctuations have been so wide that they can not be accounted for by the demand of our oriental population, or by the demand of any particular group of consumers desiring rice from Italy, Spain, or any other foreign producing country.

It is obvious that we must look somewhere else for the reason for the steady increase in the importations through 1926 and the subsequent decline. The solution to this phenomenon can be found by examining the prices of cleaned Blue Rose rice at New Orleans, which have been previously inserted in this statement. There had been a sharp decline in the price of rice beginning in 1920, and for the crop years beginning with August, 1921, and August, 1922, the price of cleaned Blue Rose rice in New Orleans was less than 4 cents per pound. For the crop year of 1923 the price was a cent higher per pound than 1922, and averaged for the year 4.9 cents. In 1924 the price increased further and averaged for the year at close to 6.2 cents, and for the crop year beginning August, 1925, the price maintained the level reached in 1924 and averaged close to 6.2 cents per pound. However, the relatively high prices after the recovery from the sharp decline in 1920 and 1921 began to fall in May, 1926, and have been falling since. In December, 1928, the wholesale price at New Orleans was only 3.8 cents per pound, a price which approximated the price in 1922.

Here we have the explanation for the increase and decline in imports. As the price of rice in the United States, as exemplified by cleaned Blue Rose rice, started to rise in 1922, imports started to increase, and reached their maximum in 1926 as a result of the high price prevailing in that year and in the year previous. Since then imports have declined sharply, keeping pace with the decline in price.

What conclusion can be drawn from this synchronous fluctuation of imports with prices in the United States? It is evident that in the sale of rice to the consumer through retail stores and in the utilization of rice for the manufacture of certain foods, the big distributing and manufacturing interests are concerned with obtaining rice at advantageous prices. It seems reasonable to assume that retail chain grocery stores will search the world for rice which can be sold on a competitive price basis with our domestic rice. And this must also be true of manufacturing or other distributing agencies. Therefore, when the price of our domestic rice approaches a level that is in some degree remunerative to the producer imports of cleaned rice come in over the present tariff wall and cause serious losses to the domestic grower.

The difficulties of the domestic rice grower and the domestic rice-milling industry in marketing rice seem fairly obvious. Producing rice at a higher cost than any of the oriental countries and producing a quantity in excess of present domestic needs, they must not only export a considerable portion of their production but they must do so in the face of lower prices for other internationally sold rice. At the same time they must receive a price in excess of the world price for oriental rice, not only in the foreign markets but also in the United States. It seems clear that their position is decidedly vulnerable, certainly in so far as the export trade is concerned, and that their domestic trade must be their chief reliance for the prosperity of both the farming and the rice-cleaning industries. There can be no question that without the protection afforded by the tariff the rice industry in the United States could not have developed to the extent it has; and that without increased protection it can not expand, if, indeed, it can hold its own.

In Table XI of this memorandum there are shown the prices of cleaned rice at Rangoon and Saigon, as well as at New Orleans, for the three crop years 1925–26 to 1927–28. If the simple average of the prices of the various grades of rice were taken for each of these three years, we find that in the crop year 1925–26 the wholesale price of cleaned Blue Rose rice at New Orleans exceeds the average wholesale price of the oriental rices at Rangoon and Saigon by approximately 4.2 cents per pound; by 2.3 cents per pound in 1926–27; and by 1.5 cents per pound in 1927–28. If a similar comparison is made of our domestic cleaned Honduras head rice at New Orleans, the differences are much greater. In 1925–26 the cleaned Honduras head rice at New Orleans exceeded the average price of the oriental rices by approximately 4.9 cents per pound; in 1926–27, by approximately 4 cents per pound; and in 1927–28, by approximately 2.2 cents per pound. Taking the simple average for these rices for the three crop years involved, we find that the wholesale price of cleaned Blue Rose rice and cleaned Honduras head rice at New Orleans on the average exceeded the wholesale prices of the oriental rices by 3.4 cents per pound.

No data are available for the costs of production of rice in the principal oriental producing countries, and the Tariff Commission has made no cost studies in the United States. It is generally admitted that the cost of producing rice in the United States greatly exceeds the cost in foreign countries.

The only measure of this cost difference available at the present time are the wholesale prices which have been previously quoted. In examining the costs of production of farm commodities, it is customary to take as a basis more than one crop year in order to minimize differences in costs which are caused by differences in yields per acre because of climatic conditions in the particular seasons studied. For the three crop years referred to above, taking wholesale prices as an evidence of costs of production, it is evident that the present rate of duty does not equalize the differences in the wholesale prices of the two principal varieties of domestic rice which are comparable to the principal varieties of oriental rice which enter into international trade. It is possible that the Committee on Ways and Means in recommending an increase in the duty on cleaned rice and the other rices covered in the paragraph based its findings on the relationships shown by the wholesale prices here discussed.

The provisions which have been inserted in H. R. 2667 as to broken rice and to other grades of rice are needed to prevent litigations in the customs courts and to prevent evasion of the intent of Congress in setting up the classifications for rice in various forms. The paragraph as rewritten takes care of the litigation which has resulted from the wording of the rice paragraph in the act of 1922.

Mr. COPELAND. Mr. President, I am surprised to have a Democrat stand up and propose a rate on a necessity of life which has in it every doubtful prospect of helping the rice farmers of the United States, but which undoubtedly will impose a higher price upon a food product of the people who live in the cities and buy the rice.

Mr. RANSDELL. May I ask the Senator if it is not the lowest commodity now in price, the cheapest?

Mr. COPELAND. Thank God something is cheap in the market. It is about time we had something that was cheap.

I appeal to Senators. Some of us who live in the East are trying hard, in the face of opposition, to support the farm program, and yet here is an article the producers of which in the States where this rice is produced will benefit very, very little, if any. We are already exporting tremendous quantities of

the product. Why do you not help us once in a while? Why do you not make it easy for us to support you in some of your undertakings? If you are going the limit in placing increased prices upon the necessities of the common people, you make it impossible for us who live where they are to vote for this bill.

I appeal to Senators not to place this increased tariff upon rice. There is no justification for it; there is no argument in the world that will justify placing an increased price upon a product so largely consumed by the common people of the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was rejected.

The next amendment was, on page 132, line 15, before the words "per pound," to strike out "1½ cents" and insert "1¼ cents," so as to read:

Brown rice (hulls removed, all or in part), 1¼ cents per pound.

The amendment was rejected.

The next amendment was, on page 132, line 16, before the words "per pound," to strike out "2½ cents" and insert "2 cents," so as to read:

Milled rice (bran removed, all or in part), 2 cents per pound.

The amendment was rejected.

The next amendment was, on page 132, line 19, after the word "bran," to strike out "five-eighths" and insert "one-half," so as to read:

Broken rice, which will pass readily through a metal sieve perforated with round holes five and one-half sixty-fourths of 1 inch in diameter, and rice meal, flour, polish, and bran, one-half of 1 cent per pound.

The amendment was rejected.

Mr. TRAMMELL. Mr. President, before we take a vote on this I want to submit a request for unanimous consent in regard to the vote on clams. I have been informed by several Senators that when we took a vote on the amendment relating to clams, found on page 131, a few moments ago, they did not understand just the question upon which we were voting. Some were confused as to whether or not I had offered an amendment to strike out the "20 per cent" proposed by the committee and to insert "30 per cent," and others did not know that a vote in the negative was what was required to sustain the House. I think most Senators will agree that there was more or less confusion at the time the vote was taken.

If there is no objection, I ask for a reconsideration of the vote by which the amendment was agreed to, and if it is reconsidered, then I will propose to amend the committee amendment by striking out "20" in line 9, page 131, and inserting "30," and then will ask for a vote.

The PRESIDING OFFICER. Is there objection to returning to page 131 to reconsider the amendment in lines 8 and 9? The Chair hears none, and the vote is reconsidered.

Mr. TRAMMELL. I propose in the committee amendment to strike out the numerals "20" and insert in lieu thereof the numerals "30," so as to read:

Clams, clam juice, or either in combination with other substances, packed in air-tight containers, 30 per cent ad valorem.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The next amendment was, on page 133, line 8, after the word "ton," to insert "soybean oil cake and soybean oil-cake meal, three-tenths of 1 cent per pound," so as to make the paragraph read:

PAR. 730. Bran, shorts, by-product feeds obtained in milling wheat or other cereals, 10 per cent ad valorem; hulls of oats, barley, buckwheat, or other grains, ground or unground, 10 cents per 100 pounds; dried beet pulp, malt sprouts, and brewers' grains, $5 per ton; soybean oil cake and soybean oil-cake meal, three-tenths of 1 cent per pound; mixed feeds, consisting of an admixture of grains or grain products with oil cake, oil-cake meal, molasses, or other feedstuffs, 10 per cent ad valorem.

Mr. COPELAND. Mr. President, I am very much obliged to the Senate for saving rice for the New York consumers.

Mr. CONNALLY. The amendment was rejected.

Mr. COPELAND. Then, I will make a special plea on soybean meal and cakes. If you are not interested in the welfare of the consumer, perhaps you are interested in the farmers of the East.

This article, soybean meal and cake, is one of the chief livestock feeds. It is used extensively in the East by the dairy farmers to feed their cattle. There is a very small quantity imported and the intent of the farm group, I suppose, in placing this upon the protected list, is to encourage the growth of soybeans. As a matter of fact, the soybeans that are raised in the West and South are used for the making of oil, which is protected, or will be, I have no doubt, when we get through with the bill; but this particular product is a product used on the farm. I appeal to Senators not to place it upon the protected list.

One hundred per cent of the soybean meal and cake is used on the farm—it is not competitive with a domestic supply—and, so far as I can see, there is no reason why a duty of $6 a ton should be imposed upon a product in common use, not in the cities, not in the democratic centers of the East, but among the farmers; and I make the same plea to you to protect the farmers of the East that you are making to us to protect the farmers of the West. I ask that the committee amendment be rejected.

Mr. DENEEN. Mr. President, this product is largely produced in Illinois. It is produced in the following States: Alabama, Arkansas, Delaware, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin.

In Manchuria the farmer receives 30 cents a bushel for soybeans. It costs in Illinois about $1.20 a bushel to produce them. It is one of the best crops that is raised, first for harvesting, then for pasture; it is an oil-producing crop; it is a soil builder; it is a legume; it has a large protein content; and it resists the corn borer.

The president of the farm bureau in Illinois favors it and says his organization favors it, and informs me also that the American Farm Bureau Federation favors this duty.

Mr. BLAINE. Mr. President, I am not going to discuss this particular question at any great length, but I just want to sound a warning to those who seem to have become considerably interested in an attempt to jack up the prices of certain alleged farm products by tariffs.

Soybeans in the United States can be raised profitably for one purpose, and that is forage, and the production of that part of the seed essential for planting. There are practically no soybeans used for oil-producing purposes except the seed that is discolored, shriveled, partly decomposed.

The soybean oil cake is merely a by-product in the crushing of these discolored and defective soybeans that can not be used for planting purposes.

I think to encourage the farmers of the country to undertake the production of soybeans for the purpose of producing oil is nothing short of a betrayal of the farmer. The writing into the tariff bill of this kind of legislation is simply an attempt to stimulate that which in the very nature of things will be a failure. Every farmer that is induced to grow soybeans for the purpose of producing oil is being led down the path of destruction and bankruptcy.

It is evident that some of the tariff rates which are proposed upon some of the products grown upon the farm are going to result for the benefit chiefly of the processors. Some of the so-called farm products are removed two, three, four, five, six, and seven times from the farmer. It is not for the protection of the farmer. It simply means increased cost for the farmer in operating his farm. And yet I appreciate that in undertaking to stimulate the production of some certain commodity such as soybeans we may induce some farmers to raise soybeans for the purpose of having them processed into oil and the by-product of that process, oil cake, but when we do that sort of thing we are leading the farmer into a bog mire. He becomes a competitor of other farmers.

So, Mr. President, I want to sound a note of warning. I sound it because of the fact that there are in existence certain tariff rates which have increased the costs of certain concentrated foods which restrict their use in the dairy States of the Union. In my own State, which has one-ninth of all the dairy cows in America, the market for practically all of the oil cake that was once used by the dairy farmers of Wisconsin has been partially destroyed.

This proposal is leading in the same direction. So, I hope that we will not in our zeal lead the farmers of the country into the belief that we are doing them a great economic favor when we place these increased tariff rates not upon farm products, but upon products that are processed. The tariff benefits, if there are any, will go to the processors of those products.

Mr. COPELAND. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from New York?

Mr. BLAINE. I yield.

Mr. COPELAND. Am I to understand that the Senator from Wisconsin is in opposition to the amendment proposed by the Finance Committee?

Mr. BLAINE. If the proposal is to induce farmers to grow soybeans so that certain processors might make a profit out of those farmers, I am opposed to that type of legislation. As I have said, the economic use to which soybeans can be put in America is in forage for dairy cattle primarily. Soybeans are used in producing a forage crop as a substitute for hay, and concentrated feeds. Soybeans are also raised upon the farms in conjunction with a corn crop. The soybeans go into the silo of the dairy and that is the feed which becomes valuable for dairying purposes. Soybeans can be profitably produced as a forage crop, but they can not be profitably produced in America as a seed-bearing crop except to replace the seeds necessary to sow the soybeans each springtime.

Mr. President, the result of this class of legislation which places a high tariff on a processed farm product is not in the interest of the farmer. To lead him in the direction of a crop that can not be economically produced for any other purpose than forage is to mislead him, and, therefore, is to betray him. A tariff on many farm crops that are being processed, that is being put in storage, cold storage or otherwise, that is held for a period of time from six months upward, is a tariff in the interest of the processor, in the interest of the cold-storage people, against the interests of the consumer, and with slight benefit to the agricultural producer of the raw product. Until the time comes when the farmers can cooperatively process and store their own products, the farmer is going to be the victim of high tariff rates, either under the industrial rates or the so-called agricultural rates, where the agricultural rate is upon the product that is processed or is capable of storage.

Mr. President, I am not particularly discussing the one proposed increase now before us. I refer to all the increases upon some of the products which some call farm products but which have left the farm and have become second, third, fourth, and fifth cousins of a farm product and cease therefore to be farm products. Increases upon that type of so-called farm products are against the interests of agriculture. They are in the interest of those who process and those who store such products and who reap thereby the benefit of the tariff at the expense of the consumer and in many cases without any benefit to the producer.

In the case of butter, for instance, under the 12-cent tariff rate it is conclusively shown that the farmer receives only 6 cents out of the 12-cent tariff. Who are the farmers that receive the 6 cents? The farmers who produce their butter on pasturage? No! The farmers who produce their butter in the wintertime? Only partially.

Mr. SMOOT. During five of the months of the year they get the full benefit.

Mr. BLAINE. There are six months of the time of production of butter, as I pointed out this afternoon, yielding from 110,000,000 to 190,000,000 pounds. During the six months when that butter is produced I challenge anyone to prove that the farmers receive a single penny from the tariff on butter. Those who produce during the six months of so-called winter production, when it runs as low as 80,000,000 pounds per month, receive a partial benefit from the tariff. But the composite benefit is only 6 cents a pound for the farmer, and yet that butter placed in storage goes to the consumer at the world's market price, the London price, plus the 12 cents tariff. The consumer therefore pays the entire tariff, and those who have stored the butter, who have withheld it from the market, are the beneficiaries to the extent of 12 cents a pound.

So, Mr. President, we could go on down the entire line of tariffs upon agricultural products and identically the same situation would be found. For whole milk the farmer is lucky to get about 5 cents a quart. The people of the cities of Chicago, Washington, New York, and Boston pay all the way from 15 to 18 cents a quart.

The tariff that has been increased on milk this afternoon will not redound to the benefit of the milk producers of New York and New England. They will receive practically no benefit from that tariff. A slight amount will be reflected back, it is true, but the beneficiaries of that tariff will be those who gather the milk from the countryside throughout the entire New England dairying area and sell it in the cities at a price three times the price that is paid to the producer of the milk.

Mr. President, I trust that we who come from the agricultural areas at least, who are chosen to consider these matters, will not undertake to mislead the farmer. Whatever increases we may write, let us do so frankly, let us do so openly. Let us not suppress the facts. Let us not lead the farmers to believe that they are going to be the beneficiaries of these increases on agricultural products.

There is something else that must be done. Good intention will not do it all. The tariff rate is only one-half the battle. There must be a system of marketing. That system must be a cooperative system. But we can not settle these problems in the discussion of tariff legislation. We can settle them at another time. We have not settled them yet, and I do not know that they ever will be settled. I do not know that they ever can be settled except by the farmers themselves. It is our duty to settle them, however, so far as we can, but, Mr. President, I for one want to raise my voice in warning against some of the attempts.

There is a combination here of fish and fertilizer lobbyists and those who are attempting to fool the farmer. They are all joined together.

I hope to be able, before the investigation of the special committee proceeds much further, to advise the Senate that some of these so-called farm representatives have been betraying and misleading agriculture, not only at this session of Congress but at past sessions of Congress. Already the testimony shows that at least three or four of the so-called farm representatives have been receiving money from the American Taxpayers' League, which is closely allied with Mr. Grundy; that they have been receiving money from the Southern Tariff Association, which, in turn, has received its money from railroads, from public utilities, from national banks; that they have been in close social and personal contact with the Arnolds, with the Grundys, and with the whole outfit of those who have come before Congress attempting to get a grab out of the tariff revision.

Those gentlemen do not represent agriculture, not at all. They represent no one but themselves. They have succeeded in building up an organization and collecting funds from the suckers who are willing to give them funds, but, so far as the dairy interests are concerned, those so-called farm and dairy representatives, if we estimate their representation per cow, do not represent a single cow milked by a single farmer in the States of Wisconsin, Minnesota, Iowa, or any other dairy State.

The same situation exactly exists with respect to oils, both vegetable and animal. They have one Morse; the evidence, I think, will indicate that sums of money have been raised with which, as he puts it, to help the farmer, and yet Mr. Morse is closely allied with the Du Pont organization and with the fertilizer organizations.

It will also be found that a certain gentleman who has been a lobbyist here for years against Muscle Shoals in the interest of certain domestic fertilizer producers has also joined hands with the same so-called farm representatives. These men in sheep's clothing have been in and about the Halls of Congress attempting to make Congress believe that they represent the agricultural interests. They have attempted to sweep Members of Congress off their feet, creating what they think is a movement that would drive Members of Congress to support their schemes of fish and fertilizer.

So, Mr. President, I shall not permit myself to be whipped into a zealousness whereby I will overlook the real fundamental interests of agriculture. I will not follow that leadership that has been promoted through the agencies to which I have referred, those agencies running into and ramifying practically all organizations which have combined themselves together to obtain increased industrial rates, increased rates on processed products, and increased rates on processed agricultural products. Therefore, Mr. President, whenever there is a proposal or an amendment offered that undertakes to place an increased tariff on a processed article that is the second, third, fourth, or fifth cousin to an agricultural commodity, I shall oppose it.

I know what crimes have been committed in the name of holiness. I appreciate that these so-called representatives, clothed in false cloaks, wearing false countenances, practicing a false and pretentious game, the racketeers of Washington, if they succeed will betray agriculture. Agriculture will be betrayed in its own home by these gentlemen who have come as wolves in sheep's clothing.

Mr. McKELLAR. Before we vote, in order that we may do so intelligently, I hope the Senator from Utah will give us the figures as to imports and exports of the soybean oil and cake. I believe those figures will have a very important bearing on how the most of us will vote.

Mr. SMOOT. The imports of soybean cake last year were 96,810,135 pounds, all of which came from China. The production of soybean cake and oil is estimated at about a million and a half pounds in the United States for the year 1927.

Mr. FRAZIER. Mr. President, the soybean crop is quite an important crop and is increasing year by year. Throughout the various States where it is raised the soybean is used largely for forage, and it is worth more for forage than it is for soybean cake. It is used by the farmer for forage and not for cake; but

the fact is that the soybean cake is imported here and comes into direct competition with cottonseed-oil cake, linseed-oil cake, and various other oil cakes of that kind which are used for feed for livestock. Therefore a tariff on soybean cake will help to keep out the oil cake which is imported and which comes into direct competition with the cake that we make out of cottonseed oil and linseed oil. The farmers who raise soybeans throughout the Nation, so far as I can learn, are in favor of this tariff duty.

Mr. COPELAND. Mr. President, I have been much interested in what the Senator from North Dakota said just now. He knows that the farmer does not readily change his habits. In my State the soybean meal and cake is one of the chief cattle foods, and I have been appealed to by the farmers of my State to do what I can do to prevent adding $6 per ton to that important food. That is what will happen. We produced in this country only a million and a half pounds.

Mr. THOMAS of Idaho. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Idaho?

Mr. COPELAND. With pleasure.

Mr. THOMAS of Idaho. I should like to know if the farmers of New York who are in the dairy business could not just as well use cottonseed cake or flaxseed cake or oats or something of that kind? Would they not use them if they could not get them cheaper than the soybean cake?

Mr. COPELAND. The Senator is not a farmer——

Mr. THOMAS of Idaho. Nobody ever accused me before of not being a farmer.

Mr. COPELAND. When a farmer is in the habit of nsing a particular feed he continues to do that, and he will continue to buy this feed, for which he will have to pay $6 a ton more.

Mr. President, I want the RECORD to show that every dairy farmer and every poultry man in New York, Pennsylvania, New Jersey, Massachusetts, Rhode Island, Connecticut, Vermont, and New Hampshire will know that if this bill becomes a law as it comes from the House, there will be $6 a ton added to the cost of all soybean products purchased by the farmers in those States. If the Senator from Idaho wants to do that and if other Senators want to do it, go ahead and do it; but I intend to tell the Senate as vigorously as I can and to let my section of the country at least know exactly what the attitude of the farm bloc is.

Listen to this:

> When it is the policy to give relief to the farmer, adding $6 per ton to the price of the feed used solely by the farmer is a peculiar type of farm relief.

Now, if the Senate wants to do it, go ahead and do it, but I am going to vote against it.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The PRESIDENT pro tempore. The next amendment will be stated.

The CHIEF CLERK. In paragraph 736, page 134, in line 12, after the word "brine," it is proposed to insert "or frozen without sugar added," so as to read:

> Berries, edible, in their natural condition or in brine, or frozen without sugar added, 1¼ cents per pound.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The PRESIDENT pro tempore. The next amendment reported by the committee will be stated.

The CHIEF CLERK. In the same paragraph, on page 134, line 14, after the word "frozen," it is proposed to insert "with sugar added," so as to read:

> Dried, desiccated, or evaporated, 2½ cents per pound; otherwise prepared or preserved, or frozen with sugar added, and not specially provided for, 35 per cent ad valorem.

Mr. HEFLIN. Mr. President, I ask unanimous consent that debate on these amendments as they come up be limited to 10 minutes.

The PRESIDENT pro tempore. Is there objection?

Mr. COPELAND. I object.

The PRESIDENT pro tempore. Objection is made. The question is on agreeing to the amendment proposed by the committee.

Mr. COPELAND. Mr. President, I am sorry that this happens to be a schedule that affects my section of the country and that there is serious objection to this paragraph. I should like, preparatory to what I have to say, to ask the Senator in charge of the bill what the present rate is on cherries of various types and will the Senator please explain the reason for the amendment?

Mr. SMOOT. Does the Senator refer to the item "cherries in their natural state, or frozen without sugar added, 12 cents a pound"?

The PRESIDENT pro tempore. Just a minute. Is the Senator from New York discussing paragraph 737?

Mr. COPELAND. I am referring to paragraph 737.

The PRESIDENT pro tempore. Very well. Without objection the amendment proposed by the committee in paragraph 736, in line 14, is agreed to. The question now recurs upon the next amendment, which the clerk will state.

The CHIEF CLERK. In paragraph 737, page 134, line 17, after the word "state," it is proposed to strike out "or dried," and insert "or frozen without sugar added," so as to read:

> Par. 737. Cherries: (1) In their natural state, or frozen without sugar added, 2 cents per pound.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the committee. The Senator from New York has the floor.

Mr. COPELAND. Mr. President, I should like to have the Senator from Utah explain the whole paragraph, because what I shall have to say relates to the paragraph in general rather than to any specific part of it.

Mr. SMOOT. Mr. President, the change made from existing law is that the cherries have been broken up into sizes. That is on account of the smaller-sized cherry, which is not produced in the United States, but is produced in Italy. That is the principal change.

As to the rates that the Senator wants to learn about, he can take them up as each of the subsections is reached.

Mr. COPELAND. Mr. President, may I ask the Senator a question? For instance, on page 135, beginning with line 4, "Sulphured, or in brine, in size 900 or less," there is an increase from 3 cents to 9½ cents; is there not?

Mr. McNARY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Oregon will state it.

Mr. McNARY. As suggested by the Senator from New York, I think the question now is whether we shall include dried cherries, or whether they shall be stricken from the House bill; not upon the amendments on page 135.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment proposed by the committee on page 134, paragraph 737, subdivision (1), beginning on line 17.

Mr. DILL. Mr. President——

The PRESIDENT pro tempore. The Senator from New York has the floor. Does he yield to the Senator from Washington?

Mr. COPELAND. I yield.

Mr. DILL. I want to ask why the committee struck out dried cherries.

Mr. SMOOT. That is in a new paragraph.

Mr. DILL. All right.

Mr. SMOOT. I will now answer the Senator from New York as to the rates.

On cherries, sulphured or in brine, in size 900 or less, per gallon, with pits, the committee placed a duty of 5½ cents per pound; with pits removed, 9½ cents per pound. The existing law is 2 cents. The proclamation of the President raised that from 2 cents to 3 cents. The committee raised the 3 cents to 5½ cents for cherries with pits, and 9½ cents for cherries without pits.

That is the history of the matter.

Mr. JOHNSON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from California will state it.

Mr. JOHNSON. On what particular provision of paragraph 737 is the Senate now deliberating?

The PRESIDENT pro tempore. The question is upon agreeing to the amendment proposed by the committee on page 134, paragraph 737, subdivision (1), beginning on line 17.

Mr. JOHNSON. That is my understanding. The Senator from New York, if he will permit me, is arguing concerning the first six lines upon page 135. Is not that correct?

Mr. COPELAND. I had thought——

The PRESIDENT pro tempore. May the Chair intervene to say that the Senator from New York requested the attention of the Senator from Utah, and asked him to explain the whole paragraph.

Mr. SMOOT. And I was explaining just what the Senator asked me for in relation to cherries, sulphured or in brine, as found on page 135, subparagraph (4); and the explanation I gave I think is correct. If the Senate does not understand it, I will repeat it.

A paragraph reading—

Cherries, sulphured or in brine, with stems and pits, 5½ cents per pound; with stems or pits removed, 9½ cents per pound—

was inserted on page 134 by the House. The Senate committee struck that out and divided the size of the cherry. The third provision was:

Sulphured or in brine, in size more than 900 to the gallon, with pits, 3 cents per pound; with pits removed, 4 cents per pound.

The fourth was:

Sulphured or in brine, in size 900 or less to the gallon, with pits, 5½ cents per pound; with pits removed, 9½ cents per pound.

The Senator has asked me what the present rates were. The rate in the act of 1922 was 2 cents a pound. After an investigation by the Tariff Commission the President raised the rate as high as he could under the law, making it 3 cents a pound.

Mr. JOHNSON. That is correct; but not as high as it should have been.

Mr. SMOOT. Not as high as the House thought it ought to be or as high as the Senate committee decided also, and not as high as shown by the last investigation as to the difference between the cost of the production in foreign countries—I will say in Italy, because that is where they come from—and the United States.

Mr. JOHNSON. Now, if the Senator from New York will permit me, I will explain to him in just a word what I am seeking to do in relation to these items. Then he will be advised as to the position that is maintained by the West.

We are seeking to retain, first, the House provision as embraced in lines 21, 22, and 23 on page 134, and to strike out the first six lines on page 135. Does the Senator from New York follow me?

Mr. COPELAND. I do.

Mr. JOHNSON. If that is reached, and we are ready for its presentation, within three minutes I can present the case from our standpoint.

Mr. COPELAND. I should be very glad if the Senator would do so. I should be glad to hear the argument.

Mr. JOHNSON. Mr. President, the Finance Committee has made a classification erroneously. That classification thus erroneously made I state upon the authority of the Tariff Commission first, and secondly upon the authority of the industry. Therefore, we seek to eliminate the first six lines on page 135, wherein the classification "900 to the gallon" has been fixed by the Finance Committee. It was done upon the theory, doubtless, that cherries of that size are not produced in the United States.

I have before me—and I do not care to read the extensive briefs or the statement of the Tariff Commission upon the subject—the refutation of that claim. In the United States, cherries of the size with which the cherries of Italy compete are raised in abundance. Therefore, the classification found in the first six lines of page 135 should be absolutely eliminated, and the House provision as found in the three lines I have indicated to the Senator on page 134 should be continued in the bill.

That is our position, and the testimony I have before me demonstrates the fact.

Mr. GOLDSBOROUGH. Mr. President——

Mr. SMOOT. Mr. President, I desire to make a statement to the Senator from California.

After the committee had agreed upon the 900 per gallon, and made the division as it reported the bill to the Senate, a further examination was made as to the production of cherries in the United States that would be affected by the Senate committee amendment of 900 to the gallon.

I am told by the Tariff Commission that the 900 to the gallon ought to be 1,000 to the gallon; and that would take care—I am only telling the Senator what the report is—of any cherry that is raised in the United States, and let the small cherry that the Italians will buy anyhow, and do buy no matter what the price is, come in at the rate of 3 cents a pound, as provided for by presidential proclamation.

Mr. JOHNSON. But that is exactly what the Tariff Commission says is not accurate.

Mr. SMOOT. The 900 is too small, Mr. President.

Mr. JOHNSON. Yes; and the 1,000 will not accomplish the result, and for that reason the classification I seek to remove.

Mr. SMOOT. I know the Senator does; but does the Senator say that the Tariff Commission says that 1,000 to the gallon will not give the result that the cherry producers of the United States desire?

Mr. JOHNSON. They have not fixed 1,000. They say 900 is perfectly absurd; and they say—which establishes the second premise—that the cherries that are raised in this country are of equal kind and character and size with those that are brought in from Italy.

Mr. SMOOT. They are better cherries, Mr. President, and we all know it; but there is a certain flavor to the cherry raised in Italy, not cultivated like our cherry is here, and the testimony before the committee was that it did not make a particle of difference as to the rate, that the Italians were going to buy that cherry.

Mr. JOHNSON. I have that testimony of the importers and I have with it, if time permitted, the utter refutation and answer to every statement that was made by the importers in that regard.

Mr. SMOOT. I am only stating exactly what actuated the committee in making the division.

Mr. JOHNSON. Oh, I have no doubt the committee was actuated by the highest motives, but in this instance it erred in its classification entirely.

Mr. GOLDSBOROUGH. Mr. President, the information that I gather does not accord with that which has been submitted by the chairman of the Finance Committee, and I desire to offer the following amendment to sections 3 and 4 of paragraph 737——

The PRESIDENT pro tempore. The Chair will say to the Senator that those sections have not yet been reached, though he may submit the amendments and let them lie upon the table.

Mr. GOLDSBOROUGH. I will wait until the sections are reached. I understood that they were. We have been discussing those, too.

Mr. McKELLAR. Mr. President, can we not vote on these—there seems to be no objection at all to them—and then reach the third and fourth subdivisions?

Mr. COPELAND. We can vote on them all in a moment; but I want to ask a question or two of the Senator from California. The purpose of bringing in certain of these cherries is that they may be candied or crystallized or glacéd. Is not that true?

Mr. JOHNSON. Yes.

Mr. COPELAND. These are to be prepared as maraschino cherries. With all deference to California, the advice I get is that that particular type of cherry grown in our country is not suitable for this use.

Mr. JOHNSON. That is entirely erroneous, I can assure the Senator.

Mr. COPELAND. At least the Senator knows that that statement is made; does he not?

Mr. JOHNSON. That statement is made by the importers, and it is made solely from the design on their part to make money because they can get their cherries cheaper. That is the only reason that it is made.

Mr. SACKETT. Mr. President, will the Senator yield to me for a moment?

The PRESIDENT pro tempore. The Senator from New York has the floor.

Mr. SACKETT. Will the Senator allow me to ask the Senator from California a question?

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Kentucky?

Mr. COPELAND. Yes.

Mr. SACKETT. Does the Senator know what the price of California cherries is?

Mr. JOHNSON. I am unable to tell the Senator the price.

Mr. SACKETT. The testimony before the Senate committee is to the effect that the price of California cherries is a good deal less than that of Italian cherries, and yet that those who produce maraschino cherries pay the additional price of the Italian cherry in order to get the small, hard-meat cherry.

Mr. JOHNSON. Whose testimony was that?

Mr. SACKETT. It is the testimony of Mr. McGowan. He is one of the manufacturers.

Mr. JOHNSON. I have testimony here of all kinds and characters from various individuals, with the various refutations concerning them.

I dislike exceedingly to take the time in reading that.

Mr. SACKETT. Mr. President, if the Senator will pardon me a moment, there are 26 of these manufacturers, employing a great many men in different sections of the country who are using these Italian cherries. If a 9½-cent rate is put on them, those people will be practically destroyed, as far as that business goes, unless they are able to get a proper cherry in this country to take the place of the Italian cherry. These people came in before the Senate committee and made the statement and furnished letters from the people of whom they seek to buy these cherries, stating that they can not be obtained.

Those statements are published in our volume of the testimony. There was no testimony published on the other side, to the effect that they can get them here. It seems to me before

we vote to destroy that industry it is rather up to the Senator to take the time to show us where we will not make a mistake in doing it.

Mr. JOHNSON. This peculiar plea I have heard ever since we have had tariff bills, and I am familiar with that kind of plea in respect to everything of the character we raise that may be utilized by any importer, confectioner, and the like.

Mr. SACKETT. The testimony taken before the Senate committee is the only matter on which we can proceed unless the Senator will furnish something else.

Mr. JOHNSON. We shall have to furnish something else, then.

Mr. SACKETT. I hope the Senator will do so.

Mr. SMOOT and Mr. BORAH addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from New York yield; and if so, to whom?

Mr. COPELAND. I yield to the Senator from Utah.

Mr. SMOOT. I want now to call the attention of the California Senators to one thing that will happen if the House provision is agreed to: If we impose a rate of 9½ cents per pound upon these cherries, the importers will import the cherries into the United States whole, they will do their pitting and stemming in the United States, and I am afraid the California producers will come in competition more severely than is the case to-day, if that is done.

To-day, under the presidential proclamation, the rate is 3 cents. The House provision would raise the rate on all these cherries to 9½ cents. All they would have to do would be to ship the cherries into the United States and then pit and stem them here. I call this to the attention of the California Senators, because I think I ought to do so now in order that they may think it over. I believe they ought to take a little time to do it.

Mr. JOHNSON. It is not only the California Senators who are interested in this matter but the Senators from all the Western States where cherries are raised.

Mr. SMOOT. The reason why I referred to the California Senators was because I know they are deeply interested, and I know they will take the brunt of the responsibility for the change.

Mr. SHORTRIDGE. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. SHORTRIDGE. I thought this paragraph, with its many subdivisions, should be considered as a whole. It was my intention to ask that the paragraph go over until to-morrow, in order that, personally, I might be able to gather my data together and be able to explain in detail why I was and am opposed to the proposed amendment. There are questions of fact here, and there is a question as to the meaning of the paragraph as amended.

I do not recall any evidence to the effect that it was a question of the quality of the Italian cherry. The question was more as to the size. It was urged more in argument than in positive testimony before us that we in California, and yonder in Oregon, had developed a very high-grade, large-size cherry; that we do not raise the little cherries which are abundant in Italy.

Mr. COPELAND. Mr. President, if the Senator will bear with me at that point, it is true that the California cherry is a large, luscious, delicious cherry, and for eating from the hand or for canning it is superb, it is perfect, but it is not suitable for making into what is known as the maraschino cherry, for preparing in the method which is followed where these cherries are used in the making of candy and pastry products.

Mr. SHORTRIDGE. Because of the smallness of the cherry?

Mr. COPELAND. No; it is not suited to this particular processing. That is the reason.

Mr. SHORTRIDGE. I suggest that the matter be allowed to stand over until to-morrow morning, and I shall have something to say about it.

Mr. COPELAND. I want to tell what I think about it, if the Senator will permit me. Here is what the manager of a great confectionery firm, Park & Tilford, writes me:

> It has been impossible for candy manufacturers who put out a chocolate-covered maraschino cherry—and practically every manufacturer does—to obtain a domestic-grown cherry that is suitable for this type of candy, inasmuch as it necessitates the use of a cherry of a much smaller size than is grown in the United States. Many experiments with the cherries grown here have proven conclusively that they are not suitable for the purpose.

Then another, representing the great bakers of New Hampshire, Connecticut, Vermont, Massachusetts, and New York, points out that all the less expensive varieties of confections make use of the Italian cherries.

The PRESIDENT pro tempore. The Chair understands the Senator from California to have asked unanimous consent that this paragraph be passed over until to-morrow.

Mr. McKELLAR. Let us not do that; let us vote on it.

Mr. SHORTRIDGE. No; I had intended to do so, but out of deference to others I have not made any request. Addressing myself to the learned Senator from New York, I undertake to be able to establish by evidence that the best maraschino cherry made to-day or consumed here in the United States is made from the western cherries, those coming from Oregon and California.

Mr. JONES. And Washington.

Mr. SHORTRIDGE. And the State of Washington.

Mr. BORAH. And Idaho.

Mr. SHORTRIDGE. And Idaho, and any State west of the Mississippi or south of the Ohio, or anywhere in the United States.

Mr. COPELAND. Has the Senator completed his statement?

Mr. SHORTRIDGE. Quite so.

Mr. COPELAND. Mr. President, I hope the Senator heard what the Senator from Utah said. If this change is made and this high duty is placed on these cherries, it will not benefit the American growers, because the importers will bring over here the whole maraschino cherry and it will be processed here.

That means that you will put out of business many American business men who have put their money into this industry, who are processing these cherries, and making use of them in these various pastry products and confections.

No Senator has stood more valiantly for the protection of the American industry than has the junior Senator from California, but what he proposes is to strike a blow at an important American industry. I have done the best I can, and the Senate must decide for itself.

Mr. SACKETT. Mr. President, before we come to a vote on this question I would like to read just a few words of the testimony that we have taken. Mr. McGowan appeared before the committee in opposition to this duty.

Mr. JOHNSON. Will the Senator state what Mr. McGowan's business is?

Mr. SACKETT. Yes; he is one of the district managers of the National Preservers' Association.

Mr. JOHNSON. Exactly.

Mr. SACKETT. They have 26 plants in the United States, a list of which is given in the testimony, and they have filed a brief for the whole preserving industry.

Mr. JOHNSON. That is Henry B. Schufeldt & Co., Peoria, Ill., spokesman for the National Preservers' Association before the Senate Committee on Finance, is it not?

Mr. SACKETT. Whatever he may be, he is one of the manufacturers of this cherry, and he makes this statement:

> We pay more for Italian cherries than we can buy them for on the coast. They say they could sell us raw food on the coast for 8 cents a pound. By their own differential, that is 12. But why do we pay 23 for Italian cherries?

He makes a statement here that these small cherries can not be obtained in sufficient quantities to carry on this business.

Mr. JOHNSON. Mr. President, will the Senator yield?

Mr. SACKETT. Certainly.

Mr. JOHNSON. Does he state that he obtained in 1929 from Michigan most of the cherries that he utilized in his particular factory at Peoria?

Mr. SACKETT. He does not state that in his testimony.

Mr. JOHNSON. The commissioner of agriculture of the State of Michigan says substantially that.

Mr. SACKETT. There is a letter in the testimony from Benton Harbor, Mich., from the Michigan Fruit Growers, signed by F. L. Grainger, the sales manager; and all I have to go on is the testimony that we took before the committee. He says in this letter:

> We have your letter of the 10th, making inquiry as to a supply of white sweet cherries, and regret to tell you that there is a very small production of white sweet cherries in Michigan. In fact, the supply is so limited that it would not be of interest to you from the manufacturing standpoint.
>
> The only cherries that this State grows in volume are the Montmorency red—sour cherries—of which the State produces in the neighborhood of fifty to sixty million pounds annually. If you are interested in a supply of these goods—

And so forth. He says he can supply them. There was also published a letter from Salem, Oreg., signed by Max Gehlhar, president of the Salem Cherry Growers Association, in which he says:

> We thought we would be able to locate at least a barrel of cherries for you here, but have been unable to do so.

Those are the classes of letters that were put before the committee, and those gentlemen came in and said that they could not obtain in this country cherries of the size needed to carry on their business. They employ a great many workmen. They import 55,000 barrels annually of the Italian cherry. They say they can get the cherries grown in this country at a lower price, but they have to pay the additional price for the Italian cherries to satisfy their trade.

I have been unable to find anywhere in the committee proceedings statements to show that these people who are doing this business can get their goods in this country, and it seems to me before we take action that will destroy their industry, whatever it may be worth—it is worth at least employment to the men engaged in it, and the employment of American workingmen, after all, is the thing we have to look to in framing this tariff bill—before we destroy the employment of that many men, we ought to know that they can get the goods in this country.

Mr. SHORTRIDGE. Mr. President, the Senator proceeds on the assumption that we would destroy the industry.

Mr. SACKETT. No; not destroy the industry necessarily, but destroy the price at which it is now being carried on, and whenever we raise the price, the Senator knows better than I do, that we invite the production of substitutes. While it might destroy a number of the plants in existence, there might be two or three plants which would run, or perhaps four or five, to supply the trade. But the Senator furnishes no proof. Why does he not come in and show that these goods can be produced in this country? The Senator says it, but he does not offer any proof.

Mr. SHORTRIDGE. I recall very well the argument before the committee.

Mr. SACKETT. So do I.

Mr. SHORTRIDGE. It is a mere question of size.

Mr. SACKETT. The Senator will remember that the Senator from New Jersey [Mr. EDGE] made the argument, and he is not here to-night.

Mr. SHORTRIDGE. I do remember that it was the very effective Senator from that State who succeeded in getting this amendment as it appears in the bill.

Mr. SACKETT. Yes; he made a very substantial argument.

Mr. SHORTRIDGE. It was persuasive, but to me it was not convincing.

Mr. SACKETT. Because the Senator said he could get the cherries elsewhere.

Mr. SHORTRIDGE. It was a question of size, not of quality.

Mr. SACKETT. Size and firmness of texture.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the committee.

Mr. McNARY. Mr. President, the amendment is on page 134 to strike out the words "or dried." I do not desire generally to discuss the question at this time, and not before it comes up in connection with the whole schedule as proposed by the Senator from California, but on cherries in a natural state there is a duty of 2 cents a pound. The testimony clearly indicated that it takes 6 to 7 pounds of fresh cherries to make 1 pound of dried cherries. The House was entirely correct in inserting the words "or dried" in order to give a proper relationship between the dried cherries and the cherries in a natural state. I do not think my distinguished friend from New York [Mr. COPELAND] will dispute or question that fact. Upon that question I am willing to go. Upon the whole program I shall desire later to say something further.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The PRESIDENT pro tempore. The next amendment will be stated.

The LEGISLATIVE CLERK. On page 134, line 19, the committee proposes to insert "(a) dried, desiccated, or evaporated, 6 cents per pound."

The amendment was agreed to.

The next amendment was on page 134, to strike out lines 21, 22, and 23, in the following words:

(2) Sulphured, or in brine, with stems and pits, 5½ cents per pound; with stems or pits removed, 9½ cents per pound.

And to insert in lieu:

(3) Sulphured, or in brine, in size more than 900 to the gallon: With pits, 3 cents per pound; with pits removed, 4 cents per pound;

(4) Sulphured, or in brine, in size 900 or less to the gallon: With pits, 5½ cents per pound; with pits removed, 9½ cents per pound.

Mr. GOLDSBOROUGH. Mr. President, I desire to offer the following amendment to the committee amendment to subsections 3 and 4 of paragraph 737:

On page 135, line 1, I move to strike out the words "in size" and insert the word "counting" in lieu thereof and strike out the figure "900" and insert the figure "700."

On page 135, line 4, I move to strike out the words "in size" and the figure "900" and insert "counting 700" in lieu thereof.

In support of this amendment I wish to state that the American packers of maraschino cherries, using cherries sulphured or in brine as the raw material, do not object to any fair protective tariff on this raw material but are opposed to any increase in the existing duty of 3 cents per pound by reason of the fact that there is no domestic source of supply and, therefore, no American industry to be protected.

The exhibits attached to the brief filed with the Finance Committee by the National Preservers Association, which will be found on pages 306–311, inclusive, of the hearings before the subcommittee of the Finance Committee on Schedule No. 7 are authentic statements of the interests in whose behalf efforts are being made for increased duties. They are admittedly unable to supply the fruit the eastern industry requires. The reason for this is obvious when it is understood that the imported cherries are produced in Italy almost entirely from a variety of trees that are not cultivated. The result is a small, tough cherry capable of withstanding the brining, washing, and processing employed in the manufacture of maraschino cherries. Western cherries are grown in orchards which are cultivated and pruned to produce the largest and most tender fruit possible for canning and the fresh-fruit market. The proposed increase in duty is sponsored by growers who are not now able to supply the requirements of the American manufacturers of maraschino cherries and will not be able to produce the kind of fruit required by eastern and western manufacturers unless methods of cultivation are changed.

The duty on cherries in brine as proposed by the House of Representatives is equal to an advance of upwards to 200 per cent over the present duty and that by the Senate Finance Committee an advance of 33⅓ per cent on the small sizes and over 200 per cent on the larger sizes. It is my understanding that the domestic growers of cherries are demanding even a much higher duty, despite the fact that there is no justification for any duty.

Every eastern manufacturer of maraschino and glacé cherries would prefer to buy his raw product, viz, cherries in brine, from domestic producers if he could secure the right kind of cherry.

Of course, cherries are grown all over the United States. We have them in all the Eastern States and millions more of trees could be planted. The packer of maraschino cherries in Maryland, New York, Kentucky, or Michigan, would not have to go out of his own back yard to get them if—and that is where the rub comes—we produced the right kind of cherries for the purpose. But we do not, and neither do they on the Pacific coast or anywhere else in this country. They are fine for fresh fruit and canning, but for maraschino purposes they simply will not do. California users buy the imported cherry and pay a higher price than is asked for the fruit produced in their own State. Why this "disloyalty"? Because the domestic cherry is different and raised for an entirely different purpose.

It is admitted by the western growers that they do not, and do not wish to produce the small sizes; certainly no one in the East or South pretends that they can raise them; so why is it considered desirable to put any duty at all on the small sizes? Why tax the raw product of American manufacturers who give employment to thousands and lend their efforts to the general good of the country, when there is no competing American product to be protected?

As to the larger sizes; the westerners claim that they can produce quantities and they are just as good and better than the imported cherries. It is granted that quantities can be produced, but if they are just as good for the purpose, why do the packers of fruit salads on the West coast insist upon buying the imported cherries? Simply because they have tried the domestic cherries and they will not do. More than 50 per cent of the maraschino cherries manufactured in this country are of the small size such as are produced only in Italy, and are used by the confectionery industry for dipping purposes. Confectioners can not use the western large cherry, and even on the Pacific coast, in the heart of the cherry-producing districts, confectioners buy the imported fruit.

Dr. H. P. Gould, senior pomologist at the United States Department of Agriculture, advised an eastern manufacturer of maraschino cherries, who sought to learn where he could purchase domestic cherries suitable for such use, that "I am sorry to say that I do not know of any source in this country from which cherries, such as I assume you desire to obtain, are to be had. I presume that if some small, firm-fleshed type of cherry

could be located it would be more nearly what you are seeking than anything which is obtainable in the ordinary commercial types of fruit which of course have been developed and are grown almost entirely for eating out of hand in the fresh stage or else for canning where the trade seeks, first of all, large fruit."

The duty of 4 cents per pound on cherries smaller than 900 count to the gallon, and 9½ cents per pound on cherries larger than 900 count is, I understand, a compromise to the provisions of the House bill. This compromise was predicated upon the assumption that the western growers are able to produce the larger-sized cherries, and that, therefore, there is competition between the Italian and domestic producers in these large sizes. In view of the fact that at least 60 per cent of the business of the manufacturers of maraschino cherries is in the small-size cherries, this compromise rate is better than the rate of 9½ cents per pound fixed by the House for all sizes, but I desire to direct your attention to the fact that the Tariff Commission found it to be a fact that the west coast did not produce cherries smaller than 700 count per gallon, and if the rates are to be fixed according to the size of cherries the official finding of the Tariff Commission should be employed so that 700 count size rather than the 900 count should constitute the dividing line. It is for this reason that I have so worded my amendment.

The Starr Fruit Products Co., of Portland, Oreg., the only large packers of maraschino cherries on the coast, pack only large cherries, and under date of April 30, 1929, in response to a bona fide bid for cherries, reported its inability to furnish cherries, and stated that it was unable to get sufficient cherries to take care of its own orders. The Salem (Oreg.) Cherry Growers' Association freely admits its inability to supply a Baltimore maraschino cherry manufacturer with western fruit, and suggests the necessity of experimenting with the western fruit for a period of years to determine the suitability of that fruit for maraschino use. The Meinrath-Corbaley Co., of Seattle, one of the largest brokerage houses on the coast, specializing in fruit, testifies to the fact that there is no existing source of supply to meet the requirements of the eastern packers. It is plainly evident that until there is an American production manufacturers in the East and the consumers of the product should not be penalized as is now proposed. The facsimiles of correspondence with these companies will be found on pages 308, 309, and 310 of the hearings.

If this increase in duty should prevail, the result will be ruin to a legitimate eastern industry in the vain hope that it may put a few pennies into the pockets of a limited number of cherry growers who already have their market, and a very good one, for fresh and canned cherries. This proposed advance in duty would not result in transplanting the cherry-curing industry from the East to the West, as hoped for by the advocates of higher duty, but would cripple if not ruin the maraschino industry without helping the cherry growers one iota.

Formerly all maraschino cherries were produced abroad and exported to this country. Through the business acumen of American manufacturers a large percentage of the market requirements is now cured here, furnishing employment to a large number of people, besides calling for immense quantities of supplies, such as sugar, boxes, barrels, bottles, caps, labels, and so forth.

The very life of this growing American industry is being threatened by the proposal to adopt prohibitive tariffs for a type and size of cherry which is not grown in this country at all.

It might be of interest for you to know that one firm in the city of Baltimore uses more than 12,000 barrels of imported cherries each 12 months in the manufacture of maraschino cherries.

For the reasons stated I earnestly urge the adoption of the amendment I am now submitting.

Mr. McNARY. Mr. President, I feel like apologizing to my colleagues for saying anything to-night. I shall be very brief and occupy but a moment of the time of the Senate.

The suggestion in the way of an amendment offered by the Senator from Maryland [Mr. GOLDSBOROUGH] is a suggestion of the old fight between the importer and the producer. Those who desire to get the cheap foreign commodities in the way of raw materials at a low price as against the American-produced article always come here and present their case in the way of reading letters and making statements which are contrary to the facts.

The Senator from California [Mr. JOHNSON] has proposed an amendment which should prevail, to strike out subparagraph (2) on page 134 and the first three paragraphs on page 135; and we should defeat the amendment offered by the Senator from Maryland.

Mr. President, in the States of Washington, Oregon, California, Idaho, Wisconsin, and Michigan there is as much as a billion dollars invested in this great industry. The Tariff Commission found that it cost $8.81 a pound to raise cherries; that the processing, the drying, and the marketing cost is 11 cents additional, and the differential between the price paid in Baltimore and New York for cherries is 11 cents a pound. We are asking for considerably less than that in order to sustain this industry.

Mr. President, those engaged in the great cherry industry in the West and in the Lake States, according to the facts obtained by the Tariff Commission from 1922 to 1928, have been unable to show a profit on the cost of production. As has been stated to-night, 10,000 barrels of cheap cherries from Italy, produced at a lower wage scale, at a lower living cost, are to-day what is dampening and depressing the market for cherries in this country.

If we are to legislate, Mr. President, in behalf of the importer, to make his condition profitable, and forget a great industry in which millions of dollars are invested in this country, an industry which has tax-paying property and which employs American labor under American standards of living, in order to insure the importer making a profit out of the cheaper cherries and cherries of inferior quality from foreign countries, then we might as well forget this tariff bill.

A word in conclusion. The Tariff Commission found that cherries adaptable to maraschino purposes could be produced in the States I have mentioned, namely, Oregon, California, Michigan, Washington, Wisconsin, and Idaho, by shortening the prunage and lessening the water, and that the cherries thus produced would be of a better quality than those now being imported into the city of Baltimore, the city of Cincinnati, and the city of New York, where the maraschino is made into a finished product.

Mr. COPELAND. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from New York?

Mr. McNARY. I will yield directly. There is much to be said on this subject, and I only have a moment. Unquestionably and undeniably the Tariff Commission in 1928 investigated this whole question and decided that cherries either in the natural state or in the dried state, adaptable to the maraschino business, which has thrived on cherries produced in foreign countries, can be produced in California and other States of the Union. Now, to come here and say that only those that are imported can be used for that purpose is an insult to the intelligence of the Tariff Commission and is an imposition, Mr. President, upon those who are engaged in the industry and have their money invested in it. In a word, I hope sincerely that the amendment of the Senator from California may prevail and that we may strike out this provision, restore the House language, and also strike out the Senate committee amendment which is found on the succeeding page.

Mr. COPELAND. Mr. President, the Senator from Oregon, the genial and kindly leader of the Republicans, is not quite fair, I think, when he says that the effort being made by those of us who take the view that I do is a movement in the interest of the importer. There are processing and manufacturing concerns which take what we may call the raw material, the cherry which is brought from abroad, and prepare it here in America by American labor. It is not like a completed article which is brought from abroad by some importer and then sold to the public in the form in which it is imported. We are dealing in a sense with a raw material. So, I know the Senator does not care to reflect at all upon the attitude we take and give out the impression that we are simply serving the importer, because that is not the fact.

I tried to bring out in my discussion that there is much American money invested in the business of making maraschino cherries. I recognize that maraschino cherries are not so popular now as they were a few years ago. Due to the efforts of my distinguished friend from Texas [Mr. SHEPPARD], there is a law now which prohibits the sale of certain beverages in which certain friends of mine have informed me maraschino cherries were used in considerable quantities in the past. Of course, that is all gone now, but there is a legitimate use for maraschino cherries. We recall the story of the woman who ordered 12 cocktails, and when in amazement the proprietor of the hotel asked, "Why, madam, what are you doing with 12 cocktails," she replied, "I do not drink the cocktails; I simply eat the cherries." That is not the situation at present. We now have another and legitimate use for maraschino cher-

ries. They are extensively used in pastry making and in cakes and in confectionery. It is not alone the high-grade expensive confectionery made by a firm like Park & Tilford——

Mr. JOHNSON. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from California?

Mr. COPELAND. I yield to the Senator.

Mr. JOHNSON. May I appeal to the Senator from New York to permit us to vote upon this item to-night? We have only six minutes more remaining of the session.

Mr. COPELAND. The truth is I have been intending to speak six minutes because—and there is not anything like being honest—the Senator from New Jersey [Mr. EDGE] is very much interested in this matter. I am perfectly willing to stop now if it is understood that the item will go over in order that he may present what he has to say about it.

Mr. JOHNSON. Then, let the Senator go on and speak for the six minutes.

Mr. SMOOT. Mr. President, do I understand the Senator from New York to yield the floor?

Mr. COPELAND. No.

Mr. SMOOT. Then, there are only six minutes remaining before 10.30, and we might as well take a recess now.

Mr. JOHNSON. Does the Senator from New York say that he is going to talk until the recess shall be taken?

Mr. COPELAND. Mr. President, the Senator from New Jersey desires to be heard on this question.

Mr. JOHNSON. Then, the Senator from New Jersey ought to be here. The rest of us are, and I do not know of any special privilege that attaches to the Senator from New Jersey or any other Senator when we are dealing with the schedules in the tariff bill. Indeed, sir, we have begun to-night finally what ought to be done upon this tariff bill, and, as one who has been connected neither with the coalition nor with the Old Guard, Republican, conservative, stand-pat organization, I hope that we will continue in session every night from now until adjournment and do our duty in respect to this bill, and when any Senator is not here or can not be here let us go on with the bill just the same.

Mr. COPELAND. Mr. President, I am very glad the Senator——

The PRESIDENT pro tempore. The Senator from New York retains the floor.

Mr. COPELAND. I am very glad the Senator from California has expressed himself so vigorously. I think we ought to go as far as we can with the bill, because it is very unusual to see so many Senators as are here to-night. I venture to say that to-morrow many who are now here will be in the discard; they will not be on the floor. So we ought to go just as far as we can with the bill.

However, as I was saying, I do think it is an unjust thing, an unfair thing, that the activities of this special session when it comes to this schedule should be devoted wholly to the farmer, without reference to the consumer. I will go as far as any man is justified in going——

Mr. HARRISON. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Mississippi?

Mr. COPELAND. I yield.

Mr. HARRISON. I understand the Senator wants this item put over until to-morrow. We have but five minutes more. I will ask the Senator from Utah if we can not put this item over until to-morrow, and take it up then, and go ahead with some of the committee amendments upon which we can pass to-night.

Mr. SMOOT. I am perfectly willing to do that, but I do not think the Senator from California would consent to have that done.

Mr. JOHNSON. I beg pardon. I did not hear the suggestion.

Mr. SMOOT. The Senator from Mississippi has suggested that we lay the pending amendment aside and go on with other amendments.

Mr. HARRISON. That the pending amendment go over, to be taken up the first thing in the morning.

Mr. JOHNSON. In the five minutes remaining let the Senator from New York talk.

Mr. COPELAND. Mr. President, we took a vote a little while ago on rice. We took an action which in no way will ever help the producer of rice, but it will increase the tariff on rice, so that every consumer of rice will pay an increased price from now until another special session of Congress may be called to revise the tariff and change the duty.

Of course, by that time I suppose we will have a realignment of parties, and there will be a different political complexion to be dealt with in the Senate.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Utah?

Mr. COPELAND. I yield.

RECESS

Mr. SMOOT. I move that the Senate take a recess until to-morrow at 10 o'clock.

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Utah for that purpose?

Mr. COPELAND. I do.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Utah.

The motion was agreed to; and (at 10 o'clock and 28 minutes p. m.) the Senate, under the order previously entered, took a recess until to-morrow, Friday, November 15, 1929, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES

THURSDAY, *November 14, 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:

Great and marvelous are Thy works, Almighty God. Do Thou lead our thoughts up to Thee by the sweet memories we recall, by the Providence which has cared for us, by the experiences of our own souls, and by the quiet and calm of the secret place. Dear Lord, look upon every heart and supply it with that quickening spirit which will bear the soul peace and the sense of forgiveness. Grant Thy complete blessing in yonder hospital upon him who fills a large place in the counsels of the Nation. Through sighs, through the depths of affliction, and through the shadows may he come. Comfort the hearthstone, and may it not be called to bear unspeakable sorrow and drink the bitter cup. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Monday, November 11, 1929, was read and approved.

ORDER OF BUSINESS

Mr. HOWARD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. HOWARD. Not wishing to disturb the solemn attitude of the House, I still desire to ask a question for information, if it be proper.

The SPEAKER. A question of a parliamentary nature?

Mr. HOWARD. I think so.

The SPEAKER. The gentleman will state it.

Mr. HOWARD. The question I desire to ask, Mr. Speaker, is this: Would it be proper, would it be right, for the House, notwithstanding the order of perpetual adjournment, to devote some time to consideration of those measures which our President called us together to act upon, measures for the relief of agriculture? Might we not discuss them and still not violate our rule? Might we not simply discuss them? I have one bill in particular, Mr. Speaker, in the interest of agriculture which I would like to discuss. I know we can not take it up, but the Committee on Agriculture is functioning, and my bill provides something so badly needed by the country I would like to discuss it, and now, Mr. Speaker, I will be bold enough to ask unanimous consent that I may now be privileged to address the House for 30 minutes.

The SPEAKER. The gentleman evidently was not present when the question of what business was properly before the House was discussed at some length by the majority leader [Mr. TILSON] and the minority leader [Mr. GARNER], when, I think, it was agreed that such an address as the gentleman would propose to make was in the nature of public business, and therefore the Chair thinks he ought not to recognize the gentleman.

Mr. HOWARD. That is very complimentary, Mr. Speaker, but I am quite sure the Speaker would discover, if he would permit me to proceed, that there was not very much business in connection with it. [Laughter.]

The SPEAKER. The Chair does not feel that he would be justified in taking the risk. [Laughter.]

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 7 minutes p. m.) the House, in accordance with its previous order, adjourned until Monday, November 18, 1929, at 12 o'clock noon.